said. "He's a significant talent. There are obviously issues we'd have to deal with with him and the public to see how that could fit. We're open to having that conversation with him. We've not closed the door to having him on Newsmax TV."

- Meanwhile, Sinclair Media Group isn't trying to land O'Reilly despite speculation the company might attempt to build a national Fox News rival. "We get approached by people all the time, which is probably where these reports were coming from," Sinclair CEO Chris Ripley told analysts on Wednesday's earnings call. "He did approach us. We do not have any interest in hiring him."

MEGYN KELLY'S RATINGS SURGE WITH HARASSMENT COVERAGE: Variety's Brian Steinberg writes: "After a rocky early start that has drawn scrutiny, Kelly's recent focus on matters of sexual harassment and gender inequality has drawn viewers to the fold. In recent days, she has nabbed exclusive interviews with victims making allegations about Bill O'Reilly, Harvey Weinstein, and Mark Halperin." Kelly's demo ratings rose 11 percent for the week ending Oct. 23 over the previous one; total viewership jumped 2.34 million.

BEHIND NYT'S DIGITAL SUCCESS: Recode's Edmund Lee and Rani Molla write: "The Times' digital business (advertising and subscriptions) jumped 30 percent through September of this year. That's a startling expansion, especially considering its online sales had been growing at an average clip of about 16 percent prior to 2017. If the paper keeps pace, it'll hit about $579 million in digital revenue this year. You can (partly) thank Trump for that."

TONIGHT: President Trump is sitting down with Laura Ingraham for an interview airing at 10 p.m. Topics will include tax reform, the president's upcoming trip to Asia and Tuesday's terrorist attack in New York City, the network announced. The interview will be Trump's 19th on a Fox network since becoming president.

HANNITY TOPPED CABLE NEWS LAST MONTH: The Associated Press reports: "After the summer of Rachel Maddow, Fox News Channel's Sean Hannity has ascended to the top of the cable news mountain. Hannity's move to the 9 p.m. time slot paid immediate dividends for the network. The Nielsen company said that President Donald Trump's biggest cable news backer averaged 3.2 million viewers in October, topping Maddow's 2.5 million. Fox's Tucker Carlson had 2.8 million viewers in an earlier time slot."

BREITBART ON FASHION: The Times' Ruth La Ferla profiles Breitbart fashion critic John Binder, a man who by his own account is uniquely cut out for the job." She writes: "Binder has been following his twin passions, fashion and politics, since his student days at Southeastern Louisiana University in Hammond, La. His professors were all too predictably liberal, he said in a phone conversation last week. Which left Mr. Binder, a contrarian by nature, to take an opposing position. 'The university turned me into a total right-winger,' he said."

- "One of our governing principles is that culture is upstream from politics," editor-in-chief Alex Marlow told The Times. "Meaning that the culture in influencing our political climate more than our political climate is influencing the culture."

WHEN IS A DEADLY ATTACK 'TERRORISM'? The Times' Max Fisher and Amanda Taub examine when horrific events, like last month's mass shooting in Las Vegas and Tuesday's truck attack in New York City, are - or are not - quickly and broadly defined as terrorism. "More than 16 years after the Sept. 11 attacks, many Americans, particularly on the left, are questioning the readiness with which lone Muslims are defined as terrorists while lone non-Muslims are deemed 'mass shooters,'" they wrote. "Even if the label fits in individual cases, they say, the inconsistency suggests a tendency to see Muslims as part of a hostile fifth column and white male killers as exceptions."

- Related: In April, I wrote about how shootings in the same California city were covered: "Two Tragic San Bernardino Shootings, Two Very Different Media Responses."

REVOLVING DOOR

Anton Troianovski, most recently with The Wall Street Journal, has been named The Washington Post's Moscow bureau chief.

Jeff Stein is leaving Vox to join The Washington Post's "Wonkblog" as a policy reporter.

EXTRAS:

- Jake Tapper accuses Fox News of misrepresenting his comments in a "disgusting" way.

- Trump called The Times to push back against a Washington Post characterization of him being "angry at everybody."

- CJR finds the "Weinstein effect" isn't just hitting the U.S. media industry, but is also having global repercussions.

- Twitter wanted Kremlin-backed RT "to spend big ahead of the 2016 US election," BuzzFeed reports.

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Subject: June 12 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

U.S. Finds Isolated Climate Change Stance at G-7 Talks

Posted June 12, 2017, 12:52 P.M. ET

By Chiara Albanese and Jessica Shankleman (Bloomberg), and Eric J. Lyman (Bloomberg BNA)

Two days of talks among Group of Seven environment ministers confirmed a crack between the world's other leading industrial nations and the U.S. over climate change issues.

The ministers were unable to find common ground on climate measures, according to a communique from delegations from the G-7 countries and the European Commission in Bologna, Italy, June 12.

The U.S. representative, Environmental Protection Agency Administrator Scott Pruitt, left the summit just hours after arriving. The U.S. was then represented by acting Environmental Protection Agency Assistant Administrator Jane Nishida.

The White House said Pruitt returned to Washington to attend a Cabinet meeting.

U.S. 'Does Not Join Those Sections'

The climate-related language in the final document gave strong backing to the Paris Agreement, reiterating the goal of keeping global warming "well below 2 degrees" Celsius (3.6 degrees Fahrenheit) compared to pre-industrial levels, and "pursuing efforts to limit the increase to 1.5 degrees" Celsius (2.7 degrees Fahrenheit). It also reaffirmed the goal of "mobilizing $100 billion annually by 2020" to help poor countries adapt to the impacts of climate change.

But in a footnote, the U.S. made clear that it does "not join those sections ... on climate" and climate change finance. The footnote did say the U.S. would "continue to engage with key international partners" on climate issues.

"We are resetting the dialogue to say Paris is not the only way forward to making progress," Pruitt said in statement the EPA issued after the talks. "Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength and clarity."

President Donald Trump announced June 1 that the U.S. would withdraw from the Paris climate

accord. Syria, Nicaragua, and the U.S. are now the only nations not participating in the accord.

Trump's offer to renegotiate a more favorable deal for the U.S. has been rebuffed by the leaders of Germany, France, and Italy. Environmental officials from Canada, France, Germany, Italy, Japan, the U.K., and the U.S. met for the June 11–12 talks.

'Irreversible, Not Negotiable'

The U.S. withdrawal will take years to unfold as the earliest it can formally exit is Nov. 4, 2020—the day after the next presidential election. But Trump's decision has already left it isolated. No other nation has said it will follow suit, and even coal-reliant India announced it will seek to exceed the Paris targets.

In closing remarks, Gian Luca Galletti, minister of environment for host Italy, said he hoped the U.S. might one day change its stance on the Paris Agreement, but in the meantime, the two-year-old Paris document remained "irreversible, not negotiable, and the only global instrument for confronting climate change."

Catherine McKenna, Canada's minister of environment and host of the 2018 edition of the G-7 environment ministerial talks, said she was hopeful the U.S. would rethink its stance: "We remain open to a partnership with the U.S. on climate," McKenna said.

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EPA Head Blamed Obama for Paris Deal at G-7 Climate Summit

Posted June 12, 2017, 10:02 A.M. ET

By Brian Parkin and Chiara Albanese

Environmental Protection Agency chief Scott Pruitt blamed former President Barack Obama for forging a bad Paris climate deal, leaving the U.S. with the job of extricating itself, the German environment minister said.

In a catalog of complaints, Pruitt blasted Obama for failing to sign off with Congress for $3 billion in financing for the international Green Climate fund, German Environment Minister Barbara Hendricks said in an interview. She cited bilateral talks with Pruitt at a two-day Group of Seven climate summit held in Bologna, Italy on Sunday and Monday, which both officials left early.

The EPA chief's "line of argument was purely domestic," Hendricks said by phone June 12 from Berlin. Pruitt said "bluntly" that the accord is not in U.S. interests, she said. Hendricks said she responded to his comments on Congress by arguing that Germany must seek parliamentary approval for annual payments to the Green Fund.

The summit has left Germany and its G-7 partners baffled as to how President Donald Trump plans to sustain climate protection in the international arena, Hendricks said.

"Pruitt didn't say one word on how he envisages the future of international climate policy and the role of the U.S. in it," she said.

Having helped forge the Paris treaty text in 2015 that now has attracted about 200 signatory nations,

Hendricks said she felt a "personal affront to her honor" from Trump's assertion that the accord was created to harm the U.S.

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U.S. Says It Has Seat at Climate Talks—But Is It at Kids' Table?

Posted June 12, 2017, 6:01 A.M. ET

By Dean Scott

The White House is insisting it will still have a seat at the table at the next United Nations climate summit just before Thanksgiving in Bonn—but President Donald Trump's exit from the Paris climate pact may mean the U.S. won't be sitting at the adults' table. Administration officials, including Secretary of State Rex Tillerson and EPA Administrator Scott Pruitt, insisted the U.S. still has a voice in climate negotiations, noting Trump stopped short of pulling out of the parent treaty to the 2015 Paris deal, the 1992 United Nations Framework Convention on Climate Change.

The U.S. is "going to continue engagement" in global efforts to cut carbon pollution, Pruitt said June 6 on MSNBC's "Morning Joe" show. "We're part of the UNFCCC, as you know," Pruitt said, and the U.S. would remain engaged in international cooperation that includes exporting "innovation and technology to Russia and China."

Senate Democrats who pushed Trump to stay in the Paris deal said arguments that the administration plans to be engaged in those debates ring hollow, given the president's skepticism of global climate efforts.

"It is absolutely misleading to say we're still there. We're not," Sen. Ben Cardin (D-Md.), the top Democrat on the Senate Foreign Relations Committee, told Bloomberg BNA.

But even if it technically remains in the UN framework convention, it's unclear whether the Trump administration will roll up its sleeves in those talks. Even if it does, some issues—from verifying climate actions taken by countries to forest emissions—are to be specifically addressed in the Paris deal. Bonn will host the next high-level UN climate summit Nov. 6-17.

Little Leverage to Prod China, India

More specifically, exiting the deal means the U.S. will have far less influence in pushing China, India and other other developing nations to agree to tough reporting and verification to see whether they are making good on the actions they pledged to address their emissions.

The U.S. also won't be at the table to push those same rapidly developing nations to ratchet up their actions around 2020, when parties are to offer new, more ambitious pledges under the Paris Agreement.

Trump can't withdraw from the pact immediately—the U.S. must wait four years from when the pact went into force on Nov. 4, 2016, to withdraw. In the meantime, the U.S. is still a member of the Paris deal, and thus nothing bars it from still sitting in on those talks to implement it. By contrast, the Bush administration was relegated to observer status after it essentially withdrew from the Kyoto Protocol in 2001.

Thus for now, the U.S. remains "a full member" in the Paris pact, according to Alden Meyer, who tracks climate negotiations for the Union of Concerned Scientists.

"My assumption is they will remain relatively passive in those negotiations and basically be observing," he told Bloomberg BNA. "And if they ultimately are seen as actively intervening or trying to shape the decisions, I think they would get a pretty ferocious blowback from other countries." Within the broader U.N. framework convention, the U.S. could still debate some key technical issues being negotiated there, including the hotly debated issue of loss and damage compensation for vulnerable countries already suffering climate impacts. The U.S. also could wield influence in two subsidiary bodies of experts launched under the 1992 framework: the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI).

Among those issues, agriculture stands out as a crucial climate-related issue essentially left out of the Paris pact but still negotiated within the UN framework convention where the U.S. still has a seat, according to Pipa Elias, who tracks agriculture and forestry issues for the Nature Conservancy.

Seeking Engagement?

Tillerson brushed aside suggestions that the U.S. has alienated allies or had become an unpredictable international partner. But the secretary offered few specifics on ways the U.S. could remain engaged on climate action in the wake of Trump's Paris announcement.

"So, we do believe that engagement globally continues to be important on the issue of climate change, and we will be seeking ways to remain engaged" through the U.N. Intergovernmental Panel on Climate Change, as well as various economic and trade forums, he said at a June 6 news conference with New Zealand Prime Minister Bill English.

The IPCC's next detailed global report on the latest climate science is due in 2021 or 2022.

Vow to Renegotiate Questioned

Cardin and other Democrats were particularly incensed over Trump's suggestion that he would be open to renegotiating the Paris deal—"on terms that are fair to the United States," Trump said—ignoring the fact that largely voluntary pact took more than 20 grueling years of talks to complete.

"To say that the president's actions just mean we want to negotiate a better agreement and we're still at the table—that is just inaccurate," Cardin said. "And our credibility has been badly damaged. Our seat is not there."

Sen. Chris Murphy (D-Conn.), who also sits on the Foreign Relations panel, scoffed at the notion that Trump would work to renegotiate the deal or his adminsitration will wield its influence in talks under the broader U.N. climate convention.

"If you want to still be part of that conversation, you should have stayed at the table" and remained in the Paris pact, Murphy told Bloomberg BNA.

Under the Paris Agreement, developed and developing nations alike vowed to take action to keep average temperatures from rising more than 2 degrees Celsius (3.6 degrees Fahrenheit) since the pre-industrial era and make best efforts to hold the line at a 1.5 degree Celsius increase (2.7 degrees Fahrenheit) this century.

U.S. Negotiators Still Expected in Bonn

The next round of talks in Bonn, known as the 23rd Conference of the Parties to the UNFCCC, or COP-23, will be focused primarily on implementing a sort of rulebook for the Paris deal, including how to verify that nations are actually making good on their climate pledges under the pact.

A total of 197 parties reached the deal in Paris in 2015. Of those, 148 parties either have ratified or formally joined the agreement. It is the 148 parties that will be at the table in those talks, launched last year in Marrakech, Morocco, as the Conference of the Parties to the Paris Agreement or CMA. Nations that haven't ratified the deal in time for the Bonn talks will still be able to observe the negotiations.

But the U.S. will likely send a small delegation of negotiators to Bonn, given that it remains in the 1992 convention, Andrew Light, a former Obama administration climate negotiator, told Bloomberg BNA.

Fewer negotiators would blunt the ability of the U.S. to shape any debate even if it stays at the table within the U.N. climate convention, according to Light, now a senior fellow in the World Resources Institute's global climate program.

"The size alone limits the ability to participate in all the conversations" which, in years past, have been held simultaneously and in rooms scattered across the Bonn summit site, he said.

Most in GOP Applaud Exit

Republican senators were in two camps. Most of them opposed President Barack Obama signing the U.S. onto the climate pact without Senate ratification. But a few, including Senate Foreign Relations Committee Chairman Bob Corker (R-Tenn.), had hoped to convince Trump that the pact was largely a non-binding deal and that the costs of withdrawal outweighed any benefit.

"I had four conversations with him last week, to explore ways of staying within it but still meeting U.S. objectives," Corker told reporters June 6. Sen. John McCain (R-Ariz.) also was disappointed. "I would have liked to fix the problems rather than junk the whole thing," he told Bloomberg BNA.

Vow to `Cease all Implementation'

In announcing his exit from the Paris accord, Trump by contrast made it clear the U.S. will disengage from international climate efforts and argued that other countries had gotten the better of the Obama administration in negotiating the agreement. In announcing the U.S. exit June 1, Trump said the U.S "will cease all implementation" of the Paris Agreement as well as "the implementation of the nationally determined contribution"—the U.S. pledge under which it vowed to cut emissions 26 percent to 28 percent from 2005 levels by 2025.

But world leaders haven't exactly been taking Trump up on his offer. Former Secretary of State John Kerry, who helped lead Obama's efforts on the Paris deal, also ridiculed Trump's negotiation offer.

"He is going to go out and find a better deal? That's like—I mean, that's like O.J. Simpson saying he's going to go out and find the real killer," Kerry said. "Everybody knows he isn't going to do that."

Big Oil's Clean Energy Ambitions Face Limits, Consultant Says

Posted June 12, 2017, 10:04 A.M. ET

By Rakteem Katakey

The world's biggest oil companies probably won't become renewable energy majors, according to industry consultant Wood Mackenzie Ltd.

The largest drillers would need to spend $350 billion by 2035 to replicate the 12 percent market share they hold of global oil and gas production, Wood Mackenzie said in a June 12 report. Even that spending would mean renewables only account for 6.5 percent of their total energy output in 20 years with oil and gas still dominating, according to the report.

Royal Dutch Shell Plc is expanding in wind energy, while Total SA is buying solar projects as Big Oil acknowledges the role of renewables in future energy supply. Still, that spending remains small compared with the trillions of dollars sunk into oil and gas infrastructure. Those investments will continue as oil producers expect a majority of cars will be fueled by gasoline and diesel for years to come.

"The scale of the opportunity is simply not there on our forecasts for solar and wind, at least not in the next 20 years," Tom Ellacott, senior vice-president for research and corporate analysis at Wood Mackenzie, said in the report. "Companies are only just starting to sow the seeds for the radical changes that lie ahead."

Still, energy companies will increasingly divert funds from oil production to build more wind and solar capacity, with over one-fifth of total capital allocated to renewables after 2030, Wood Mackenzie said. Only a small proportion of their total budget is currently spent on clean energy. The world's five biggest non-state oil companies together plan capital expenditure of more than $80 billion this year.

Cash Flow

Shareholders have increasingly been demanding oil company bosses raise investments in renewables and cut down on oil and gas. Shell Chief Executive Officer Ben Van Beurden told investors at a meeting last year that although the company is expanding its presence in renewables, it's still oil and natural gas that will drive revenue and fund dividend payouts.

Wood Mackenzie said wind and solar projects are competitive compared with some long-life oil and gas projects. Renewables projects operate for many years and provide steady cash flows, which can support dividend payments, according to the consultants.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/20/2017 3:05:27 PM
Subject: Murkowski: Trump Interior budget unlikely 'to become a reality'

By Annie Snider

06/20/2017 11:00 AM EDT

The Trump administration's proposal to slash the Interior Department's budget by 13 percent is likely to hit a brick wall on Capitol Hill, top Republican and Democratic senators said today.

Senate Energy and Natural Resources Committee Chairwoman Lisa Murkowski told Interior Secretary Ryan Zinke that her panel "will be reviewing all of the cuts that this budget proposes very, very carefully."

"I don't expect many of them to become a reality, especially those that target popular programs," she said during a budget hearing this morning.

Murkowski, who also chairs the Appropriations subcommittee with jurisdiction over the Interior budget, said she appreciates that the budget avoids budget gimmicks and said that "the positives outweigh the negatives." She pointed to the extension of the Payments In Lieu of Taxes program as a good sign, while she said that the budget's move to eliminate offshore revenue sharing was a negative.

"Frankly, I don't see that proposal going anywhere," Murkowski said of cuts to revenue sharing. The move would be a blow to the states of Alabama, Louisiana, Mississippi and Texas, whose coastal waters are home to the vast majority of the nation's offshore energy production, and who are eligible for up to $350 million a year in oil and gas royalty payments under the Gulf of Mexico Energy Security Act of 2006.

Sen. Maria Cantwell, the panel's top Democrat, was harshly critical of the budget proposal, saying it would be "devastating" to the country's national parks and public lands and "is a betrayal of our trust responsibility to tribes."

WHAT'S NEXT: Zinke will also present the Trump administration's budget to Senate appropriators and the House Natural Resources Committee later this week. Congressional appropriators are expected to draft spending measures later this summer.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/murkowski-trump-interior-budget-unlikely-to-become-a-reality-089342

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July 6, 2017

Today on Climate Beat . . .

. . . we went to Germany, where Chancellor Angela Merkel may be seeking some common ground on climate change at this week's G-20 summit, though it may come at the price of weakening some of the language on climate efforts and the Paris Agreement.

Out on the grid, the Energy Information Administration reports that utility-scale renewable energy surpassed the amount of nuclear generation in the United States in March and April for the first time since 1984, with the agency citing growth in renewables and maintenance of nuclear plants.

And in Congress, House Appropriations Committee Chairman Rodney Frelinghuysen (R-NJ) is facing home-state pressure to reject the Trump administration's proposed budget cuts for EPA in fiscal year 2018 and boost the agency's revenues.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Wed 7/5/2017 8:16:46 PM
Subject: EPA proposes trimming advanced biofuel volumes for 2018

By Eric Wolff

07/05/2017 04:09 PM EDT

EPA today proposed reducing its volume mandate for use of advanced biofuels under the Renewable Fuel Standard next year, but kept the requirements for ethanol at the maximum level set under the law.

The agency put the overall 2018 biofuel volume mandate at 19.24 billion gallons, with 15 billion gallons of that in conventional biofuels, or ethanol, and 4.24 billion gallons in advanced biofuels. That put the reduction in advanced fuels at 40 million barrels from the level set for this year.

"Increased fuel security is an important component of the path toward American energy dominance," EPA Administrator Scott Pruitt said in a statement. "We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace."

The mandate for cellulosic ethanol, which is included in the advanced biofuel figure, was cut to 228 million gallons, down 23 percent from 2017.

Volumes for advanced biodiesel, also an advanced biofuel, were previously set at 2.1 billion gallons for 2018 and would stay at that level in 2019.

An executive summary attached to the Renewable Volume Obligations said the reduction in advanced biofuels was a move to enhance domestic production at the expense of foreign.

Pruitt also reiterated his promise to get the final rule out by Nov. 30.

WHAT'S NEXT: The agency will take public comment and then try to finalize the rule before the Nov. 30 statutory deadline.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/epa-proposes-trimming-advanced-biofuel-volumes-for-2018-081311

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Trump Told Iowa He'd Save Ethanol. His EPA Chief Has Other Ideas

Posted September 29, 2017, 8:57 A.M. ET

By Jennifer A. Dlouhy and Mario Parker

As he sought votes during last year's Iowa caucuses, candidate Donald Trump courted farmers with praise for ethanol and promises that he would boost the home-grown fuel.

Now those farmers and other biofuel supporters say the people President Trump has put in charge of the issue in Washington are instead boosting their fossil-fuel rivals.

"This seems like a bait-and-switch," Iowa's senior senator, Chuck Grassley (R), said on the Senate floor this week. "Big Oil and oil refineries are prevailing, despite assurances to the contrary."

The issue is politically precarious for Trump, as it pits the oil industry against Midwest voters who helped elect him. Trump repeatedly vowed to "protect" ethanol. But he loaded his cabinet with allies of the oil industry, which views the Renewable Fuel Standard that mandates biofuel use as costly and burdensome.

Ethanol producers are most vexed by Scott Pruitt, the head of the Environmental Protection Agency. His agency has pursued a series of changes that would help the oil industry at the expense of farmers.

"The White House needs to rein in the EPA before the agency tramples the president's rural base—and his promises to voters," said Brooke Coleman, executive director of the Advanced Biofuels Business Council. "I would be surprised if those in the White House realize the depth of his attacks on the Renewable Fuel Standard."

Support for Fossil Fuels

Pruitt hails from oil-rich Oklahoma, and backing refiners and oil producers could aid any future political campaign in his home state, including a possible bid for the Senate seat that would open up if Republican Jim Inhofe retires in 2020. Pruitt has not announced plans to seek that seat or any other political office. While serving as Oklahoma's attorney general, Pruitt dubbed the quotas "unworkable" and a "flawed program."

Now at the EPA, Pruitt has gone "rogue," said Michael McAdams, president of the Advanced Biofuels Association.

"His job is to implement the vision of the president who says he supports biofuels," he said. Pruitt's actions don't "support biofuels in any shape or form."

Representatives of Pruitt declined to respond to questions about his ties to the oil industry. "EPA is currently seeking input from all stakeholders involved. Nothing has been finalized at this time," the agency said in a statement.

Despite the president's high-profile pledges of support, the intricate details of biofuel policy are being decided by administration officials with no allegiance to the sector, said Monte Shaw, executive director of the Iowa Renewable Fuels Association.

For instance, Trump's Energy Secretary is Rick Perry, who as Texas governor asked the EPA to waive half of the conventional renewable fuel quota in 2008. And Trump's Agriculture Department is led by Sonny Perdue, who previously was governor of Georgia, the nation's top poultry producer. Livestock producers have linked arms with the oil industry to fight the biofuel mandate, arguing it drives up feed costs.

Trump also tapped billionaire refinery owner Carl Icahn, a critic of the biofuel mandate, as special adviser on regulations. Icahn has since left that role.

In the latest policy move, the EPA this week issued a notice opening the door to potential reductions in annual quotas for biodiesel and ethanol. The action followed heavy lobbying by oil industry leaders seeking lower biofuel targets.

The 14-page "notice of data availability" that set those potential changes in motion explicitly invokes arguments by refiner Valero Energy Corp. or top oil trade groups nine times, with the EPA echoing the industry's assertions that imported biofuels jeopardize U.S. energy independence.

What's missing? Any reference to the counter arguments from the other side—biodiesel producers or corn farmers.

The EPA had already proposed lowering the amount of advanced biofuel that would be required next year, after Pruitt forced a last-minute rewrite of the agency's initial slate of renewable fuel quotas. EPA officials initially wanted to require 384 million gallons of cellulosic ethanol to be used next year—up 19 percent from this year's 311 million gallon quota—according to documents released by the Office of Management and Budget.

Corn Belt

But after lobbyists for refiners raised concerns about relying on imported biofuel to meet the targets, Pruitt directed EPA staff to recalculate the figures. The resulting proposal aims to lower the cellulosic ethanol requirement for the first time—to 238 million gallons next year.

Separately, the agency is mulling a change to allow exported biofuel to count toward compliance with the annual quotas—a move that would lower compliance costs for refiners while decreasing the premium some ethanol producers collect for selling the fuel domestically.

Oil industry leaders say Pruitt is making good on his pledge to get the RFS back on track, by

establishing biofuel quotas ahead of legal deadlines.

The EPA is advancing "Congress's stated purpose of bolstering America's energy independence," the American Fuel and Petrochemical Manufacturers said in an emailed statement. "American drivers shouldn't have to shoulder more costs to help foreign biofuel producers."

Biofuel boosters are reminding Trump of his promises now.

"It is my hope that your EPA has not forgotten about the pledges that were made to my constituents and to farmers across the country," Senator Joni Ernst, a Republican from Iowa, told the president in a letter this week.

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Trump's 1970s-Era Oil Comes at Right Time to Feed Asia's Thirst

Posted September 29, 2017, 9:11 A.M. ET

By Robert Tuttle

When President Donald Trump's Energy Department was lining up buyers a month ago to dump 14 million barrels of crude into the market, it might have seemed like bad news.

But as all that oil from the Strategic Petroleum Reserve starts hitting the market next week, the timing turned out to be pretty good.

Here's what changed: crude got out of its funk and entered a bull market, the outlook for global consumption suddenly looks a lot brighter, compliance with OPEC-led cuts improved, the shale boom is waning and, most importantly, sales to Asia have led U.S. exports to record levels. So, America doesn't look so incurably awash in oil after all.

"You'll see a lot of it get exported right away," said Dominic Haywood, an analyst at consultant Energy Aspects Ltd. in London. "There's good demand for it."

To get an idea of the size of the sale, deliveries spread over two months will add an average 233,000 barrels a day of crude that's been stashed in salt caverns in Texas and Louisiana since the wake of the Arab oil embargo in the late 1970s. That's more than either Kuwait or the United Arab Emirates have cut so far this year under the OPEC-led accord, data compiled by Bloomberg show.

That seemed worrying when the DOE was taking bids in early September and futures in New York were stuck below $50 a barrel. Hurricane Harvey had knocked out more than a fifth of U.S. refining capacity, the summer driving season had just ended and stockpiles were rising again.

But with the global Brent benchmark nearing $60 a barrel, West Texas Intermediate seems like a steal even after it surpassed $52 for the first time since April this week.

The type of oil coming out of the caverns, sour crude, also happens to be in particularly high demand because that's the kind OPEC has cut the most. Bonito Sour, for instance, sold at a $3.75-a barrel premium to WTI on Sept. 22, the widest since May 2015, data compiled by Bloomberg show.

"Sour crude differentials are on a tear," Haywood said. "Definitely it's a good time."

For the government, getting rid of the oil hoard from another era has become a priority because maintaining the facilities is a cash drain. Trump wants to slash it by half. In recent years, Congress has ordered small sales to fill government budget holes.

At a time when U.S. fields gush increasing amounts of crude, there has been growing support for making some cash out of the reserve, or even get rid of it altogether—specially because it'll cost about $2 billion to upgrade it.

By statute, the Energy Department needs to conduct two sales of oil from the Strategic Petroleum Reserve for fiscal year 2018, according to an agency spokeswoman. The timing is based on factors including the volume of oil, the potential delivery periods for each sale and how sales integrate with maintenance and operations at storage sites. The agency doesn't try to time it based on forecast commodity prices, she said.

—With assistance from Catherine Traywick.

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Senate Republicans Want to Allow Drilling in Alaska Refuge

Posted September 29, 2017, 01:07 P.M. ET

By Ari Natter and Erik Wasson

Senate Republicans set the stage for using the budget to end the 37-year ban on oil and gas drilling in Alaska's pristine Arctic National Wildlife Refuge.

A provision in the budget resolution, released Sept. 29, tells the Senate Energy and Natural Resources Committee to come up with $1 billion in savings over 10 years. That mandate is the first legislative step necessary for Congress to approve drilling in the preserve, known as ANWR, without the threat of a Democratic filibuster.

"You know me, I'm always trying to advance ANWR," Alaska Republican Senator Lisa Murkowski, the chairman of that committee, said on Sept. 26.

Murkowski and fellow Alaska Republican Senator Dan Sullivan have previously backed legislation that would allow oil and gas development on as much as 2,000 acres (809 hectares) of the refuge, and pressed to get this provision included in the budget.

Fossil fuel development in the 19-million-acre wilderness area has been prohibited since 1980.

If the budget is adopted by both the House and the Senate, a bill conforming to the instruction can be brought up in the Senate and could pass with 50 votes plus Vice President Mike Pence's tie-breaker, rather than the usual 60 votes need to end debate.

Royalties to Flow

Republicans plan to use the budget resolution to allow fast-track consideration of a tax overhaul plan.

Royalties from oil and gas production in the wildlife reserve would be a revenue-raiser that could help offset some of the tax cuts Republicans are proposing. President Donald Trump earlier this year proposed raising $1.8 billion over the next decade by opening up parts of the refuge for oil and gas development, a change that would require congressional action.

Energy production in the wildlife refuge, which is estimated to contain as much as 12 billion barrels of oil, has been debated for more than 50 years, with major oil companies such as ConocoPhillips, Alaska's biggest oil producer, interested in exploring for oil in the area. Environmentalists, meanwhile, have argued for making the refuge's coastal plain permanently off -limit to drilling, noting the area's fragile ecosystem is home to polar bears, caribou, musk oxen and more than 200 species of migratory birds.

"It would be a sin against the environment," Senator Ed Markey, a Massachusetts Democrat, said in an interview. "We should not be doing that for the oil industry. We don't need to set up a gas station on top of the ANWR."

Fuel Prices

Proponents of opening up the area to energy development argue it's needed to help keep domestic fuel prices low and generate government revenue, including funds for Alaska, which has seen its economy and state government coffers hit hard by a decline in oil prices.

In addition to Democrats, Republicans Senators such as Susan Collins of Maine and John McCain of Arizona have in the past voted against efforts to open the refuge to drilling. Asked how she might vote this time around, Collins said she was open to reconsidering.

"I am told that there is a new kind of horizontal drilling that is far safer, but I don't know enough about it to have looked into yet," Collins said in an interview. Still, she added, "I voted against it consistently in the past."

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Southern's Nuclear Plant Gets $3.7 Billion More in U.S. Aid

Posted September 29, 2017, 12:55 P.M. ET

By Ari Natter and Mark Chediak

Southern Co.'s troubled nuclear reactor project in Georgia is in line to get additional government support after the Energy Department announced Sept. 29 it offered $3.7 billion in additional loan guarantees.

Georgia Power Co. and its partners constructing the Vogtle plant—the only new nuclear power project in the U.S.—were already recipients of $8.3 billion in federally-backed loan guarantees, but asked the Trump administration to come to their aid amid ballooning costs and delays.

The project represents the last, best hope for a much-hyped nuclear renaissance that has failed to materialize in the U.S. following Japan's Fukushima accident and persistently weak wholesale electricity prices.

"I believe the future of nuclear energy in the United States is bright and look forward to expanding

American leadership in innovative nuclear technologies," Energy Secretary Rick Perry said in a statement announcing the additional aid.

The proposed aid comes after the Trump administration proposed ending the loan guarantee program, which has been under fire from conservative critics since it famously backed a half-billion-dollar loan guarantee to failed solar-panel maker Solyndra LLC.

Project Costs Soar

The new federal financing comes as Southern seeks Georgia regulators' approval to continue building two reactors at its Vogtle nuclear facility. Costs for the project have soared to more than $25 billion amid construction delays, caused in part by the bankruptcy of contractor Westinghouse Electric Co.

The Energy Department announced conditional loan guarantees of $1.67 billion to Georgia Power, a subsidiary of Southern; $1.6 billion to Oglethorpe Power Corporation; and $415 million to three subsidiaries of Municipal Electric Authority of Georgia.

Securing the additional money will help the Atlanta-based company make its case to Georgia regulators who must now weigh Southern's recommendation to continue against concerns from environmental groups and consumer advocates.

The additional loan "will help us continue to reduce our financing costs," said Paul Bowers, president of Georgia Power. With more than $5 billion in loan guarantees promised to Southern, the utility owner says its customers will get $500 million in "benefits" for its customers.

Georgia's public service commission will likely give its OK to the Vogtle project if Southern and its partners receive about $3.7 billion in payments from Westinghouse's parent Toshiba Corp., Tim Echols, a member of the Georgia Public Service Commission, said last week.

"The additional loan guarantee money, monetizing the Toshiba payment, and tax credit extension are music to my ears," Echols said. "Without these it will be difficult to finish our Vogtle reactors and I hope the U.S. Senate knows that."

—With assistance from Brian Eckhouse.

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Perry Moves to Aid Coal, Nuclear Generators with Pricing Rule

Posted September 29, 2017, 9:58 A.M. ET

By Catherine Traywick

U.S. Energy Secretary Rick Perry is doubling down on coal and nuclear power.

The Energy Department proposed a rule Sept. 29 aimed at helping coal and nuclear power plants compete within wholesale power markets by allowing them to recover their costs at "a fair rate of return," according to the agency's website. Generators with a 90-day supply of fuel on site are eligible.

While they provide reliable, base-load power, coal, and nuclear plants are costly to run, so grid operators usually don't call on them until after all renewable and natural gas resources have been exhausted. Meanwhile, low cost gas, wind and solar power have lowered electricity prices to the point that coal plants, when needed, often aren't paid enough to cover operating costs.

"Ensuring a reliable and resilient electric supply and corresponding supply chain are vital to national security," Perry said in a letter to the Federal Energy Regulatory Commission, which will consider the proposal. The letter touts the agency's recent grid study, which made the case for preserving base-load power, a term typically used to describe coal and nuclear plants that can run all the time.

Perry's proposal may have a friend in Neil Chatterjee, who was tapped by President Donald Trump to temporarily lead the energy commission. Chatterjee has repeatedly argued that coal-fired plants are a crucial part of America's energy mix that needed to be "properly compensated to recognize the value they provide."

But grid operators may find implementing such a rule to be "difficult or problematic," Christi Tezak, managing director at ClearView Energy Partners in Washington, wrote in a research note. Still, a pricing rule of some kind may be formalized by as soon as spring 2018, she said.

'Major Retreat'

Rob Gramlich, founder of the clean energy consultancy Grid Strategies LLC, characterized the proposal as "a major retreat from competition."

The Federal Energy Regulatory Commission, an independent agency under the Energy Department, has authority over power markets, though the energy secretary may propose rules to the commission. Perry is seeking final action within 60 days.

The proposal follows the agency's controversial grid study, which argued that base-load power is critical to grid resilience and called for changes to how wholesale electricity is traded. The report cautioned that "market designs may be inadequate" to keep "traditional" power generation online.

—With assistance from Jim Polson and Ari Natter.

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Pennsylvania Nuns to Appeal Transco Pipeline Decision

Posted September 29, 2017, 04:01 P.M. ET

By Leslie A. Pappas

Nuns who sued on religious grounds to stop a pipeline from traversing their property in Pennsylvania say they will appeal a judge's decision to dismiss the case.

The sisters of the Adorers of the Blood of Christ in July sued the Federal Energy Regulatory Commission (FERC) and Transcontinental Gas Pipe Line Co. LLC (Transco) to stop construction of the Atlantic Sunrise pipeline on land they own in Lancaster County.

The group said the pipeline would violate their freedom of religion under the Religious Freedom Restoration Act (RFRA), echoing religious arguments made by the Standing Rock Sioux Tribe and

others in their quest to stop the Dakota Access Pipeline in North and South Dakota.

Judge Jeffrey L. Schmehl denied the nuns' motion for a preliminary injunction to stop the pipeline, and granted the company and FERC's motions to dismiss the case, in an order filed Sept. 28 in U.S. District Court for the Eastern District of Pennsylvania (Adorers of the Blood of Christ v. FERC, E.D. Pa., No. 5:17-cv-03163-JLS, 9/28/17). Schmehl said that the nuns needed to challenge the pipeline under procedures laid out in the Natural Gas Act (NGA).

"No matter how sweeping RFRA may be, plaintiffs simply may not bypass the specific procedure established by Congress in the NGA by bringing a RFRA suit against FERC in this Court," Schmehl wrote in his opinion.

Chris Stockton, a spokesman for Williams Companies, Inc., which owns the Transco pipeline system, said the company was "pleased with the court's well-reasoned decision to dismiss" and said the company remains "open to constructive dialogue with the landowner to find an amicable resolution of our differences."

'Sacredness of Earth'

The nuns maintain that the 42-inch pipeline, which would be used to transport natural gas from hydraulic fracturing operations, violates their belief in "the sacredness of Earth."

The pipeline would go through several Pennsylvania counties, carrying gas to markets like the Cove Point liquefied natural gas export terminal on the Chesapeake Bay.

"While the Adorers respect the District Court's conclusion that the Adorers could only raise their religious freedom claims during FERC's administrative proceedings, the issues and rights involved in this case are so important that the Adorers believe additional judicial review is warranted," the nuns said in a statement emailed to Bloomberg BNA Sept. 29. "The Sisters believe that God calls humans to treasure land as a gift of beauty and sustenance that should not be used in an excessive or harmful way."

Transco applied in March for authorization to construct the pipeline, and on Feb. 3, FERC gave the company the right to take private property along the pipeline route by eminent domain, the ruling says.

After the nuns refused to allow the pipeline onto their property, the company sued for access, and on Aug. 23, the court granted a portion of the nun's property to Transco.

The nuns said they plan to appeal the decision to the Third Circuit Court of Appeals in Philadelphia.

Electric Scooter Taxes to Drop as Taiwan Boosts Green Vehicles

Posted September 29, 2017, 01:41 P.M. ET

By Yu-Tzu Chiu

Electric scooter owners in Taiwan could see a tax break as the country aims to boost clean transportation and its domestic electric vehicle industry by extending licensing incentives through 2021.

Only 929 car buyers have taken advantage of the existing automobiles license tax waiver for electric cars, and Taiwan hopes dropping the fees for electric scooters will encourage more buyers to consider eco-friendly vehicles. The proposal Taiwan approved Sept. 28, which still must be approved by the legislature, would extend the existing waiver on the license tax for electric vehicles through the end of 2021. The tax break was set to expire Jan. 5, 2018.

Currently, the vehicle license tax rate in Taiwan for electric scooters under 12 horsepower is zero; electric scooters with 45 horsepower or more pay a vehicle license tax of 1,620 Taiwanese dollar ($53) annually.

Deputy Finance Minister Tzu-hsin Wu said at a news conference that revising tax codes is one of the government's strategies to encourage the development of domestic electric vehicle industries. As European countries such as Norway consider banning gasoline and diesel cars, Wu said it's important for Taiwan to catch up.

Taiwan projects that the extended tax breaks eventually will put 5,795 electric cars on the road by 2021and more than double the number of electric scooters to 171,000. The extended tax incentives would help the government gain an additional 800 million Taiwan dollars in revenue, Wu said.

During a recent meeting discussing the tax exemption proposal, Premier Lai Ching-te said the incentives are designed to both encourage green consumption and help boost the development of domestic electric vehicle industries, according to Kuo-yung Hsu, a spokesman for the Taiwan Cabinet.

Industry Hopes for Boost

Taiwan's automakers praised the tax incentives but suggested cash rebates, such as those used in the U.S., could encourage even more buyers to consider an electric vehicle. In Taiwan, cash incentives are offered to buyers of electric scooters as one of the government's pollution control measures. Taiwan wants to ban smoky two-stroke scooters by 2020.

Wen-yi Lo, a spokesman for Taiwan-based Yulon Motor Co Ltd., said the company has invested more than 3 billion Taiwanese dollars ($99 million) in the past decade to develop electric cars. Taiwan's electric vehicle charging network has expanded with the support of government policies, and by late 2017 three kinds of electric cars produced by Yulon will be available in Taiwan, he said.

Yen-yang Chen, marketing manager of Gogoro, a Taiwan-based company selling electric scooters, said it's encouraging that the electric vehicle license tax exemption would expand to electric scooters.

"More buyers will choose electric scooters because supportive policies have been seen here," Chen told Bloomberg BNA.

Gogoro started selling its electric scooters in Taiwan in 2015. By 2016, Gogoro's sales comprised two-thirds of the total 20,000 electric scooters sold in Taiwan, according to government statistics.

Foreign electric automakers also see opportunities in Taiwan. In late January, U.S.-based Tesla Motors delivered its first batch of products to Taiwanese customers and opened its first supercharging station in Taipei.

Local media reported that, after the end of the waiver in 2021, drivers of a Tesla model with 700 horsepower will have to pay an annual license tax of 117,000 Taiwanese dollar ($3,900), about four times that on some nonelectric super cars.

Tesla Taiwan declined to comment on the Cabinet's tax revision proposal.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Mon 6/26/2017 2:04:33 PM
Subject: POLITICO's Morning Score: Trump nonprofit warns GOP senators to get in line — Koch network leader calls health fight 'humbling' — DeWine announces Ohio governor run

By Elena Schneider | 06/26/2017 10:00 AM EDT

With Kevin Robillard

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

WARNING SHOTS - "Pro-Trump group's health care offensive warns GOP senators to get in line," by POLITICO's Alex Isenstadt: "A new campaign by top White House allies targeting the GOP's most vulnerable senator over health care sends a loud message to those resistant to the Trump agenda: We're coming after you. America First Policies, a White House-backed outside group led by the president's top campaign advisers, has launched a $1 million attack against Sen. Dean Heller (R-Nev.), who on Friday announced that he opposed the Senate's recently unveiled Obamacare repeal plan. ...The offensive is aimed at both punishing Heller and at swaying his vote, and it is a stunning act of political retaliation against a member of the president's own party - one who faces a perilous path to re-election in 2018. Senior Republicans, many of whom are deeply worried about Heller's political standing and increasingly nervous about the midterms, were shocked and spent the weekend measuring the possible fallout." **Full story.**

HONEST FEEDBACK - "Koch-backed group calls health fight in Congress 'humbling,'" by Campaign Pro's Kevin Robillard: "The head of the the Koch brothers-backed Americans for Prosperity admitted to donors on Sunday that the group was caught 'flat-footed' by the fight in Congress to replace Obamacare, as the group seeks to influence Republican proposals it says do not go far enough to repeal the 2010 law." **Full story.**

THIS WEEK ON THE HILL - "Senate Republicans skeptical Obamacare repeal can pass this week," by POLITICO's Elana Schor and Seung Min Kim: "Senate Republicans are casting doubt on their leaders' plans to vote this week on repealing Obamacare, with lawmakers from all wings of the party so far withholding support from the massive reshaping of the health care law that they campaigned on for seven years. Majority Leader Mitch McConnell of Kentucky faces problems from seemingly every corner of his conference, and - from wary moderates to conservatives and even leadership allies - few Republicans were willing Sunday to predict the Senate repeal bill could pass this week, before lawmakers leave Washington for a weeklong July 4 recess." **Full story.**

2018 WATCH - "Ohio AG Mike DeWine announces 2018 run for governor," Associated Press: "In the era before President Donald Trump, Republican Mike DeWine's status as an easy favorite to win Ohio's governor's race would have been assured. The 70-year-old attorney

general, who announced his long-anticipated bid Sunday, is one of the state's most familiar and high-profile public figures, a former U.S. senator and lieutenant governor with a big wholesome-looking family, an extensive political network and $2.5 million already in the bank. But it remains to be seen how DeWine's traditional political profile will play in a national political climate that's been upended by President Donald Trump." **Full story.**

Days until the 2017 election: 134.

Days until the 2018 election: 498.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

COLORADO SPRINGS CHRONICLES - Abbott warns GOP donors about Texas turning blue: Texas Gov. Greg Abbott doesn't have a clear Democratic opponent, and his approval ratings are strong. But he still told GOP donors at the Koch network's annual seminar at the Broadmoor Resort in Colorado Springs that they should fret about Democrats gaining ground in his home state. "People really take Texas for granted," he told the crowd, noting billionaire Democratic donor George Soros had recently invested heavily in the Harris County District Attorney's race and Texas was one of just a handful of states where Hillary Clinton did better in 2016 than Barack Obama did in 2012. "If Texas, California and New York are all blue, then Bernie Sanders will be a middle-of-the-road type candidate," Abbott said. He said his campaign has already hired field organizers, and plans on investing heavily in the ground game.

- Kochs warn of energized left: At a strategy session in front of about 400 donors, Freedom Partners official Emily Seidel warned that Democratic enthusiasm would make for the hardest midterm cycle Republicans have faced in recent memory. "This midterm election cycle is far more difficult than in recent years," Seidel said. She said liberal political groups were seeing donations booming, and had growing budgets to match the network's largesse. "We are facing a reinvigorated left."

HOT DOC - Democracy Corps recommends attacking health bill over process, focus on pre-existing conditions: A new memo from Democracy Corps summarizing surveys for Women's Voices. Women Vote Action Fund has recommendations on how Democrats should best attack an already-unpopular health care bill. The memo recommends focusing on the provisions making it more difficult to get insurance if you have a pre-existing conditions, since that attack was the most effective in getting bill supporters to change their minds. It also says attacking the bill for backroom deals was effective at moving swing voters. **Read the full memo here.**

NEW PAC ALERT - Two veteran Democratic strategists, longtime Ted Kennedy aide Steve Kerrigan and former Colorado Democratic Party chair Rick Palacio, are launching Stronger States, a new federal PAC focused on state and local races that will work on "strengthening state

and local party committees, providing results-driven resources to Democratic candidates, and partnering with candidates, state parties, and progressive allied organizations."

EXPANDING THE PROFILE - Dem megadonor Tom Steyer adds health care to his brand, by POLITICO California's Victoria Colliver: "California billionaire activist Tom Steyer made his name as an environmental activist, worked with Democratic groups to register a million new voters and redefined green politics with high-profile campaigns on climate change and clean energy. Now as he weighs a run for public office, he's adding health care - specifically drug prices - to his brand. ...The former hedge fund executive, 59, is backing a California effort to force drug manufacturers to give notice of price increases, a move Steyer sees as a first step to reining in drug costs and curbing the power of corporate interests." **Full story.**

CAMPAIGN FINANCE GOING LOCAL - "Milwaukee donor funded more than one-third of Virginia transgender candidate's primary victory," by Campaign Pro's Maggie Severns: "Danica Roem, a transgender Virginia House candidate, got major help to beat out three other Democrats to win her party's nomination during last week's primary - from Milwaukee. More than one-third of the money Roem has raised for the race - as of the most recent filing deadline - comes from Milwaukee County Executive Chris Abele, who also chairs the board for the pro-LGBT Victory Fund. Though they're both connected through the Victory Fund, Roem says she can't recall ever meeting Abele, who has twice wired eye-popping donations to her small-dollar state government race - to the tune of $10,000 and $15,000. Abele, who is not gay or transgender, said he was drawn to her race because it has symbolic significance." **Full story.**

- "Christie donors gave more to Murphy than to Guadagno and Ciattarelli combined," by POLITICO New Jersey's Matt Freidman and Brendan Cheney: "In the race for New Jersey governor, Democratic nominee Phil Murphy is casting Republican Kim Guadagno's candidacy as a third term for Gov. Chris Christie. But ... [a] POLITICO New Jersey analysis of the most recent campaign finance data available found that the donors who gave to Christie's gubernatorial campaigns contributed just short of $464,000 to Murphy - about 10 percent of the roughly $4 million raised from donors. Murphy, a former Goldman Sachs executive and U.S. ambassador to Germany, self-funded his $20 million primary campaign ... Despite serving as Christie's second-in-command for the past 7 1/2 years, Guadagno, the GOP gubernatorial nominee, received significantly less from those who gave to Christie, taking in about $311,000 from them during the primary. Ciattarelli, the Republican runner-up, received just over $143,000 from Christie doors." **Full story.**

- "Bloomberg's Next Anti-Washington Move: $200 Million Program for Mayors," by The New York Times' Alexander Burns: "Michael R. Bloomberg will throw his financial might into helping beleaguered American mayors, creating a $200 million philanthropic program aimed at backing inventive policies at the city level and giving mayors a stronger hand in national politics. Mr. Bloomberg intends to announce the initiative on Monday in a speech to the United States Conference of Mayors in Miami Beach, where he will castigate federal officials and state governments around the country for undermining cities. He plans to describe the program, called the American Cities Initiative, as a method of shoring up the global influence of the United States despite turmoil in Washington." **Full story.**

YOUR (FINAL?) DAILY GEORGIA - "The GOP's one-man fire brigade," by POLITICO's Eliana Johnson: "Karen Handel wasn't the only big winner in Tuesday's special election. Republican operative Corry Bliss, who heads the super PAC officially blessed by House GOP leadership, arguably had just as much riding on the outcome." **Full story.**

- "Destroying Jon Ossoff: the adman's view," by Axios' Jonathan Swan speaking to Republican operative Bob Honold, runs through the ad-by-ad progression of the NRCC TV campaign against Ossoff in GA-06. **Full story.**

CODA - QUOTE OF THE DAY: "I didn't come here to ride the back bench and get a fancy business card." - GOP Rep. Jason Chaffetz, who's departing Congress on Friday, to The Salt Lake Tribune.

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EHS Federal Regulatory Alert

September 12, 2017 - Number 175

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
California SIP/Placer and Ventura County Air Pollution Control Districts
AIR

Proposed rule of the EPA would approve revisions to the Placer and Ventura County air pollution control districts (APCD) portions of the California SIP. The rule would approve a Placer County APCD rule concerning emissions of nitrogen oxides from incinerators. The rule also would approve a Ventura County APCD rule addressing previously unregulated types of fuel burning equipment, including kilns, dryers, and ovens. Comments are due Oct. 12, 2017. Contact: Kevin Gong; EPA Region 9; 415-972-3073; Gong.Kevin@epa.gov. Citations: 40 CFR 52

82 FR 42765 (09/12/2017)

Regulatory Update

AIR
Delaware SIP/2008 Eight-Hour Ozone NAAQS
AIR

Proposed rule of the EPA would approve a revision to the Delaware SIP regarding reasonably available control technology (RACT) requirements under the 2008 eight-hour ozone NAAQS. The revision includes a certification that for certain categories of sources, previously adopted nitrogen oxide (NOx) and volatile organic compound (VOC) RACT controls approved under the 1979 one-hour and 1997 eight-hour ozone NAAQS are based on the currently available technically and economically feasible controls and continue to represent RACT for implementation of the 2008 eight-hour ozone NAAQS. The revision also addresses the adoption of new or more stringent standards or controls that represent RACT control levels for certain categories of sources. In addition, the revision includes a negative declaration that control technique guidelines (CTG) or non-CTG major sources of VOC and NOx sources do not exist in the state. A revision relating to startup, shutdown, and maintenance will be addressed in a separate action. Comments are due Oct. 12, 2017. Contact: Leslie Doherty; EPA Region 3; 215- 814-3409; jones.leslie@epa.gov. Citations: 40 CFR 52

82 FR 42767 (09/12/2017)

Regulatory Update

AIR
Idaho SIP/PM-2.5 NAAQS Infrastructure Requirements
AIR

Proposed rule of the EPA would approve revisions to the Idaho SIP regarding the infrastructure requirements for the 2012 annual fine particulate matter (PM-2.5) NAAQS. The rule would not approve or disapprove state provisions regarding excess emissions during startup, shutdown, or malfunction of operations at a facility or any provisions involving state director discretion or variance. Comments are due Oct. 12, 2017. Contact: Matthew Jentgen; EPA Region 10, Air Planning Unit; 206-553-0340; jentgen.matthew@epa.gov. Citations: 40 CFR 52

82 FR 42772 (09/12/2017)

Regulatory Update

AIR
Kentucky SIP/Ambient Air Quality Standards
AIR

Final rule of the EPA approves revisions to the Kentucky SIP that update the state's ambient air quality standards to reflect the historical and current NAAQS for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter (PM-10 and PM-2.5), and sulfur dioxide. The revisions also update and reformat an ambient air quality standards table. The rule does not approve revisions regarding state air quality standards for hydrogen sulfide, fluorides, and odor. The rule is effective Oct. 12, 2017. Contact: Madolyn Sanchez; EPA Region 4, Air Planning and Implementation Branch; 404-562-9644; sanchez.madolyn@epa.gov. Citations: 40 CFR 52.920

82 FR 42746 (09/12/2017)

Regulatory Update

AIR
Montana FIP/Regional Haze
AIR

Final rule of the EPA revises the Montana regional haze federal implementation plan (FIP). The revisions increase the best available retrofit technology (BART) nitrogen oxides emission limit for the Trident cement kiln in Three Forks to 7.6 pounds per ton clinker as a 30-day rolling average. The revisions also correct the reasonable progress determination for the Blaine County #1 Compressor Station and the instructions for compliance determinations for particulate matter BART emission limits at electrical generating units and cement kilns. Portions of the FIP addressing the Colstrip and Corette power plants that have been vacated and remanded by the appeals court will be addressed in a separate action. The rule is effective Oct. 12, 2017. Contact: Jaslyn Dobrahner; EPA Region 8, Air Program; 303-312-6252; dobrahner.jaslyn@epa.gov. Citations: 40 CFR 52.1396

82 FR 42738 (09/12/2017)

Regulatory Update

AIR
West Virginia/Clean Air Act Consent Decree
AIR

Notice of the Department of Justice announces a proposed modification to a consent decree in United States v. Bayer CropScience LP (Civil Action No. 2:15-cv-13331), lodged on Aug. 31, 2017, with the U.S. District Court for the Southern District of West Virginia. The original consent decree (80 FR 57873; 09/25/2015) addressed alleged violations of the Clean Air Act related to a 2008 explosion at a methomyl production unit in Institute, W.Va., and required the defendant to pay a civil penalty of $975,000; to perform injunctive relief to reduce the likelihood of future accidents at the Institute plant and several other chemical processing plants; and to perform supplemental environmental projects valued collectively at $4.23 million. The proposed modification would replace one of the supplemental environmental projects that involved expanding a wastewater sump with another project to purchase emergency response equipment, reducing the total cost of the supplemental environmental projects to $3.05 million. Comments are due Oct. 12, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 42838 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Age, Race and Ethnicity Data in Medical Device Clinical Studies
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a final guidance for industry concerning the evaluation and reporting of age, race, and ethnicity data in medical device clinical studies. The guidance is intended to encourage the collection and consideration of age, race, ethnicity, and associated covariates during the study design stage; to provide recommended analyses of study subgroup data with a framework for considering demographic data when interpreting overall study outcomes; and to specify the FDA's recommendations for reporting age, race, and ethnicity-specific information in summaries and labeling for approved or cleared medical devices. The guidance also extends the policy established in the agency's guidance for evaluation of sex-specific data in medical device clinical studies to additional demographic subgroups. Comments may be submitted at any time. Contact: Katheryn O'Callaghan; FDA, Center for Devices and Radiological Health; 301-796-6349

82 FR 42819 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
International Drug Scheduling
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces an extension of the comment period regarding an Aug. 14, 2017, notice (82 FR 37866) relating to the abuse potential, actual abuse, medical usefulness, trafficking,

and impact of scheduling changes on availability for medical use of 17 drug substances, including various synthetic opioids and cannabinoids. Comments received will be considered in preparing a response from the U.S. to the World Health Organization (WHO) regarding the abuse liability and diversion of the drugs. WHO will use the information to consider whether to recommend that certain international restrictions be placed on the drugs during the meeting of its 39th Expert Committee on Drug Dependence, scheduled for Nov. 6-10, 2017, in Geneva. Comments now are due Sept. 20, 2017. Contact: James Hunter; FDA, Center for Drug Evaluation and Research; 301-796-3156; james.hunter@fda.hhs.gov

82 FR 42818 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oral Rabies Vaccine Trial
GENERAL ENVIRONMENT AND SAFETY

Notice of the Animal and Plant Health Inspection Service announces the availability of a supplemental environmental assessment and finding of no significant impact for an oral rabies vaccination (ORV) field trial in New Hampshire, New York, Ohio, Vermont, and West Virginia. The supplemental assessment analyzed potential effects of the ORV for wildlife in the specified states and the geographic shift of the ORV zone in Ohio and the addition of 17 counties in West Virginia so that baits could be applied to the western edge of the ORV zone in West Virginia. The finding of no significant impact is based on the EA and the 2013, 2015, and 2017 supplements to the EA and reflects the agency's determination that the distribution of the experimental wildlife rabies vaccine will not have a significant impact on the quality of the human environment. Contact: Richard Chipman; APHIS; 603-223-9623; richard.b.chipman@aphis.usda.gov

82 FR 42781 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oregon Air National Guard Military Airspace Expansion
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of the Air Force announces the availability of the record of decision (ROD) that approves modifications to existing airspace and the establishment of new airspace in Nevada, Oregon, and Washington to support the Oregon Air National Guard's F-15 training operations and to implement practicable mitigation. The ROD is based on the May 19, 2017, final environmental impact statement (82 FR 22997). Contact: Kevin Marek; National Guard Bureau; 240-612-8855

82 FR 42803 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Petition for Enforcement Action/Defective Safety Components and Falsified Quality Assurance
GENERAL ENVIRONMENT AND SAFETY

Notice of the NRC announces the receipt of a petition from Paul Gunter, on behalf of Beyond Nuclear and representing numerous public interest groups, requesting that the NRC take action on licensees of plants that currently rely on potentially defective safety-related components and potentially falsified quality assurance documentation supplied by AREVA-Le Creusot Forge and its subcontractor, Japan Casting and Forging Corp. The petitioner provided expert review that identified significant irregularities and anomalies in the manufacturing process and quality assurance documentation of large reactor components manufactured by the AREVA-Le Creusot Forge for French reactors and reactors in other countries. Supplements to the petition are also being considered in evaluating the petitioners' request for enforcement action. The request for enforcement action meets the criteria for review under the 10 CFR 2.206 process, but the request concerning potentially falsified quality assurance documentation will be referred to another NRC process for appropriate action. Contact: Merrilee Banic; NRC, Office of Nuclear Reactor Regulation; 301-415-2771; Merrilee.Banic@nrc.gov. Citations: 10 CFR 2.206

82 FR 42857 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Premarket Approval Application Critical to Quality Pilot Program

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the Premarket Approval Application (PMA) Critical to Quality pilot program, a voluntary program for early evaluation of device design and manufacturing process quality information. The program allows qualifying PMA applicants to engage the FDA on development of critical to quality controls for their devices and forego the standard PMA preapproval inspection. The FDA would instead focus on applicants' implementation of controls during a post-market inspection, including design, manufacturing, and quality assurance practices identified by applicants. Program participation criteria and procedures are provided. The program will run from Sept. 29, 2017, through Dec. 31, 2018. Contact: Bleta Vuniqi; FDA, Center for Devices and Radiological Health; 301-796-5497; Bleta.Vuniqi@fda.hhs.gov

82 FR 42815 (09/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Tennessee Valley Authority/Reservoir Land Management Plans

GENERAL ENVIRONMENT AND SAFETY

Notice of the Tennessee Valley Authority announces the adoption of reservoir land management plans for eight TVA reservoirs, including Chickamauga, Fort Loudoun, Great Falls, Nickajack, and Normandy in Tennessee; Wheeler and Wilson in Alabama; and Kentucky in Kentucky and Tennessee. The TVA also is incorporating the information from the plans into its comprehensive valleywide land plan. The TVA is implementing the preferred alternative identified in the final environmental impact statement (82 FR 33911; 07/21/2017) that provides for allocation of land in the eight reservoirs into broad land use categories or zones, including project operations (Zone 2), sensitive resource management (Zone 3), natural resource conservation (Zone 4), industrial (Zone 5), developed recreation (Zone 6), and shoreline access (Zone 7). Contact: Kelly Baxter; TVA; 865-632-2444; krbaxter@tva.gov

82 FR 42872 (09/12/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Examinations of Working Places in Metal and Nonmetal Mines
OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Mine Safety and Health Administration would further delay until March 2, 2018, the effective date of a Jan. 23, 2017, final rule (82 FR 7680) that updated standards for the examination of working places in metal and nonmetal mines. The rule requires operators to promptly notify miners of any conditions found that may adversely affect their safety or health, and requires operators to promptly take corrective action. The rule also requires the examination record to include the name of the examiner, examination date, location of areas examined, a description of adverse conditions found, and the date of corrective action. In addition, the rule requires operators to make the examination record available to authorized representatives of the secretary of Labor and miners' representatives and to provide a copy upon request. MSHA previously delayed the effective date to assure that mine operators and miners affected by the rule have the required training and compliance assistance (82 FR 15173; 03/27/2017) and to allow additional time for the agency to provide stakeholders training and compliance assistance (82 FR 23139; 05/22/2017). The current action would allow additional time for MSHA to provide stakeholders training and compliance assistance and provide more time to train inspectors. A concurrent proposed rule would make limited changes to the final rule concerning working place examinations and reopens the comment period and announces a series of hearings concerning the limited changes. Comments on the delay of effective date are due Sept. 26, 2017. Contact: Sheila McConnell; MSHA, Office of Standards, Regulations, and Variances; 202-693-9440; mcconnell.sheila.a@dol.gov. 30 CFR 56.18002, 57.18002

82 FR 42765 (09/12/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Examinations of Working Places in Metal and Nonmetal Mines
OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Mine Safety and Health Administration would modify a Jan. 23, 2017, final rule (82 FR 7680) that updated standards for the examination of working places in metal and nonmetal mines. The rule requires operators to promptly notify miners of any conditions found that may adversely affect their safety or health, and requires operators to promptly take corrective action. The rule also requires the examination record to include the name of the examiner, examination date, location of areas examined, a description of adverse conditions found, and the date of corrective action. In addition, the rule requires operators to make the examination record available to authorized representatives of the secretary of Labor and miners' representatives and to provide a copy upon request. The changes would clarify that working place examinations must be conducted before work begins or as miners begin work and specifies the adverse conditions and related corrective actions that must be included in the working place examination record. MSHA previously delayed the effective date to assure that mine operators and miners affected by the rule have the required training and compliance assistance (82 FR 15173; 03/27/2017) and to allow additional time for the agency to provide stakeholders training and compliance assistance (82 FR 23139; 05/22/2017). A concurrent proposed rule would delay until March 2, 2018, the effective date of the rule to allow MSHA more

time to provide stakeholders training and compliance assistance and provide more time to train inspectors. Hearings are scheduled for Oct. 24, 26, 31, and Nov. 2, 2017, in Arlington, Va.; Salt Lake City; Birmingham, Ala.; and Pittsburgh, respectively. Comments are due Nov. 13, 2017. Contact: Sheila McConnell; MSHA, Office of Standards, Regulations, and Variances; 202-693-9440; mcconnell.sheila.a@dol.gov. 30 CFR 56.18002, 57.18002

82 FR 42757 (09/12/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Mine Safety/Hoist Operator Physical Fitness
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the submission of a continuing information collection request to the OMB regarding physical fitness requirements of hoist operators. The collection addresses requirements for the examination and certification of hoist operators' fitness by a qualified licensed physician within 12 months preceding hoisting duties. Comments are due Oct. 12, 2017. Contact: Michel Smyth; Labor Department; 202-693-4129; DOL_PRA_PUBLIC@dol.gov. Citations: 30 CFR 56.19057, 57.19057

82 FR 42838 (09/12/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Onshore Oil and Gas Leases on Federal and Indian Lands
OIL AND GAS INDUSTRY

Notice announces the intention of the Bureau of Land Management to seek OMB approval for a revised information collection request regarding the authorization and management of onshore oil and gas leases on federal and Indian lands, except for the Osage Tribe (Forms 3160-3, 3160-4, 3160-5, and 3160-6). The revisions address the addition of standards concerning operations, site security, and measurement of oil. The revisions also address the removal of the gas flaring collection activity and the continuation of the collection activity regarding hydraulic fracturing, which will be addressed in a future rulemaking. Comments are due Nov. 13, 2017. Contact: Subijoy Dutta; BLM; 202-912-7152; sdutta@blm.gov. Citations: 43 CFR 3160, 3164.1, 3170

82 FR 42832 (09/12/2017)

Regulatory Update

TOXIC SUBSTANCES
Schedule I Controlled Substances/Synthetic Opioids
TOXIC SUBSTANCES

Notice announces the intention of the Drug Enforcement Administration to issue a temporary order to place the synthetic opioids ortho-fluorofentanyl, tetrahydrofuranyl fentanyl, and methoxyacetyl fentanyl in to Schedule I under the Controlled Substances Act. The action is necessary due to the high potential for abuse of such substances. A temporary scheduling order will be published in the Federal Register and will not be issued prior to Oct. 12, 2017. Contact:

Michael Lewis; DEA, Office of Diversion Control; 202-598-6812. Citations: 21 CFR 1308.11

82 FR 42754 (09/12/2017)

Regulatory Update

WATER
Georgia/CWA, RCRA Consent Decree
WATER

Notice of the Department of Justice announces a proposed consent decree in United States v. Woco Pep Oil Inc. (Civil Action No. 1:17-cv-3249), lodged on Aug. 28, 2017, with the U.S. District Court for the Northern District of Georgia. The consent decree addresses claims under the CWA and RCRA and requires the defendant to pay a civil penalty of $24,000, to be divided evenly between the state of Georgia and the U.S. The consent decree also requires the defendant to perform a supplemental environmental project and to install advanced technology to improve leak detection at its facilities. Comments are due Oct. 12, 2017. Contact: Henry Friedman; DOJ; 202-514-2701

82 FR 42837 (09/12/2017)

Regulatory Update

WATER
New York Clean Water Act Section 303(d) List
WATER

Notice of the EPA announces the reopening of the comment period for an Aug. 9, 2017, notice (82 FR 37214) regarding the agency's proposal to include certain water quality limited segments and associated pollutants in New York's 2016 list of waters under Section 303(d) of the Clean Water Act. On July 21, 2017, the agency approved the state's list with respect to the 792 waterbody/pollutant combinations requiring total maximum daily loads but disapproved the state's decision not to include 71 other combinations. The agency is extending the comment period in response to stakeholder requests. Comments now are due Oct. 12, 2017. Contact: Aimee Boucher; EPA Region 2; 212-637-3837; boucher.aimee@epa.gov

82 FR 42808 (09/12/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Fri 6/30/2017 8:00:55 PM
Subject: Today on Climate Beat

June 30, 2017

Today on Climate Beat . . .

. . . we went on the road, reporting that Volkswagen has submitted a supplemental plan to California air officials to spend $200 million over the next 30 months on projects to advance zero-emission vehicles, bolstering spending in disadvantaged communities and outlining its longer-term funding strategy.

Over at EPA, our daily news roundup noted that after weeks of publicly backing a "red team, blue team" approach to refine climate science, EPA Administrator Scott Pruitt is launching such an effort, and at least some in the coal sector are taking it as a sign that he will move to challenge EPA's greenhouse gas endangerment finding.

At the White House, representatives of the Natural Resources Defense Council in a recent meeting with administration officials launched a push to persuade them to keep EPA's Clean Power Plan regulation to cut greenhouse gases from the power sector.

In Congress, House and Senate Republicans are re-introducing legislation that would bar EPA and several other agencies from using the social cost of carbon and related metrics for more-potent GHGs in cost-benefit reviews of regulations that curb emissions.

And we also highlighted some must-read stories from the past week, including analysis on EPA's efforts to delay climate rules, congressional discussions on vehicle emissions standards, as well as cap-and-trade news out of California and the Northeast.

READ THE CLIMATE BEAT →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Tue 6/6/2017 10:42:22 AM
Subject: POLITICO Playbook, presented by Samsung: TRUMP doubles down on travel ban – WHO'S ANCHORING COMEY -- TRUMP UNHAPPY with Sessions -- LINDA McMAHON on the hiring 'bottleneck' -- TRUMP ORG's new budget hotel chain – MSNBC's PRIMETIME SURGE to No. 1

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Today's PLAYBOOK presented by Samsung
06/06/2017 06:38 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Good Tuesday morning. Today is the 73rd anniversary of D-Day.

IN CASE YOU DIDN'T GET THE POINT MONDAY MORNING, another statement from President Donald Trump on Twitter at 9:20 p.m. last night: "That's right, we need a TRAVEL BAN for certain DANGEROUS countries, not some politically correct term that won't help us protect our people!"

JEN HABERKORN and **BURGESS EVERETT** scoop that Senate Majority Leader Mitch McConnell (R-Ky.) wants to vote on replacing Obamacare by the July 4 recess. We even hear that Senate Republicans are starting to send pieces of what might end up in their plan to the Congressional Budget Office.

SURE, A VOTE CAN HAPPEN, but listen to the quotes Burgess and Jen got from Republican senators, and tell us if you hear confidence or skepticism that a bill will pass: **SEN ROY BLUNT (R-MO.):** "I don't think this gets better over time. So my personal view is we've got until now and the Fourth of July to decide if the votes are there or not. And I hope they are." **SEN. SUSAN COLLINS (R-MAINE):** "Just listening to the debate over the past few weeks, I think cobbling together a bill that could get 50 votes is going to be a challenge, but you never know." **A PERSON FAMILIAR WITH THE NEGOTIATIONS:** "[McConnell] wants to be done with this one way or the other." ***Read Jen and Burgess's great story*** http://politi.co/2rOT6mH

FYI -- There are, at most, 19 legislative days between now and the July 4 recess.

IMPORTANT READ -- SEUNG MIN KIM -- "How Trump is stalling his own nominees": "Trump tapped Kevin McAleenan on March 30 to lead Customs and Border Protection, a critical position for his drive to revamp U.S. immigration policy. But the White House didn't formally submit his nomination to the Senate for confirmation until May 22, nearly eight weeks later. ... Trump's two nominees for the Export-Import Bank board -- ex-GOP Reps. Scott Garrett and Spencer Bachus -- haven't been submitted to the Senate, despite being named April 14. Trump rolled out a batch of 10 judicial nominations to much fanfare on May 8, but two of them have yet to arrive on Capitol Hill. And Dan Brouillette, nominated by Trump to be Rick Perry's chief deputy at the Energy Department, was announced on April 3, yet his nomination wasn't sent by the White House until May 16." http://politi.co/2rGV9Y9

NYT'S PETER BAKER and **MAGGIE HABERMAN -- "Trump Grows Discontented With Attorney General Jeff Sessions":** "Few Republicans were quicker to embrace President Trump's campaign last year than Jeff Sessions, and his reward was one of the most prestigious jobs in America. But more than four months into his presidency, Mr. Trump has grown sour on Mr. Sessions, now his attorney general, blaming him for various troubles that have plagued the White House. ...

"[Trump] has intermittently fumed for months over Mr. Sessions's decision to recuse himself from the investigation into Russian meddling in last year's election, according to people close to Mr. Trump who insisted on anonymity to describe internal conversations. In Mr. Trump's view, they said, it was that recusal that eventually led to the appointment of a special counsel who took over the investigation." http://nyti.ms/2r1d7m6

-- IMAGINE IF YOU'RE SESSIONS and gave up a safe Senate seat you held for 20 years -- and could've held for 20 more -- only to work for a president who became frustrated with you after five months on the job.

BRUTAL WSJ EDITORIAL -- "The Buck Stops Everywhere Else: Trump undermines his own travel ban and Justice Department": "Some people with a propensity for self-destructive behavior can't seem to help themselves, President Trump apparently among them. Over the weekend and into Monday he indulged in another cycle of Twitter outbursts and pointless personal feuding that may damage his agenda and the powers of the Presidency. ...

"In other words, in 140-character increments, Mr. Trump diminished his own standing by causing a minor international incident, demonstrated that the loyalty he demands of the people who work for him isn't reciprocal, set back his policy goals and wasted time that he could have devoted to health care, tax reform or 'infrastructure week.' Mark it all down as further evidence that the most effective opponent of the Trump Presidency is Donald J. Trump." http://on.wsj.com/2qSeSTv

NOT WELCOME -- THE GUARDIAN: "Cancel Donald Trump state visit, says Sadiq

Khan, after London attack tweets: London mayor says US president is wrong about many things and that state visit to Britain should not go ahead": "Appearing on Channel 4 News on Monday evening, Khan said Trump was wrong about 'many things' and that his state visit should not go ahead.

"'I don't think we should roll out the red carpet to the president of the USA in the circumstances where his policies go against everything we stand for,' he said. 'When you have a special relationship it is no different from when you have got a close mate. You stand with them in times of adversity but you call them out when they are wrong. There are many things about which Donald Trump is wrong.'" http://bit.ly/2sbLLy4

THE RUNDOWN -- WHAT TV WILL LOOK LIKE THURSDAY FOR THE COMEY HEARING -- Nearly every network is taking the Jim Comey hearing Thursday morning live. **CBS:** Charlie Rose, Gayle King and Norah O'Donnell with John Dickerson and Jan Crawford. **ABC:** George Stephanopoulos (h/t Morning Media). **FOX NEWS:** Bill Hemmer and Shannon Bream. **CNN:** Wolf Blitzer and Anderson Cooper. (CNN.com will also livestream Comey's testimony without requiring a log-in to a cable provider.)

#THISTOWN -- @marincogan: "Shaw's Tavern, a bar in DC, is opening early Thursday morning to carry live coverage of the Comey hearing:" http://bit.ly/2rw8xQ9

RUSSIA WATCH -- "Top-secret NSA report details Russian hacking effort days before 2016 election," by the Intercept's Matthew Cole, Richard Esposito, Sam Biddle and Ryan Grim: "Russian military intelligence executed a cyberattack on at least one U.S. voting software supplier and sent spear-phishing emails to more than 100 local election officials just days before last November's presidential election, according to a highly classified intelligence report obtained by The Intercept. The top-secret National Security Agency document, which was provided anonymously to The Intercept and independently authenticated, analyzes intelligence very recently acquired by the agency about a months-long Russian intelligence cyber effort against elements of the U.S. election and voting infrastructure.

"The report, dated May 5, 2017, is the most detailed U.S. government account of Russian interference in the election that has yet come to light. While the document provides a rare window into the NSA's understanding of the mechanics of Russian hacking, it does not show the underlying 'raw' intelligence on which the analysis is based. A U.S. intelligence officer who declined to be identified cautioned against drawing too big a conclusion from the document because a single analysis is not necessarily definitive." http://bit.ly/2syN2Nm

-- "Contractor charged in NSA document leak case," by WaPo's Devlin Barrett: "A 25-year-old government contractor has been charged with mishandling classified information after authorities say she gave a top-secret National Security Agency document to a news -organization. Reality Leigh Winner was accused of gathering, transmitting or losing defense information - the first criminal charge filed in a leak investigation during the Trump administration." http://wapo.st/2sMI1jt

-- **@RonaldKlain:** "Fair to condemn the leak. But also fair to ask: Was the admin going to tell us that NSA had proof of Russian hack of voting systems?"

****** **A message from Samsung:** Samsung has announced more than $10 Billion in US Growth since 2016, including our March 2017 acquisition of HARMAN International, a commitment of $1.2 Billion in U.S.-based IoT Investment and R&D, and a $1B expansion of our Austin, TX Semiconductor Manufacturing Facility. Visit Samsung.com/VisionForTomorrow for more. ******

TELL US HOW YOU REALLY FEEL! -- " Trump's legislative director acknowledges Russia is overwhelming his agenda," by Matt Nussbaum and John Bresnahan: "'There's no doubt that keeping members focused on investigations detracts from our legislative agenda, detracts from what we're trying to deliver for the American people,' said Marc Short, Trump's director of legislative affairs, in a briefing with reporters on Monday night." http://politi.co/2r0Tomv

WAR ROOM, WHAT WAR ROOM? -- "White House ices Russia war room idea," by Tara Palmeri, Josh Dawsey, and Eliana Johnson: "The White House's Russia investigation 'war room' may have been killed before the battle. Just days before former FBI director James Comey's Senate testimony about his firing, President Donald Trump decided that all inquiries related to the scandals engulfing his administration should be handled by his outside lawyer in New York instead of by a team based inside the White House, according to four advisors close to Trump." http://politi.co/2sbW5pR

GOOD EAR -- "In Trump's White House, Everything's Coming in 'Two Weeks,'" by Bloomberg's Toluse Olorunnipa: "President Donald Trump has a plan. It'll be ready in two weeks. From overhauling the tax code to releasing an infrastructure package to making decisions on NAFTA and the Paris climate agreement, Trump has a common refrain: A big announcement is coming in just 'two weeks.' It rarely does. On February 9, Trump boasted that his administration was 'way ahead of schedule' on a tax overhaul. 'We're going to be announcing something I would say over the next two or three weeks that will be phenomenal in terms of tax and developing our aviation infrastructure,' Trump said while meeting with airline executives. Eleven weeks elapsed before the White House released a one-page outline of the tax plan.

"In an April 29 interview on 'CBS This Morning' Trump said of his promised $1 trillion infrastructure construction program: 'We've got the plan largely completed and we'll be filing over the next two or three weeks - maybe sooner,' Trump said. No legislation has been filed. ... Trump's habit of self-imposing -- then missing -- two-week deadlines for major announcements has become a staple of his administration as it's struggled to amass policy wins. The president has used two-week timelines to sidestep questions from reporters or brag to CEOs at the White House. But his pronouncements have also flummoxed investors, Congress and occasionally even members of his staff." https://bloom.bg/2rP1hja

THIS IS FASCINATING -- NYT'S STEVE EDER and BEN PROTESS -- "Trump Organization to Go Budget Friendly With 'American Idea' Hotel Chain": "The Trump Organization is expected to announce plans for a new three-star hotel chain with a patriotic flair, echoing President Trump's campaign slogan about putting America first and reflecting the organization's promise to enter into new deals only in the United States. The intention is to differentiate the chain, called American Idea, by featuring artifacts of American culture in the hotels, such as an old Coca-Cola machine in the lobby or American-made sundries in the rooms.

"And while the Trump Organization and its business partner say the down-market move is not about politics, the president's business is inherently viewed through that lens: The chain will make its debut in little-known towns in Mississippi, a state in the heart of Trump country that favored him over Hillary Clinton by a margin of 18 percentage points. The organization's business partner in Mississippi is a family-owned hotel company whose co-owner met Mr. Trump at a campaign event last summer and donated to his campaign." http://nyti.ms/2rMLbXa

FIRST IN PLAYBOOK -- SNEAK PEEK OF ISAAC DOVERE'S "OFF MESSAGE" -- SBA'S MCMAHON BLAMES WEST WING FOR HIRING 'BOTTLENECK' -- While President Trump is back to complaining about Democrats somehow are holding up his nominees, his longtime friend and Small Business Administrator Linda McMahon says she's been dealing with a "bottleneck" in the West Wing that's kept her from staffing up and slowed down her work. "We're not even staffed up to where we need to be or where we were, to do a lot of our regular activities," McMahon told Isaac in Tuesday's episode of the "Off Message" podcast.

"Some of them are filled with acting people who are here and who are doing a good job," McMahon said. "But until you have that leader in that position who can really manage and evaluate the work that's been done, you do have a little bit of a time gap there." McMahon, who says in the podcast that the job she originally wanted was Commerce secretary, said she's probably done with running for office, but she's also probably still going to keep writing big checks to Republicans and GOP causes-as much as the ethics rules allow her to.

And on the political future of one of her old employees -Dovere asked her if there was a world she could imagine in which there's a President The Rock? "Listen, there are worlds that I think happen and you wouldn't imagine that they had happened," McMahon said. "But it's not one I think about. I'm in current day. I'm very happy with the president that we have, and I want to do everything I can to help him be successful." http://politi.co/2rP2tCZ

COMING ATTRACTIONS -- "Senate prods Trump to move Israeli embassy to Jerusalem," by Elana Schor: "The Senate overwhelmingly agreed on Monday night to nudge President Donald Trump to move the U.S. embassy in Israel from Tel Aviv to Jerusalem, a campaign promise that he punted on last week. The Senate voted 90-0 on a resolution marking the 50th anniversary of Jerusalem's reunification. The measure

includes language that 'calls upon the president and all United States officials to abide by' a 1995 law that urged then-President Bill Clinton to move the U.S. embassy to Jerusalem." http://politi.co/2rG7Q5n

THE JUICE ...

-- THE NATIONAL ASSOCIATION OF MANUFACTURERS is playing host to Vice President Mike Pence, House Speaker Paul Ryan and House Majority Leader Kevin McCarthy June 20-21 for its annual fly in.

-- SPOTTED: ROGER STONE at the Watergate Hotel Monday, just days before the 45th anniversary of the Watergate break-in June 17.

-- ABC'S TOM LLAMAS' interview with Eric and Donald Trump Jr. will run on "Good Morning America" this morning. Look for the Trumps to discuss their father's tweets about London Mayor Sadiq Khan.

THREE PLAYBOOK FIRST LOOKS -- Members of Congress & Bad News Babes Walk-Up Songs Contest for the Congressional Women's Softball Game (CWSG) have selected their own walk-up song for their at-bat during the game. Some notable walk-up song selections include: Rep. Mia Love (R-Utah) with Pour Some Sugar On Me by Def Leppard; Rep. Cheri Bustos (D-Ill.) with Bo$$ by Fifth Harmony; Vice News' Shawna Thomas with Flawless by Beyonce; Cook Political Report's Amy Walter with All I Do Is Win by DJ Khaled, Feat. T-Pain. Ludacris; and NBC's Kasie Hunt with Enter Sandman by Metallica. For the next two weeks fans will vote on who has the better Spotify playlist of walk up songs. http://bit.ly/2sbTEE1

--REPUBLICAN KAREN HANDEL is out with a tough new 30-second ad in the Georgia special election with a veteran on-camera saying "I fought for our country. Jon Ossoff hired a film crew." It also dings Ossoff for allegedly exaggerating his security clearance and says he "is not fit to serve in Congress." They say they are spending $500,000 plus on the ad, titled "Front Line." ***See the ad*** http://bit.ly/2rGMTqW

-- MICHAEL MOORE is launching a new secure website called TrumpiLeaks. He writes in a letter being sent this morning: "Patriotic Americans in government, law enforcement or the private sector with knowledge of crimes, breaches of public trust and misconduct committed by Donald J. Trump and his associates are needed to blow the whistle in the name of protecting the United States of America from tyranny." Last month, the Weinstein Company announced they were teaming up with Moore again to release a new film by him: "Fahrenheit 11/9," referring to the day Trump was officially declared the next president. ***The site*** http://bit.ly/2syY59a ... ***The letter*** http://politi.co/2qSHwnn

TRUMP'S TUESDAY -- The president is meeting first with National Security Adviser H.R. McMaster, then House and Senate leadership and then he'll have a dinner with members of Congress tonight. ***Our scoop on the dinner guests*** http://politi.co/2rGXFh5

Playbook Reads

https://bloom.bg/2sMVwzH ... ***The cover*** http://bit.ly/2rwerkj

SHOW ME THE MONEY -- "Ryan ramps up fundraising to protect the House after healthcare vote," by Rachael Bade: "Speaker Paul Ryan, eager to protect his House majority in what's expected to be a politically volatile election cycle, is stepping up his fundraising following the chamber's vote to repeal and replace Obamacare. The Wisconsin Republican's political team on Tuesday morning will announce that Ryan has raised $22 million for House Republicans in the first five months of 2017, setting him on track to far outpace his 2016 fundraising haul. Over the same period last year, an election year, Ryan hauled in $16.5 million." http://politi.co/2rZ13GZ

WHO'S ON MUELLER'S TEAM, from Darren Samuelsohn. http://politi.co/2rP3tqW

WEST COAST WATCH -- "California's new top cop has to make some big policing decisions soon. No one knows what he'll do," by L.A. Times' Liam Dillon: http://lat.ms/2sMk3Vp

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years, and we announced more than $10 Billion in US Growth since 2016. This year, we're proud to have added HARMAN International and its 3,500 U.S. employees to the Samsung workforce in America, and just as enthusiastic about our common vision, the similarities in our culture of innovation, and the added value we can create for customers. Learn more about our partnership at Samsung.com/VisionForTomorrow for more. ******

MEDIAWATCH -- "WSJ Ends Google Users' Free Ride, Then Fades in Search Results," by Bloomberg's Gerry Smith: "After blocking Google users from reading free articles in February, the Wall Street Journal's subscription business soared, with a fourfold increase in the rate of visitors converting into paying customers. But there was a trade-off: Traffic from Google plummeted 44 percent. The reason: Google search results are based on an algorithm that scans the internet for free content. After the Journal's free articles went behind a paywall, Google's bot only saw the first few paragraphs and started ranking them lower, limiting the Journal's viewership. Executives at the Journal, owned by Rupert Murdoch's News Corp., argue that Google's policy is unfairly punishing them for trying to attract more digital subscribers. They want Google to treat their articles equally in search rankings, despite being behind a paywall." https://bloom.bg/2sbPknW

- "Led by Rachel Maddow, MSNBC Surges to Unfamiliar Spot: No. 1 in Prime Time," by NYT's Mike Grynbaum: "The last time that MSNBC was No. 1 in prime-time cable news, Bill Clinton was president, Madonna led the Billboard charts and 'Friends' still ran new episodes on TV. Seventeen years and a few rebrandings later, the network is back on top - buoyed by a surge of interest in news and the channel's stable of reliably liberal anchors, like Rachel Maddow, who have found their groove amid a time of intense anxiety for the political left. The MSNBC resurgence -- in May, it beat its rivals for the highest prime-time viewership on weeknights in the critical 25-to-54 age demographic, up an astounding 118 percent from a year earlier -- is part of a newly shifting landscape in television news, and within the channel itself." http://nyti.ms/2rGykE1

--"Eric Bolling Signs Multiyear Contract to Remain at Fox News" - TVNewser: http://bit.ly/2qWS0pY

-- DANA BASH'S NEW PROJECT: CNN'S BADASS WOMEN OF WASHINGTON -- From Dana: "I was sitting at lunch with colleagues in early 2017 discussing the election, Hillary Clinton's loss and what that meant for women. That conversation inspired what became a project I am incredibly proud of - CNN's Badass Women of Washington. Women all across this city are breaking barriers, shattering glass ceilings and making a difference in government. Today, we are launching this inspirational series about seven powerhouse women: Sen. Dianne Feinstein, Transportation Sec. Elaine Chao, Rep. Jaime Herrera Beutler, Sen. Jeanne Shaheen, RNC Chairman Ronna Romney McDaniel, Sen. Catherine Cortez Masto, and Army Surgeon General, Lt. Gen. Nadja West. I hope you take some time to watch uplifting stories about and lessons from these women." ***The project*** http://cnn.it/2rOk1z5

HAPPENING TONIGHT -- PLAYBOOK UNIVERSITY with **D.C. MAYOR MURIEL BOWSER --** Join us tonight for our inaugural Playbook University event with the mayor of Washington. We'll talk about the changing face of D.C., the city's politics and Washington in the era of Donald Trump. The event is at IN3, the Inclusive Innovation Incubator at 2301 Georgia Avenue, NW. ***RSVP*** http://bit.ly/2ruwqbl

Playbookers

SPOTTED -- Ivanka Trump and Jared Kushner, Rep. John Delaney (D-Md.), Sen. Dick Durbin (D-Ill.) and Christine Brennan last night at the Kennedy Center for a Night of Laughter & Song benefitting the David Lynch Foundation.

SPOTTED at Al Franken's book party yesterday evening in Georgetown at Mandy Grunwald's home to celebrate "Al Franken, Giant of the Senate": Sens. Amy Klobuchar (D-Minn.), Elizabeth Warren (D-Mass.), Maggie Hassan (D-N.H.), Bill Nelson (D-Fla.), Richard Blumenthal (D-Conn.), and Sheldon Whitehouse (D-R.I.), Norm Ornstein,

Howard Fineman, Andrea Mitchell, Kasie Hunt and Mark Leibovich. ***$17.09 on Amazon*** http://amzn.to/2rOKhtf

--POOL REPORT FROM TONY COEHLO's 75th BIRTHDAY: "Former U.S. Congressman, DCCC chair, House Majority Whip and Gore 2000 campaign chairman, Tony Coelho (D-Calif.), celebrated his 75th birthday last night with friends, his DCCC and Congressional family which included a toast from Rep. Jim Costa (D-Calif.), a former Coelho intern. Coehlo was DCCC chair following his freshman year term in the House and won back 26 seats for the House Democrats in 1982, saving Tip O'Neil's speakership (MSNBC's Chris Matthews, Virginia Governor Terry McAuliffe and former Deputy Sec. of State Tom Nides are staff alumni of Coelho's DCCC days). Coelho told the story of meeting real estate developer Donald Trump on a fundraising swing through New York City and getting a $5,000 contribution from Trump for the House Democrats' campaign committee that year."

SPOTTED: Fred Hatfield, Marty Franks, Vic Fazio, Rep. Jim Costa, Tom O'Donnell, Ed Berger, Tom King, Stan Brand, Melissa Maxman, John Boland, Barbara Merrill, Jim Free, Ron Wick, Jonathan Young, Brad Triebsch, Michael Fraioli, Michael LaRosa, Joyce Bender, Mary Brougher and many others.

AT THE WATERGATE -- The Atlantic's Steve Clemons hosted a dinner last night on what it takes to get the "right healthy balance between players in an economy" in the glass-surrounded Library of the Watergate Hotel. **SPOTTED:** Laura Tyson, Grover Norquist, Josh Eastright, Tara McKelvey, Craig Gordon, Richard Vague, Steve Glickman, Marilyn Geewax, Kathleen Biden, Rep. Debbie Dingell (D-Mich.), John Lettieri, Javier Palomarez, Brian Fung, Shilpi Niyogi, Eleanor Clift, Peter Morici, former Rep. Barton Gordon, Joseph Gagnon, Andy Green, Allan Mendelowitz, Kristin Sharp, Jeff Carneal and Christopher Colford.

TRANSITIONS - OBAMA ALUMNI -- Daniel Watson has joined the Glover Park Group as a VP, working primarily on the financial services team. He most recently served as deputy assistant secretary for public affairs at Treasury. http://politi.co/2qWXcdv ... **Nihal Krishan** has joined Global Competition Review to cover the world of antitrust via the FTC, DOJ and the courts. He was previously a political correspondent for Sinclair Broadcast Group's Circa News and a Washington Correspondent for PBS Arizona.

... **Kurt Pickhardt** has joined Go Big Media as VP for digital strategies. He worked the 2016 cycle as the director of client strategy at Targeted Victory. **Ashley Harvey** has joined the firm as manager of client accounts. She most recently was director of operations for direct mail firm Direct Edge Campaigns.

WEEKEND WEDDINGS -- Sarah Peck, communications director for Sen. Tim Kaine (D-Va.), and **Jonathan Elsasser** , who's joining Hogan Lovells in D.C. this fall, got married at the University of Virginia Chapel in Charlottesville this weekend. Pool report from Amy Dudley: "Sarah and Jonathan met as undergrads at UVA and Jonathan just graduated from UVA Law. During the ceremony, Sen. Tim Kaine read a passage from

Paul's letter to the Romans ['Love must be sincere']. The reception was held at Panorama Farms, with a cocktail hour overlooking the Blue Ridge Mountains and dancing in a barn to a Motown band. They capped off the night with an afterparty featuring DC's favorite 90's band White Ford Bronco." ***Pics*** http://bit.ly/2rG5x21 ... http://bit.ly/2qWHvCO ... http://bit.ly/2sMOpqT

SPOTTED: Tim Kaine, Kip Wainscott, Brandi Hoffine Barr, Lily Adams, Kate McCarroll, John Harris and Ann O'Hanlon.

-- Shripal Shah married **Megan Kudchadkar** on Saturday in Hauppauge, New York, which is very close to the bride's hometown of Bayport on the south shore of Long Island. Shah is the vice president of American Bridge 21st Century, a Democratic super PAC, and Kudchadkar is a second-grade science teacher at KIPP DC's Heights Academy in Anacostia. ***Instapics*** h/t @DameEdwards, the couple's photographer: http://bit.ly/2rvX57g ... http://bit.ly/2r0REcY **SPOTTED:** Parita Shah and Pete Selfridge, Jon Davidson, Amanda Anderson and Matt McNally, Maya Rao and Michael Schrum, Robert Diznoff, Brian McKeon and Harrell Kirstein and Emily Cashman.

BIRTHDAY OF THE DAY: former House Majority Leader **Eric Cantor,** now vice chairman and managing director with investment bank Moelis, is 54, celebrating on a business trip in Singapore. He's currently reading "American Lion: Andrew Jackson in the White House," by Jon Meacham. "Appropriate for the times," he told us. Read his Playbook Plus Q&A: http://politi.co/2rGwJOw

BIRTHWEEK (was yesterday): Bob Kraft turned 76 (hat tip: Jewish Insider)

BIRTHDAYS: Sarah Klein ... "Today" show's Natalie Morales is 45 ... Michael Goldfarb of Orion Strategies, celebrating on D-Day ... No Labels senior adviser Margaret Kimbrell (hat tips: Dennis Craig and Jon Haber) ... Max Docksey, political director at the Ohio GOP ... Bloomberg White House reporter Justin Sink is 3-0 (h/ts Josh Lederman and Roberta Rampton) ... Christopher Rowland, Washington bureau chief for the Boston Globe, member of Gridiron (h/ts Annie Linskey and Nancy Cook) ... Carlie, daughter of Mika Brzezinski ... documentarian Abby Ginzberg ... Rep. Marsha Blackburn (R-Tenn.) is 65 ... Anna Epstein, senior director at Black Rock Group, a Carly and RNC alum and the pride of Tulane, is 26 (h/t Carla Frank) ... former Rep. David Bonior (D-Mich.) is 72 ... Matt Heinz ... Ariel Edwards-Levy, polling director for HuffPost (h/ts John Celock) ... Regina LaBelle ... Meredith Barnett, celebrating with Daniel and the kids in NYC (h/ts Teddy, Connor, and Blair) ... Jocelyn White Martin ... Heritage's Rob Kuhlman ... Eli Broad, billionaire, art collector and philanthropist and the only person to create two Fortune 500 companies in two industries, is 84 (h/t Jewish Insider) ... Kelly Polce ... Felicia Sonmez, a WSJ, AFP and WashPost alum now a Blakemore fellow studying Chinese at Tsinghua University ... NBC News PR's Farrin Jay (h/t Rachel Zuckerman) ... AIPAC's Allie Freedman ...

... Chris Pack, comms director for American Crossroads and SLF. "He is a huge Buffalo Bills fan even though it's a great source of stress in his life." (h/t Katie Martin) ... Heather

McGhee, president of progressive think tank Demos (h/t Kelley McCormick) ... Politico alum Jay Westcott, now a photojournalist for the News & Advance in Lynchburg, Va. ... Josh Taylor ... Sarah Gadsden, associate at Eagle Hill Consulting and an NBC News alum ... ABC News' Katherine Faulders ... Jonathan Kopp, managing director and chief interactive strategist at Glover Park Group ... Amanda Muñoz-Temple ... CNN's Kevin Liptak ... Donna Fenn ... Ben Keesey ... Marlene English ... Brett Caplice ... Ben Holzer ... Bloomberg BNA's Keith Perine ... EY's Jen Hemmerdinger ... Linda Krantz ... Karen Campbell ... Lester Pines ... Carol Guensburg ... Katie Visco ... Emily Henehan Murry ... Tessa Ruby Harnden, daughter of Toby ... Reed Werner ... Trevor B. Whitestone, son of Randall Baker Whitestone ... SMU's Joshua Rovner is 41 ... Travis Brock ... Jane Caplan ... Amy Tewes ... Mary Cory ... Bruce Colburn ... Anne Sayers, celebrating by dancing, bowling and singing karaoke (h/ts Teresa Vilmain) ... playwright-actor Harvey Fierstein is 65 ... International Tennis Hall of Famer Bjorn Borg is 61 ... Paul Giamatti is 5-0 (h/ts AP)

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years, and we announced more than $10 Billion in US Growth since 2016. This year, we're proud to have added HARMAN International and its 3,500 U.S. employees to the Samsung workforce in America, and just as enthusiastic about our common vision, the similarities in our culture of innovation, and the added value we can create for customers. Learn more about our partnership at Samsung.com/VisionForTomorrow. ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 7/26/2017 1:19:16 PM
Subject: BREAKING NEWS: Trump bans transgender individuals from U.S. military service

The U.S. military will no longer allow transgender individuals to serve "in any capacity," President Donald Trump announced on Twitter Wednesday morning.

"After consultation with my Generals and military experts, please be advised that the United States Government will not accept or allow Transgender individuals to serve in any capacity in the U.S. Military," Trump wrote online, breaking his message up into multiple posts. "Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail. Thank you."

The announcement represents a reversal of an Obama-era policy established last June by former Defense Secretary Ash Carter, who shifted Pentagon policy to allow transgender troops to serve openly. Last month, Defense Secretary James Mattis announced that the Pentagon would delay his predecessor's order through the remainder of 2017 in order to review the impact of the shift.

Read more: http://www.politico.com/story/2017/07/26/trump-transgender-240980

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/18/2017 6:49:34 PM
Subject: BREAKING NEWS: Senate GOP plan to repeal Obamacare without replacement meets fatal opposition

Three Senate Republicans said Tuesday they will vote against a key procedural motion to take up a measure to repeal Obamacare without a replacement, dooming Senate Majority Leader Mitch McConnell's latest plans to salvage a GOP health bill.

The opposition from GOP Sens. Shelley Moore Capito, Lisa Murkowski and Susan Collins came a day after Senate Republicans' bill to repeal and replace Obamacare collapsed.

McConnell said Tuesday that he would still move to hold a vote soon, which would put senators on the record.

Read more: http://politi.co/2tb7VOl

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Sent: Wed 7/12/2017 11:14:15 AM
Subject: The Morning Headlines from InsideEPA.com -- July 12, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 12, 2017

Latest News

House Bill Would Cut EPA's FY18 Funds, But Far Less Than Trump Sought

House appropriators are proposing to provide EPA with $7.5 billion in fiscal year 2018, a reduction of $528 million below the fiscal year 2017 level and $1.9 billion above the Trump administration's request -- but the measure is drawing criticism from environmentalists over the cuts and policy riders, including one that would postpone until 2026 mandates for states to submit ozone control plans.

EPA Cites Public Input To Justify Air Law Authority For RMP Policy Delay

EPA is claiming broad Clean Air Act authority for its final rule that significantly delays implementation of Obama-era revisions to the agency's facility safety policy, saying its decision to first seek public comment on the delay shields it from the legal uncertainty that led an appellate court to recently vacate a stay of an unrelated air rule.

Methane NSPS Supporters Say EPA Recall Bid Would 'Nullify' Court Ruling

Environmentalists and a group of Democratic state officials are urging a federal appellate court to reject EPA's motion to further delay implementing Obama-era oil and gas methane limits the agency had sought to stay, charging that its request "distorts" the court mandate requiring officials to immediately lift the stay and, if granted, would "effectively nullify" its ruling vacating EPA's stay.

Ash Recyclers Press EPA To Revive Bush-Era Voluntary Reuse Program

Coal ash recyclers are pressing the Trump administration to revive a controversial George W. Bush-era program through which EPA and other agencies worked with the sector to promote beneficial reuse of ash, but environmentalists are warning that the program could undermine EPA restrictions on using ash as structural fill material.

Utilities Seek Swift Issuance Of EPA Coal Ash Guide For Permit Certainty

The power sector is pressing Trump administration officials to quickly release EPA's draft guidance for states on crafting permit programs to govern coal ash disposal,

saying release of the federal guidance is vital to give state officials certainty on what the federal procedures will be for reviewing and approving states' ash permitting efforts.

TSCA Reform Supporters Tout Fee Rule To Help Offset EPA Budget Cuts

EPA's acting toxics chief and supporters of the agency's efforts to reform the Toxic Substances Control Act (TSCA) say the pending draft rule imposing fees on the chemical sector could help to offset proposed EPA funding cuts in fiscal year 2018 that environmentalists and others have warned might risk hindering implementation of the law.

Former Officials Seek To Clarify EPA Risk Practices, Strengthen Rule Reviews

Two former Bush administration regulatory review officials are urging the Trump administration to overhaul EPA and other agencies' regulatory risk assessment and management process to make them more transparent and to further strengthen regulatory review requirements, measures they say will bolster review of rules' impacts, but which also seem likely to further slow the regulatory process and benefit regulated entities.

Daily Feed

EPA prepares to overhaul NSR rules

Draft air office program guidance for FY18-19 includes language pledging to reform NSR rules.

Pruitt's climate strategy: televised science debate, Congress acts on risks

Pruitt says there could be a legal basis to challenge EPA's greenhouse gas endangerment finding though he would rather Congress address the issue. He added that his planned debate on climate science, which could be televised, is not intended to target the finding.

EPA moves to withdraw Pebble Mine 'veto' proposal

EPA is following through on its settlement agreement with the Pebble Mine developer to withdraw its novel proposal for a preemptive “veto” of the planned mine.

Senate confirms Rao as OIRA chief

Rao has drawn fire over her support for the so-called “non-delegation doctrine,” though opposition from Democrats and environmentalists never really gained steam.

California officials unveil latest cap-and-trade package

Lawmakers are slated to vote as soon as July 13 two bills: one to extend the GHG

program and a second that strengthens monitoring requirements and penalties.

Ewire: Trump deregulatory teams have 'deep industry ties'

From today's Ewire: An investigation identifies the officials rolling back regulations at EPA and other agencies and their potential conflicts of interest. Plus: Trump officials struggle to roll back methane rules.

New Jersey legislators seek to ban chlorpyrifos

New Jersey legislators are seeking to ban chlorpyrifos after the Trump EPA reversed the Obama administration's plan to ban use of the common pesticide on food.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 7/7/2017 5:06:01 PM
Subject: Playbook Power Briefing, presented by Postmates: TRUMP meets PUTIN -- What the Hill thinks of CRUZ and MIKE LEE -- Job growth speeds up in June

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by Postmates

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

BEHIND THE SCENES -- WHAT MANY THINK OF TED CRUZ AND MIKE LEE -- In Playbook this morning we talked about Ted Cruz's Obamacare plan, which is to allow insurers to sell non-Obamacare compliant plans (the details: http://politi.co/2sNfAX0). Top Senate Republican sources are truly pessimistic about this working. They tell us they believe this bill would practically end pre-existing condition coverage -- which would make the measure a nonstarter for many in the conference. But they're letting this play out, so conservatives can't say they were screwed in the process.

NYT's JENNIFER STEINHAUER (NOTE: THIS IS REALLY FUN) -- SENATORS' HOBBIES -- "Beekeeper, Baker, Photographer ... Senator?" "PATRICK J. TOOMEY, REPUBLICAN OF PENNSYLVANIA Beekeeper ... JONI ERNST, REPUBLICAN OF IOWA Ruck Marching ... SUSAN COLLINS, REPUBLICAN OF MAINE Perfecting the Blueberry Muffin ... ANGUS KING, INDEPENDENT OF MAINE Amateur Photographer ... HEIDI HEITKAMP, DEMOCRAT OF NORTH DAKOTA Certified Pilates Instructor ... CHRIS COONS, DEMOCRAT OF DELAWARE Performing Wedding Ceremonies ... DEBBIE STABENOW, DEMOCRAT OF MICHIGAN Pianist" http://nyti.ms/2tUJHvd

Good Friday afternoon. THE NEWS OUT OF THE PUTIN-TRUMP BILAT -- "HAMBURG, Germany (AP) - AP sources: US, Russia prepared to announce cease-fire in southwest Syria starting Sunday."

SPEAKING OF THE MEETING ... It lasted for more than two hours. **PUTIN** and **TRUMP** briefly addressed reporters before their meeting today at the G20. Trump's comments, per pooler Abby Phillip of WaPo: "President Putin and I have been discussing various things and I think it's going very well. ... We look forward to a lot of very positive things happening for Russia, and for the United States and for everybody concerned. And it's an honor to be with you." Putin also spoke through a translator: "We spoke over the phone with you several times on a very important bilateral ... But phone conversations are never enough definitely. ... I'm delighted to be able to meet you personally Mr. President. And I hope, as you have said, our meeting will yield positive result."

The pair shook hands and President Trump ignored questions from reporters on if he would address Russia's meddling in the election during the bilateral meeting. More details, from Abby: "As the pool left the room, Trump leaned in and said something to Putin, who chuckled."

MORE FROM THE G20 SUMMIT -- "Trump says Mexico should 'absolutely' pay for border wall," by Jake Lahut: "Mexico should 'absolutely' pay for the border wall between the United States and its southern neighbor, President Donald Trump said Friday during his meeting with his Mexican counterpart, Enrique Peña Nieto. On the sidelines of the G-20 summit in Hamburg, Germany, an Associated Press reporter asked Trump, "Do you still want Mexico to pay for the wall?"

"The president responded, 'absolutely,' according to a pool report. Trump praised Nieto as his 'friend,' despite the Mexican president canceling what was supposed to be one of the administration's first White House guest visits. ... Through a translator, Nieto said he hopes Mexico and the United States will have a 'flowing dialogue.'" http://politi.co/2tUtshu

-- "Trump: 'Everyone' at G-20 talking about Podesta not giving server to authorities," by Louis Nelson: "At this week's G-20 summit in Germany, one subject the world's most powerful leaders are discussing is why Democrat Hillary Clinton's campaign chairman did not cooperate with U.S. intelligence and law enforcement officials as they investigated cyberattacks against the [DNC], President Donald Trump wrote on Twitter Friday morning. 'Everyone here is talking about why John Podesta refused to give the DNC server to the FBI and the CIA. Disgraceful!' Trump wrote on Twitter Friday morning. He did not explain why Podesta, who did not work for the DNC, would have been responsible for its email server."

PODESTA, who wrote on Twitter, that he was on a cross-country road trip with his wife, responded to Trump later Friday morning in a series of posts to his own account.

-- "Pulled in for a pit stop in E. Fairmont W. Va. to see that our whack job POTUS @realDonaldTrump is tweeting about me at the G20....Get a grip man, the Russians committed a crime when they stole my emails to help get you elected President.... Maybe you might try to find a way to mention that to President Putin ... BTW, I had nothing to do with the DNC. ... God only knows what you'll be raving about on twitter by the time we get to Utah. ... Dude, get your head in the game. You're representing the US at the G20." http://politi.co/2tULCQI

****** **A message from Postmates:** Operating in over 200 cities across the United States - Postmates is an innovative, on-demand logistics platform, transforming the way goods move around towns by enabling anyone to have anything delivered to their door step within minutes, and driving over $1B in goods and merchandise across its platform in 2017. https://postmates.com ******

JOBS BUMP -- "Job growth sped up in June," by Marianne LeVine and Timothy

Noah: "Job growth rebounded in June, giving a boost to President Donald Trump and momentarily soothing worries that the economy might be slowing down. The economy added 222,000 jobs in June, the Labor Department reported Friday, up from 152,000 in May, an upward revision from the previous estimate of 138,000.

"Labor Secretary Alexander Acosta hailed 'this month's robust job creation' in a written statement and noted there was 'moderate wage growth,' striking a more cautious note on the economy than Trump has of late. Average hourly private-sector earnings, at $26.25, were up 2.5 percent over the year. The strong job growth number comes as forecasters have been fretting about slowing GDP growth, a weakening dollar, and falling auto sales. Balanced against these have been strong performance by the stock market and low gas prices. A slight uptick in the unemployment rate in June to 4.4 percent, up from May's 4.3 percent, was too small to be significant. Labor force participation, at 62.8 percent, was essentially unchanged and remains low by historic measures." http://politi.co/2tTSxsY

2020 ALREADY? -- "How not to primary Donald Trump," by McClatchy DC's Katie Glueck: "If there's a path for a Republican to challenge Donald Trump, it doesn't run through Iowa. Sen. Ben Sasse's foray this weekend into the first-in-the-nation caucus state has already sparked chatter about a potential 2020 GOP primary to unseat Trump. But Iowa's top operatives say there's no appetite, today, to see any Republican take on the president. ...

"That hasn't stopped Sasse, and his possible ambitions, from attracting attention in Iowa and nationwide, notably as Trump's disapproval rating hovers around 60 percent and a smattering of Republicans around the country speak openly of their hopes for a run from someone like the Nebraska senator. ... Yet despite Trump's myriad challenges and the angst his Twitter account causes in Washington, he remains so strong in conservative corners of Trump-friendly states, including Iowa, that party leaders, operatives and grassroots activists say there is no serious on-the-ground discussion of a 2020 challenge at this point." http://bit.ly/2uS4n4c

AFTERNOON READ -- JAMES FALLOWS' LATEST -- "How American Presidents Used to Speak Overseas," in The Atlantic: "Is America an idea? Or is it a specific "people" or ethnic group? On the diverging answers to that question turn some of the biggest disputes in U.S. history. Our current president began his trip to Europe with a speech in Poland that minimized the role of ideals in American identity, and maximized the importance of what he called 'civilization' but which boils down to ties of ethnicity and blood.

"From Donald Trump this cannot be a great surprise, given the support he has courted and the American groups he has derogated during his time on the public stage. But for a president of the United States it still counts as a notable, even shocking departure. A president's role when traveling has, until now, been to speak for the American idea. ... At least when speaking to the world, American presidents have emphasized an expanded 'us.' All men are created equal. Every man is a German. Ich

bin ein Berliner. Our realities in America have always been flawed, but our idea is in principle limitless. Give me your tired, your poor, your huddled masses yearning to breathe free.Trump gave grace-note nods to goals of liberty and free expression. Mainly, though, he spoke not about an expanded us but instead about us and them." http://theatln.tc/2tUCDOY

TODAY'S BEYOND THE BELTWAY -- Kamala Harris generates national headlines -- Illinois has a budget http://politi.co/2tUNBUH

MEDIAWATCH -- "Fusion is planning to rebrand under a new name: Splinter," by Business Insider's Maxwell Tani: "The site formerly known as Fusion.net is rebranding as a site tentatively called Splinter. Four Gizmodo Media Group (GMG) sources familiar with the decision say Fusion is set to roll out a version of its new name some time in July, although it is unclear whether it will be named Splinter, or a similar acronym. ... A GMG source cautioned that the name "Splinter" could still be subject to change, since Univision hasn't seemed to secure the domain name Splinter.com yet." http://read.bi/2tUJc3X

-- TONIGHT ON WASHINGTON WEEK: Bob Costa will talk foreign policy with NYT's Peter Baker, Reuters' Yeganeh Torbati, BuzzFeed News' Nancy Youssef and the Los Angeles Times' Doyle McManus.

-- SUNDAY PREVIEW: Chuck Todd will have an exclusive interview with former CIA Director John Brennan Sunday on NBC's "Meet the Press."

SPOTTED: Sen. Marco Rubio (R-Fla.) on a tour at the Navel Acadmy in Annapolis today http://bit.ly/2tUr0rh

WELCOME TO THE WORLD -- Kristene Blake, director of administration for Speaker Ryan and **Nate Blake,** senior professional staff member for the House Rules Committee, email friends and family: "It is my pleasure to introduce you to the newest member of our family, Amelia Ann Blake. Amelia gets her name from her Great-Great Titi Emmy Estremera, and her Great-Great Grandmother Ann McCaffery. She checked in on [Wednesday] at 4:38 p.m. and is 20.5 inches long weighing 6lbs 14 oz. Amelia and Mom are doing great. Lawrence and Eloisa are excited to meet her and even made a short welcome video." ***Pic*** http://bit.ly/2sOURIG ... ***13-second video*** http://bit.ly/2tQL7Ha

WEEKEND WEDDING - Alyssa Gendron, who works in finance at POLITICO, recently married **Erik Fields,** a town employee in Marblehead, Massachusetts. They met in middle school in their hometown of Swampscott, Massachusetts - although they didn't start dating until after college about 15 years later. They got married at Lake Shore Park in Gilford, New Hampshire. ***Pic*** http://bit.ly/2uR511B

****** **A message from Postmates:** With its fleet of Postmates earning taxable incomes, the capital generated through the mobile application is being reinvested in the

economy to do everything from pay down debt, to start a small business, or even enroll in college classes. As On Demand platforms shape the future of work, Postmates applauds legislation aimed at experimenting with portable benefits models, and calls for new federal and local skill-based investments to account for the impact of automation on the workforce. https://postmates.com ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 6/15/2017 1:27:32 AM
Subject: BREAKING NEWS: Scalise remains in critical condition

House Majority Whip Steve Scalise remains in critical condition in MedStar Washington Hospital Center and will "require additional operations," the hospital said in a statement Wednesday night.

"Congressman Steve Scalise sustained a single rifle shot to the left hip," a statement from the hospital read. "The bullet travelled across his pelvis, fracturing bones, injuring internal organs, and causing severe bleeding. He was transported in shock to MedStar Washington Hospital Center, a Level I Trauma Center. He underwent immediate surgery, and an additional procedure to stop bleeding. He has received multiple units of blood transfusion."

See http://www.politico.com/story/2017/06/14/house-majority-whip-scalise-wounded-in-northern-virginia-shooting-reports-of-multiple-shots-fired-239539 for a full report.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/15/2017 11:56:49 PM
Subject: June 15 -- Energy and Climate Report

Energy and Climate Report

June 15, 2017 - Number 115

News

Climate Change
EU Environment Agency Warns of 'Profound and Rapid' Arctic Changes
The European Union should do more to relieve the pressures on the Arctic ecosystem or risk a breakdown of "the Arctic's role in global climate regulation," the European Environment Agency said June 15.

Climate Regulation
California Gas Utilities Must Reduce, Fix Methane Leaks from Pipelines
California adopted new standards requiring natural gas utilities for the first time to reduce methane leaks from pipelines.

Climate Science
Trump's Budget Puts Climate Research Program on Thin Ice
The U.S. could fall behind on mitigating expensive and irreversible damage from climate change domestically as a result of the White House's proposed cuts to an interagency research program's budget. Funding worries for the domestic climate and climate-related research program come at a time of uncertainty about the Trump administration's priorities for climate change as it slashes funding for that work across the government. President Donald Trump has pledged that the U.S. will ...

Congress
Nuclear Waste Bill Set to Change After Subcommittee Markup
Draft legislation on rebooting efforts to make Nevada's Yucca Mountain the nation's permanent repository for nuclear waste, which a House subcommittee approved June 15, will likely see changes before it's formally introduced, the subcommittee chairman says.

EPA
Former Arizona Environment Chief Tapped as EPA's COO
A former top aide to Arizona Gov. Doug Ducey (R), is joining the EPA as its chief operating officer, a position that doesn't require Senate confirmation, according to an agency spokeswoman and Ducey's office.

EPA
No Region Shakeup or Staff Layoffs, EPA's Pruitt Says
The EPA is not aiming to relocate any of its 10 regional offices, and ongoing discussion of that prospect is "pure legend," Admininstrator Scott Pruitt told House appropriators June 15.

EPA

Trump Spurs Bipartisanship as Lawmakers Vow to Stop EPA Cuts

President Donald Trump's plan to slash spending on the Environmental Protection Agency was blasted by lawmakers, as Republicans and Democrats took turns telling the agency's head that proposed budget cuts were unlikely to survive in Congress.

Emissions Trading

Singapore's Carbon Tax May Be Felt Throughout Southeast Asia

When Singapore rolls out Southeast Asia's first carbon tax in 2019, the biggest impact may not be on carbon emissions at all—at least, not directly.

Energy

China, India Seen as $4 Trillion Opportunity for Energy by 2040

China and India will be the biggest recipients for new investment in power-generating capacity by 2040, representing a $4 trillion opportunity for the energy sector.

Energy

Energy Department Climate Office Closure One of 'Many' Planned

The Energy Department's closure of its Office of International Climate and Technology, which works on global emission reductions, is one of many program offices the agency is eyeing to cut as part of fiscal year 2018 budget reductions, an agency official said.

Energy

House Panel Extends $6 Billion in Untapped Nuclear Tax Credits

The U.S. House Ways and Means Committee approved a bill that would extend a $6 billion tax benefit for the nuclear power industry, a potential boon to Scana Corp. and Southern Co., which are building facilities in Georgia and South Carolina.

Energy

Malicious Attacks on Electric Grid Facilities Over-Reported

The incidence of sabotage and vandalism to the U.S. electric grid might be less severe than data reported to the federal government suggest, a Bloomberg BNA data analysis shows.

Energy

Senate Committee Advances Nuclear Regulator Nominee Svinicki

The Nuclear Regulatory Commission is a step closer to retaining its quorum as the Senate Environment and Public Works Committee advanced the nomination of current NRC Chairman Kristine Svinicki for a third term at the agency.

Motor Vehicles

EPA Isn't Reviewing California's Clean Air Act Waiver: Pruitt

EPA Administrator Scott Pruitt said the agency isn't reviewing a Clean Air Act preemption waiver granted to California that allows the state to impose air pollution control requirements that are stricter than those of the federal government.

Oil & Gas

Industry Cheers Methane Rules Pause Despite New Uncertainty

The energy industry is cheering the EPA's plans to place a two-year hold on an Obama-era methane regulation despite any additional uncertainty the pause may introduce.

Oil & Gas

U.S. Toughens Stance on Russian Gas as Engie Defends New Pipe

As U.S. lawmakers targeted Russia's controversial $10-billion natural gas pipeline to Europe in a plan for expanded sanctions, French utility Engie SA defended the link that it says is

vital for the region's fuel supplies.

Renewable Energy
Rotting Garbage to Light 80,000 Aussie Homes Amid Energy Rethink
Australia's poor recycling track record has an upside.

Renewable Energy
Solar Power Will Kill Coal Sooner Than You Think
Solar power, once so costly it only made economic sense in spaceships, is becoming cheap enough that it will push coal and even natural-gas plants out of business faster than previously forecast. That's the conclusion of a Bloomberg New Energy Finance outlook for how fuel and electricity markets will evolve by 2040. The research group estimated solar already rivals the cost of new coal power plants in Germany and the U.S. and by 2021 will do so in quick-growing markets such as China and ...

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 6/12/2017 7:59:06 PM
Subject: June 12 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Pruitt Delays Chemical Plant Regulation Changes to 2019

Posted June 12, 2017, 12:06 P.M. ET

By Sam Pearson

Chemical companies will see a reprieve from an Obama administration regulation that would have imposed new safety requirements, the Environmental Protection Agency said.

EPA Administrator Scott Pruitt signed a final rule June 12 delaying a final rule amending the risk management program regulations (RIN:2050-AG82) to Feb. 19, 2019, the agency said.

The 20-month delay of the regulation's effective date will allow the EPA's new leadership to review two industry petitions for reconsideration and public comments, as well as to "consider other issues that may benefit from additional public input," Pruitt said in a statement.

The decision caps a process launched in late March, when Pruitt announced the delay would be considered. EPA subsequently heard from industry and chemical safety groups at a public meeting April 19 and accepted written comments through May 19.

Pruitt criticized the proposed rule in 2016 as Oklahoma attorney general, writing a letter to EPA assailing the plan as harmful to chemical plants' security.

U.S. Finds Isolated Climate Change Stance at G-7 Talks

Posted June 12, 2017, 12:52 P.M. ET

By Chiara Albanese and Jessica Shankleman (Bloomberg), and Eric J. Lyman (Bloomberg BNA)

Two days of talks among Group of Seven environment ministers confirmed a crack between the world's other leading industrial nations and the U.S. over climate change issues.

The ministers were unable to find common ground on climate measures, according to a

communique from delegations from the G-7 countries and the European Commission in Bologna, Italy, June 12.

The U.S. representative, Environmental Protection Agency Administrator Scott Pruitt, left the summit just hours after arriving. The U.S. was then represented by acting Environmental Protection Agency Assistant Administrator Jane Nishida.

The White House said Pruitt returned to Washington to attend a Cabinet meeting.

U.S. 'Does Not Join Those Sections'

The climate-related language in the final document gave strong backing to the Paris Agreement, reiterating the goal of keeping global warming "well below 2 degrees" Celsius (3.6 degrees Fahrenheit) compared to pre-industrial levels, and "pursuing efforts to limit the increase to 1.5 degrees" Celsius (2.7 degrees Fahrenheit). It also reaffirmed the goal of "mobilizing $100 billion annually by 2020" to help poor countries adapt to the impacts of climate change.

But in a footnote, the U.S. made clear that it does "not join those sections ... on climate" and climate change finance. The footnote did say the U.S. would "continue to engage with key international partners" on climate issues.

"We are resetting the dialogue to say Paris is not the only way forward to making progress," Pruitt said in statement the EPA issued after the talks. "Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength and clarity."

President Donald Trump announced June 1 that the U.S. would withdraw from the Paris climate accord. Syria, Nicaragua, and the U.S. are now the only nations not participating in the accord.

Trump's offer to renegotiate a more favorable deal for the U.S. has been rebuffed by the leaders of Germany, France, and Italy. Environmental officials from Canada, France, Germany, Italy, Japan, the U.K., and the U.S. met for the June 11–12 talks.

'Irreversible, Not Negotiable'

The U.S. withdrawal will take years to unfold as the earliest it can formally exit is Nov. 4, 2020—the day after the next presidential election. But Trump's decision has already left it isolated. No other nation has said it will follow suit, and even coal-reliant India announced it will seek to exceed the Paris targets.

In closing remarks, Gian Luca Galletti, minister of environment for host Italy, said he hoped the U.S. might one day change its stance on the Paris Agreement, but in the meantime, the two-year-old Paris document remained "irreversible, not negotiable, and the only global instrument for confronting climate change."

Catherine McKenna, Canada's minister of environment and host of the 2018 edition of the G-7 environment ministerial talks, said she was hopeful the U.S. would rethink its stance: "We remain open to a partnership with the U.S. on climate," McKenna said.

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EPA Head Blamed Obama for Paris Deal at G-7 Climate Summit

Posted June 12, 2017, 10:02 A.M. ET

By Brian Parkin and Chiara Albanese

Environmental Protection Agency chief Scott Pruitt blamed former President Barack Obama for forging a bad Paris climate deal, leaving the U.S. with the job of extricating itself, the German environment minister said.

In a catalog of complaints, Pruitt blasted Obama for failing to sign off with Congress for $3 billion in financing for the international Green Climate fund, German Environment Minister Barbara Hendricks said in an interview. She cited bilateral talks with Pruitt at a two-day Group of Seven climate summit held in Bologna, Italy on Sunday and Monday, which both officials left early.

The EPA chief's "line of argument was purely domestic," Hendricks said by phone June 12 from Berlin. Pruitt said "bluntly" that the accord is not in U.S. interests, she said. Hendricks said she responded to his comments on Congress by arguing that Germany must seek parliamentary approval for annual payments to the Green Fund.

The summit has left Germany and its G-7 partners baffled as to how President Donald Trump plans to sustain climate protection in the international arena, Hendricks said.

"Pruitt didn't say one word on how he envisages the future of international climate policy and the role of the U.S. in it," she said.

Having helped forge the Paris treaty text in 2015 that now has attracted about 200 signatory nations, Hendricks said she felt a "personal affront to her honor" from Trump's assertion that the accord was created to harm the U.S.

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U.S. Says It Has Seat at Climate Talks—But Is It at Kids' Table?

Posted June 12, 2017, 6:01 A.M. ET

By Dean Scott

The White House is insisting it will still have a seat at the table at the next United Nations climate summit just before Thanksgiving in Bonn—but President Donald Trump's exit from the Paris climate pact may mean the U.S. won't be sitting at the adults' table. Administration officials, including Secretary of State Rex Tillerson and EPA Administrator Scott Pruitt, insisted the U.S. still has a voice in climate negotiations, noting Trump stopped short of pulling out of the parent treaty to the 2015 Paris deal, the 1992 United Nations Framework Convention on Climate Change.

The U.S. is "going to continue engagement" in global efforts to cut carbon pollution, Pruitt said June 6 on MSNBC's "Morning Joe" show. "We're part of the UNFCCC, as you know," Pruitt said, and the U.S. would remain engaged in international cooperation that includes exporting "innovation and technology to Russia and China."

Senate Democrats who pushed Trump to stay in the Paris deal said arguments that the

administration plans to be engaged in those debates ring hollow, given the president's skepticism of global climate efforts.

"It is absolutely misleading to say we're still there. We're not," Sen. Ben Cardin (D-Md.), the top Democrat on the Senate Foreign Relations Committee, told Bloomberg BNA.

But even if it technically remains in the UN framework convention, it's unclear whether the Trump administration will roll up its sleeves in those talks. Even if it does, some issues—from verifying climate actions taken by countries to forest emissions—are to be specifically addressed in the Paris deal. Bonn will host the next high-level UN climate summit Nov. 6-17.

Little Leverage to Prod China, India

More specifically, exiting the deal means the U.S. will have far less influence in pushing China, India and other other developing nations to agree to tough reporting and verification to see whether they are making good on the actions they pledged to address their emissions.

The U.S. also won't be at the table to push those same rapidly developing nations to ratchet up their actions around 2020, when parties are to offer new, more ambitious pledges under the Paris Agreement.

Trump can't withdraw from the pact immediately—the U.S. must wait four years from when the pact went into force on Nov. 4, 2016, to withdraw. In the meantime, the U.S. is still a member of the Paris deal, and thus nothing bars it from still sitting in on those talks to implement it. By contrast, the Bush administration was relegated to observer status after it essentially withdrew from the Kyoto Protocol in 2001.

Thus for now, the U.S. remains "a full member" in the Paris pact, according to Alden Meyer, who tracks climate negotiations for the Union of Concerned Scientists.

"My assumption is they will remain relatively passive in those negotiations and basically be observing," he told Bloomberg BNA. "And if they ultimately are seen as actively intervening or trying to shape the decisions, I think they would get a pretty ferocious blowback from other countries." Within the broader U.N. framework convention, the U.S. could still debate some key technical issues being negotiated there, including the hotly debated issue of loss and damage compensation for vulnerable countries already suffering climate impacts. The U.S. also could wield influence in two subsidiary bodies of experts launched under the 1992 framework: the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI).

Among those issues, agriculture stands out as a crucial climate-related issue essentially left out of the Paris pact but still negotiated within the UN framework convention where the U.S. still has a seat, according to Pipa Elias, who tracks agriculture and forestry issues for the Nature Conservancy.

Seeking Engagement?

Tillerson brushed aside suggestions that the U.S. has alienated allies or had become an unpredictable international partner. But the secretary offered few specifics on ways the U.S. could remain engaged on climate action in the wake of Trump's Paris announcement.

"So, we do believe that engagement globally continues to be important on the issue of climate change, and we will be seeking ways to remain engaged" through the U.N. Intergovernmental Panel

on Climate Change, as well as various economic and trade forums, he said at a June 6 news conference with New Zealand Prime Minister Bill English.

The IPCC's next detailed global report on the latest climate science is due in 2021 or 2022.

Vow to Renegotiate Questioned

Cardin and other Democrats were particularly incensed over Trump's suggestion that he would be open to renegotiating the Paris deal—"on terms that are fair to the United States," Trump said—ignoring the fact that largely voluntary pact took more than 20 grueling years of talks to complete.

"To say that the president's actions just mean we want to negotiate a better agreement and we're still at the table—that is just inaccurate," Cardin said. "And our credibility has been badly damaged. Our seat is not there."

Sen. Chris Murphy (D-Conn.), who also sits on the Foreign Relations panel, scoffed at the notion that Trump would work to renegotiate the deal or his adminsitration will wield its influence in talks under the broader U.N. climate convention.

"If you want to still be part of that conversation, you should have stayed at the table" and remained in the Paris pact, Murphy told Bloomberg BNA.

Under the Paris Agreement, developed and developing nations alike vowed to take action to keep average temperatures from rising more than 2 degrees Celsius (3.6 degrees Fahrenheit) since the pre-industrial era and make best efforts to hold the line at a 1.5 degree Celsius increase (2.7 degrees Fahrenheit) this century.

U.S. Negotiators Still Expected in Bonn

The next round of talks in Bonn, known as the 23rd Conference of the Parties to the UNFCCC, or COP-23, will be focused primarily on implementing a sort of rulebook for the Paris deal, including how to verify that nations are actually making good on their climate pledges under the pact.

A total of 197 parties reached the deal in Paris in 2015. Of those, 148 parties either have ratified or formally joined the agreement. It is the 148 parties that will be at the table in those talks, launched last year in Marrakech, Morocco, as the Conference of the Parties to the Paris Agreement or CMA. Nations that haven't ratified the deal in time for the Bonn talks will still be able to observe the negotiations.

But the U.S. will likely send a small delegation of negotiators to Bonn, given that it remains in the 1992 convention, Andrew Light, a former Obama administration climate negotiator, told Bloomberg BNA.

Fewer negotiators would blunt the ability of the U.S. to shape any debate even if it stays at the table within the U.N. climate convention, according to Light, now a senior fellow in the World Resources Institute's global climate program.

"The size alone limits the ability to participate in all the conversations" which, in years past, have been held simultaneously and in rooms scattered across the Bonn summit site, he said.

Most in GOP Applaud Exit

Republican senators were in two camps. Most of them opposed President Barack Obama signing the U.S. onto the climate pact without Senate ratification. But a few, including Senate Foreign Relations Committee Chairman Bob Corker (R-Tenn.), had hoped to convince Trump that the pact was largely a non-binding deal and that the costs of withdrawal outweighed any benefit.

"I had four conversations with him last week, to explore ways of staying within it but still meeting U.S. objectives," Corker told reporters June 6. Sen. John McCain (R-Ariz.) also was disappointed. "I would have liked to fix the problems rather than junk the whole thing," he told Bloomberg BNA.

Vow to `Cease all Implementation'

In announcing his exit from the Paris accord, Trump by contrast made it clear the U.S. will disengage from international climate efforts and argued that other countries had gotten the better of the Obama administration in negotiating the agreement. In announcing the U.S. exit June 1, Trump said the U.S "will cease all implementation" of the Paris Agreement as well as "the implementation of the nationally determined contribution"—the U.S. pledge under which it vowed to cut emissions 26 percent to 28 percent from 2005 levels by 2025.

But world leaders haven't exactly been taking Trump up on his offer. Former Secretary of State John Kerry, who helped lead Obama's efforts on the Paris deal, also ridiculed Trump's negotiation offer.

"He is going to go out and find a better deal? That's like—I mean, that's like O.J. Simpson saying he's going to go out and find the real killer," Kerry said. "Everybody knows he isn't going to do that."

Europe's Climate Advice Business Resilient to Trump Paris Exit

Posted June 12, 2017, 10:33 A.M. ET

By Niklas Magnusson and Hanna Hoikkala

Europe's largest architecture and engineering consultancy says President Donald Trump's decision to pull the U.S. out of the Paris climate accord won't disrupt demand for advice on efforts to counter global warming.

Climate change is among three key factors spurring requests for Sweco AB's services, Chief Executive Officer Tomas Carlsson said in a June 7 interview in Stockholm. The others are urbanization and an increasing tendency for clients to focus on core businesses and outsource other operations, he said.

Trump's decision earlier this month to withdraw from the Paris climate pact drew criticism from scientists and environmentalists, company executives, political opponents and world leaders from French President Emmanuel Macron to Pope Francis. While the U.S. exit prompted concern it may hurt efforts to halt the warming of the planet, Carlsson said he regards that as unlikely, given how evident the effects of climate change already are.

"Trump can think what he wants, but water levels are higher in the Oder and Vistula rivers," Carlsson said, referring to two waterways in Poland where Sweco is involved in flood protection work. "There are more storms -- there's no way of getting around that."

The increasing need for climate change advice is underscored by the rising frequency of extreme weather, widening preparations by cities for higher temperatures and the growing tendency for power networks to be converted to energy-efficient smart grids, Carlsson said.

Warmer and Wetter

Sweco scenarios forecast that the climate will become warmer and wetter, with higher temperatures and changed precipitation patterns increasing the risk of local water shortages and droughts. There is also likely to be more flooding caused by violent downpours. These patterns mean there is a need for solutions to reduce the impact of changing weather and help societies adapt to a new reality.

To read more on the U.S. exit from the Paris accord, click here

The latest climate-related orders won by Sweco include advising South African utility Eskom Holdings SOC Ltd. on the transition toward renewable energy, the Oder-Vistula flood protection contract in Poland and new hydrogen refueling stations in Sweden. Demand for the services suggests that the global response to climate change won't be driven by U.S. government policy, Carlsson said.

"Based on our business, we have no worries that Trump could persuade more countries to leave the Paris climate deal," he said. "I also believe that both the industry and U.S. states will push the climate change question harder than one may think."

In the first quarter, Sweco reported a 9.7 percent increase in net sales to 4.41 billion kronor ($506 million). It said at the time that the Swedish market remained strong, that business in Norway, Denmark, western Europe and central Europe was generally good, while Netherlands and Finland were improving. The outlook for the latter two markets has become even more positive in recent months, Carlsson said.

"Sweden is a very strong market," while "Norway, Denmark, Germany, Belgium and the U.K. have good demand," even with the questions swirling around Britain's withdrawal from the European Union. "What's more positive now is that we see that the economies of Finland and the Netherlands have developed positively and that view has strengthened during the year and in the past few months."

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Big Oil's Clean Energy Ambitions Face Limits, Consultant Says

Posted June 12, 2017, 10:04 A.M. ET

By Rakteem Katakey

The world's biggest oil companies probably won't become renewable energy majors, according to industry consultant Wood Mackenzie Ltd.

The largest drillers would need to spend $350 billion by 2035 to replicate the 12 percent market share they hold of global oil and gas production, Wood Mackenzie said in a June 12 report. Even that spending would mean renewables only account for 6.5 percent of their total energy output in 20 years with oil and gas still dominating, according to the report.

Royal Dutch Shell Plc is expanding in wind energy, while Total SA is buying solar projects as Big Oil acknowledges the role of renewables in future energy supply. Still, that spending remains small compared with the trillions of dollars sunk into oil and gas infrastructure. Those investments will continue as oil producers expect a majority of cars will be fueled by gasoline and diesel for years to come.

"The scale of the opportunity is simply not there on our forecasts for solar and wind, at least not in the next 20 years," Tom Ellacott, senior vice-president for research and corporate analysis at Wood Mackenzie, said in the report. "Companies are only just starting to sow the seeds for the radical changes that lie ahead."

Still, energy companies will increasingly divert funds from oil production to build more wind and solar capacity, with over one-fifth of total capital allocated to renewables after 2030, Wood Mackenzie said. Only a small proportion of their total budget is currently spent on clean energy. The world's five biggest non-state oil companies together plan capital expenditure of more than $80 billion this year.

Cash Flow

Shareholders have increasingly been demanding oil company bosses raise investments in renewables and cut down on oil and gas. Shell Chief Executive Officer Ben Van Beurden told investors at a meeting last year that although the company is expanding its presence in renewables, it's still oil and natural gas that will drive revenue and fund dividend payouts.

Wood Mackenzie said wind and solar projects are competitive compared with some long-life oil and gas projects. Renewables projects operate for many years and provide steady cash flows, which can support dividend payments, according to the consultants.

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EPA Research Office Deputizes House Science Committee Aide

Posted June 12, 2017, 12:54 P.M. ET

By Brian Dabbs

A House Science, Space and Technology committee staff member took over the EPA deputy slot at the Office of Research and Development (ORD) June 12, according to an internal memo obtained by Bloomberg BNA.

Richard Yamada will advise ORD leadership on office priorities, while representing Environmental Protection Agency Administrator Scott Pruitt in advancing the agency's new platform, ORD Acting Assistant Administrator Robert Kavlock said in the memo.

The office spearheads the EPA scientific research that lays the foundation for the agency's rulemakings, analyses and models.

Yamada holds a bachelor of science degree from Yale University and a doctorate from Cornell University. He's worked on the House science committee for roughly four and a half years, joining the panel at the same time Chairman Lamar Smith (R-Texas) took the reins.

Smith led the House effort earlier this Congress to pass the EPA Science Advisory Board Reform

Act of 2017 (H.R. 1431). That legislation, which passed on partisan lines, would modify advisory board member qualifications and could exclude scientists who have EPA grants or contracts.

The bill's supporters say it would open up EPA research to more viewpoints, but detractors say the measure would increase industry influence at the expense of sound science. An uncertain future awaits the legislation in the Senate.

The White House has yet to tap a permanent ORD assistant administrator.

-- With assistance from Steve Gibb

India Sets July Deadline for Industries to Get Groundwater Permits

Posted June 12, 2017, 9:32 A.M. ET

By Madhur Singh

Industries that extract water from underground to mine, manufacture and build products will have until July 13 to obtain "no objection" permits from India's federal groundwater authority, the government announced.

The policy change comes at a time when India is facing major water shortages, especially from aquifers that are becoming depleted.

The Central Ground Water Authority estimates that 29 percent of India's groundwater districts are overused or otherwise stressed.

The new deadline marks the second extension of the original March 31 deadline for groundwater-use permits, but the policy still faces opposition.

Members of the Chamber of Industrial and Commercial Undertakings, which represents industries from the northern, agrarian state of Punjab, do not intend to submit applications to draw groundwater, Avtar Singh, the chamber's president, told Bloomberg BNA.

World's Largest Groundwater User

The group complains that the farm sector uses much more groundwater than industry, but agriculture is not required to get the new permits, Singh said.

India is the world's largest consumer of groundwater, according to the World Bank.

Businesses in sectors ranging from real estate and construction to packaged drinking water and beverages have faced complaints and sometimes legal action for allegedly overdrawing groundwater.

The National Green Tribunal, India's environmental court, has instructed industries in some areas to get government permission to extract groundwater.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 7/5/2017 8:13:24 PM
Subject: BREAKING NEWS: Senate Judiciary Committee to hold confirmation hearing next week for Trump's FBI pick

The Senate Judiciary Committee will hold a hearing next week for Christopher Wray, President Donald Trump's pick to be the next FBI director.

The July 12 hearing, announced by Chairman Chuck Grassley, is likely to focus on the FBI's investigation into Russia's interference in the 2016 election, as well as Wray's ability to stay independent from Trump.

Read more: http://www.politico.com/story/2017/07/05/senate-judiciary-committee-to-hold-confirmation-hearing-next-week-for-trumps-fbi-pick-240236

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Subject: Sep. 29 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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Pennsylvania Nuns to Appeal Transco Pipeline Decision

Posted September 29, 2017, 04:01 P.M. ET

By Leslie A. Pappas

Nuns who sued on religious grounds to stop a pipeline from traversing their property in Pennsylvania say they will appeal a judge's decision to dismiss the case.

The sisters of the Adorers of the Blood of Christ in July sued the Federal Energy Regulatory Commission (FERC) and Transcontinental Gas Pipe Line Co. LLC (Transco) to stop construction of the Atlantic Sunrise pipeline on land they own in Lancaster County.

The group said the pipeline would violate their freedom of religion under the Religious Freedom Restoration Act (RFRA), echoing religious arguments made by the Standing Rock Sioux Tribe and others in their quest to stop the Dakota Access Pipeline in North and South Dakota.

Judge Jeffrey L. Schmehl denied the nuns' motion for a preliminary injunction to stop the pipeline, and granted the company and FERC's motions to dismiss the case, in an order filed Sept. 28 in U.S. District Court for the Eastern District of Pennsylvania (Adorers of the Blood of Christ v. FERC, E.D. Pa., No. 5:17-cv-03163-JLS, 9/28/17). Schmehl said that the nuns needed to challenge the pipeline under procedures laid out in the Natural Gas Act (NGA).

"No matter how sweeping RFRA may be, plaintiffs simply may not bypass the specific procedure established by Congress in the NGA by bringing a RFRA suit against FERC in this Court," Schmehl wrote in his opinion.

Chris Stockton, a spokesman for Williams Companies, Inc., which owns the Transco pipeline system, said the company was "pleased with the court's well-reasoned decision to dismiss" and said the company remains "open to constructive dialogue with the landowner to find an amicable resolution of our differences."

'Sacredness of Earth'

The nuns maintain that the 42-inch pipeline, which would be used to transport natural gas from hydraulic fracturing operations, violates their belief in "the sacredness of Earth."

The pipeline would go through several Pennsylvania counties, carrying gas to markets like the Cove Point liquefied natural gas export terminal on the Chesapeake Bay.

"While the Adorers respect the District Court's conclusion that the Adorers could only raise their religious freedom claims during FERC's administrative proceedings, the issues and rights involved in this case are so important that the Adorers believe additional judicial review is warranted," the nuns said in a statement emailed to Bloomberg BNA Sept. 29. "The Sisters believe that God calls humans to treasure land as a gift of beauty and sustenance that should not be used in an excessive or harmful way."

Transco applied in March for authorization to construct the pipeline, and on Feb. 3, FERC gave the company the right to take private property along the pipeline route by eminent domain, the ruling says.

After the nuns refused to allow the pipeline onto their property, the company sued for access, and on Aug. 23, the court granted a portion of the nun's property to Transco.

The nuns said they plan to appeal the decision to the Third Circuit Court of Appeals in Philadelphia.

EPA Silent as Ozone Decision Deadline Looms, States Say

Posted September 29, 2017, 02:33 P.M. ET

By Jennifer Lu

States said the EPA remained mum just days before it was required to announce which areas of the country exceed federal ozone pollution standards and must clean up their air.

By law, the announcement is due Oct. 1. But just days before the deadline, state officials said they had not received feedback from the Environmental Protection Agency about their recommendations for places that violate the ozone standards, which were submitted a year ago along with plans for how to reduce ozone pollution.

Making those nonattainment designations could lead to new pollution control requirements for cars and large industrial facilities such as power plants.

"It's likely that we'll see no changes [to states' recommendations], although it is possible the administration will propose changes or delay," Miles Keogh, executive director of the National Association of Clean Air Agencies, which represents 40 states, told Bloomberg BNA.

As far as he knows, none of the 40 states in his organization had heard back from the EPA on their ozone nonattainment recommendations, Keogh said Sept. 28.

Air pollution officials in California and Utah also told Bloomberg BNA they had not heard from the agency.

The EPA said in an email it wouldn't comment on whether it would meet its Oct. 1 deadline.

White House Reviewing Proposal

A proposed rule (RIN:2060-AT41) that would rank the severity of nonattainment areas has been undergoing interagency review at the White House since Sept. 21.

The EPA in 2015 set new, more stringent ozone standards at 70 parts per billion, down from 75 ppb previously. Ozone is formed when pollutants emitted by vehicles and power plants react in the presence of sunlight. Ozone inhalation is linked to breathing problems, including asthma and chronic obstructive pulmonary disease.

As many as 116.3 million people live in areas in ozone nonattainment, according to the EPA.

Environmental advocates are likely to sue the EPA if it misses the deadline, Earthjustice staff attorney Seth Johnson told Bloomberg BNA. The EPA previously said it would push back making the ozone designations for a year, but reversed its decision after 15 states, the District of Columbia, and public health and environmental groups all sued over the delay.

A one-year delay wouldn't "make a difference one way or another" in Virginia, which is close to meeting the ozone standards, Michael Dowd, director of the air division in the state's Department of Environmental Quality, told Bloomberg BNA.

"We're still going to have to come to attainment," Dowd said. "They're either going to give us the same time or push it back a year."

States Weighing Options

Even without the EPA's designations, some states are already making plans to improve air quality.

"States don't have the power to achieve the standards without the authority of the Clean Air Act requiring upwind states to reduce their contributions," Paul Miller, deputy director and chief scientist at the Northeast States for Coordinated Air Use Management, an association of air pollution officials from eight states, told Bloomberg BNA.

In the Northeast, much of the pollution blows in from Midwestern sources, including coal-fired power plants in the Ohio River Valley.

Northeastern states may consider clamping down on pollution from cars and trucks in an effort to improve air quality, Miller said. One option would be to adopt stricter vehicle emissions standards set by California that some states have already embraced.

But until EPA makes its designations and approves states' ozone control plans, states can only do so much.

"It's not reinventing any wheels," Johnson said. "They've had a long time. States did their job. EPA needs to do its job."

Mosquito Woes Threaten Puerto Rico as Floodwaters Recede

Posted September 29, 2017, 7:35 A.M. ET

By Tiffany Stecker

A tropical disease epidemic could be brewing in Puerto Rico as the island territory struggles to emerge from Hurricane Maria's floods and wreckage.

Public health researchers are concerned that, in coming weeks or months, dengue fever transmission rates will increase in Puerto Rico as a result of rising populations of the virus-carrying Aedes aegypti mosquito. Scattered debris, stagnant pools of water, and a lack of air-conditioning due to power outages will create an ideal breeding environment for the mosquito.

And finding a way to kill the mosquitoes could be difficult as many island residents have opposed insecticide spraying in the past.

"All of these things combined may lead to another disease outbreak," Matthew DeGennaro, an assistant professor at Florida International University who leads the university's Laboratory of Tropical Genetics, told Bloomberg BNA.

The Zika virus, carried by Aedes aegypti, infected more than 40,000 Puerto Ricans last year. It is not expected to flare up again this year, but scientists are keeping an eye on rates of dengue, which can cause muscle pain, fever, nausea, headaches, and—in severe cases—death.

As of Aug. 25, the most recent date for which figures are available, the territory of 3.7 million people had nine confirmed cases of dengue fever, according to the World Health Organization. That number could rise quickly.

"Even in a good year, Puerto Rico has a difficult time with dengue fever," Peter Hotez, dean of the National School of Tropical Medicine at Baylor College of Medicine in Houston, told Bloomberg BNA.

Mosquito Diseases Could Rise in Months

The Centers for Disease Control is developing a mosquito-control plan for the island with local authorities. For now, immediate rescue operations take priority, Sven Rodenbeck, chief science officer of the Centers for Disease Control's hurricane response, told Bloomberg BNA.

The island has some time. Immediately after a hurricane, communities will see a rise in so-called nuisance mosquitoes—species that bite but don't transmit West Nile Virus, Zika, dengue, chikungunya, or yellow fever.

Between two weeks and two months after a major storm hits, the number of mosquitoes that carry mosquito-borne diseases increases, Rodenbeck said. But he does not expect to see a substantial increase in the number of people getting sick from diseases spread by mosquitoes, neither in Puerto Rico nor in Texas and Florida, which were ravaged by Hurricane Harvey and Hurricane Irma.

But others are worried that the viruses could spread. West Nile Virus is of particular concern in Texas and Florida, where the Culex genus of mosquitoes carry the disease.

"We're already seeing those in large numbers," Shelly Redovan, deputy director of education and communication for Lee County, Fla.'s mosquito control district, said of the Culex mosquitoes.

Aedes mosquitoes that carry tropical diseases like dengue are increasing in the Miami area,

indicating that Puerto Rico also will see an increase, DeGennaro said.

In Texas and Florida, efforts are underway to eradicate the pests. Redovan said her district, which covers about 1,000 square miles near Ft. Myers, Fla., already has exhausted its annual supply of mosquito-killing insecticides and has twice re-ordered the chemicals.

Debate Over Aerial Spraying

Puerto Ricans have a history of being skeptical of mosquito control efforts like aerial spraying of insecticides. Faced with widespread opposition from residents last year, officials on the island dropped a plan to deploy pest control aircraft to kill Zika-transmitting mosquitoes.

Aerial spraying is not the only solution, Rodenbeck said. Throwing out standing water and spraying chemicals on the ground is encouraged, and Puerto Rican officials will decide how to best control the mosquito infestations.

"It's important to emphasize that local authorities are in charge," he said.

DeGennaro of Florida International University thinks aerial spraying for Aedes mosquitoes would be largely ineffective in Puerto Rico because those species are primarily found in cities, making it more difficult to spray large areas.

In addition, DeGennaro thinks insecticides should be used sparingly like antibiotics: "You don't want to use them unless you really need to."

But Eric Wintemute, CEO of AMVAC Chemical Corp., the largest manufacturer of naled, the primary insecticide used for aerial spraying of adult mosquitoes, said the island's viewpoint could imperil public health.

"I think there's a fair amount of distrust Puerto Rico has with the U.S. government," Wintemute told Bloomberg BNA. As a result, "maybe decisions are made that aren't in the best interest of the overall population."

Naled is an organophosphate insecticide, a class of pesticides that works by suppressing nerve function. Organophosphates can be highly toxic to humans, but the Environmental Protection Agency says the product is sprayed at very low doses—a couple of tablespoons per acre—and dissipates quickly.

Changing Views

Sonja Swiger, an extension entomologist with Texas A&M University, said she regularly encounters residents who oppose aerial spraying, but that the situation after Hurricane Harvey left some locals more open to the aerial applications.

"Some people are more understanding because of the fact that there was a disaster," she said. "This is a rare practice in Texas."

In a typical year, AMVAC sends out enough naled to spray 12 million to 16 million acres. This year, that figure has risen to 20 million acres, with possibly another 10 million to go, Wintemute said.

"We pulled back on some export sales just so that we could make sure we would do everything we

could to meet demand," Wintemute said. Most exports go to Mexico for use on crops.

Outbreaks Years Later

The spread of diseases after hurricanes is relatively understudied, Hotez of the Baylor College of Medicine said.

The effects can be felt several years after an event. A 2008 study found that rates of West Nile Virus doubled around New Orleans one year after Hurricane Katrina in 2005. The authors didn't pin down a specific reason, but suggested that abandoned swimming pools and the holes left from uprooted trees may have been breeding grounds for the mosquito.

"After all three major hurricanes this season, provided there's some funds to study this, we could learn an awful lot on disease transmission after hurricanes," he said.

Trump Told Iowa He'd Save Ethanol. His EPA Chief Has Other Ideas

Posted September 29, 2017, 8:57 A.M. ET

By Jennifer A. Dlouhy and Mario Parker

As he sought votes during last year's Iowa caucuses, candidate Donald Trump courted farmers with praise for ethanol and promises that he would boost the home-grown fuel.

Now those farmers and other biofuel supporters say the people President Trump has put in charge of the issue in Washington are instead boosting their fossil-fuel rivals.

"This seems like a bait-and-switch," Iowa's senior senator, Chuck Grassley (R), said on the Senate floor this week. "Big Oil and oil refineries are prevailing, despite assurances to the contrary."

The issue is politically precarious for Trump, as it pits the oil industry against Midwest voters who helped elect him. Trump repeatedly vowed to "protect" ethanol. But he loaded his cabinet with allies of the oil industry, which views the Renewable Fuel Standard that mandates biofuel use as costly and burdensome.

Ethanol producers are most vexed by Scott Pruitt, the head of the Environmental Protection Agency. His agency has pursued a series of changes that would help the oil industry at the expense of farmers.

"The White House needs to rein in the EPA before the agency tramples the president's rural base—and his promises to voters," said Brooke Coleman, executive director of the Advanced Biofuels Business Council. "I would be surprised if those in the White House realize the depth of his attacks on the Renewable Fuel Standard."

Support for Fossil Fuels

Pruitt hails from oil-rich Oklahoma, and backing refiners and oil producers could aid any future political campaign in his home state, including a possible bid for the Senate seat that would open up if Republican Jim Inhofe retires in 2020. Pruitt has not announced plans to seek that seat or any other political office. While serving as Oklahoma's attorney general, Pruitt dubbed the quotas "unworkable" and a "flawed program."

Now at the EPA, Pruitt has gone "rogue," said Michael McAdams, president of the Advanced Biofuels Association.

"His job is to implement the vision of the president who says he supports biofuels," he said. Pruitt's actions don't "support biofuels in any shape or form."

Representatives of Pruitt declined to respond to questions about his ties to the oil industry. "EPA is currently seeking input from all stakeholders involved. Nothing has been finalized at this time," the agency said in a statement.

Despite the president's high-profile pledges of support, the intricate details of biofuel policy are being decided by administration officials with no allegiance to the sector, said Monte Shaw, executive director of the Iowa Renewable Fuels Association.

For instance, Trump's Energy Secretary is Rick Perry, who as Texas governor asked the EPA to waive half of the conventional renewable fuel quota in 2008. And Trump's Agriculture Department is led by Sonny Perdue, who previously was governor of Georgia, the nation's top poultry producer. Livestock producers have linked arms with the oil industry to fight the biofuel mandate, arguing it drives up feed costs.

Trump also tapped billionaire refinery owner Carl Icahn, a critic of the biofuel mandate, as special adviser on regulations. Icahn has since left that role.

In the latest policy move, the EPA this week issued a notice opening the door to potential reductions in annual quotas for biodiesel and ethanol. The action followed heavy lobbying by oil industry leaders seeking lower biofuel targets.

The 14-page "notice of data availability" that set those potential changes in motion explicitly invokes arguments by refiner Valero Energy Corp. or top oil trade groups nine times, with the EPA echoing the industry's assertions that imported biofuels jeopardize U.S. energy independence.

What's missing? Any reference to the counter arguments from the other side—biodiesel producers or corn farmers.

The EPA had already proposed lowering the amount of advanced biofuel that would be required next year, after Pruitt forced a last-minute rewrite of the agency's initial slate of renewable fuel quotas. EPA officials initially wanted to require 384 million gallons of cellulosic ethanol to be used next year—up 19 percent from this year's 311 million gallon quota—according to documents released by the Office of Management and Budget.

Corn Belt

But after lobbyists for refiners raised concerns about relying on imported biofuel to meet the targets, Pruitt directed EPA staff to recalculate the figures. The resulting proposal aims to lower the cellulosic ethanol requirement for the first time—to 238 million gallons next year.

Separately, the agency is mulling a change to allow exported biofuel to count toward compliance with the annual quotas—a move that would lower compliance costs for refiners while decreasing the premium some ethanol producers collect for selling the fuel domestically.

Oil industry leaders say Pruitt is making good on his pledge to get the RFS back on track, by establishing biofuel quotas ahead of legal deadlines.

The EPA is advancing "Congress's stated purpose of bolstering America's energy independence," the American Fuel and Petrochemical Manufacturers said in an emailed statement. "American drivers shouldn't have to shoulder more costs to help foreign biofuel producers."

Biofuel boosters are reminding Trump of his promises now.

"It is my hope that your EPA has not forgotten about the pledges that were made to my constituents and to farmers across the country," Senator Joni Ernst, a Republican from Iowa, told the president in a letter this week.

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Senate Republicans Want to Allow Drilling in Alaska Refuge

Posted September 29, 2017, 01:07 P.M. ET

By Ari Natter and Erik Wasson

Senate Republicans set the stage for using the budget to end the 37-year ban on oil and gas drilling in Alaska's pristine Arctic National Wildlife Refuge.

A provision in the budget resolution, released Sept. 29, tells the Senate Energy and Natural Resources Committee to come up with $1 billion in savings over 10 years. That mandate is the first legislative step necessary for Congress to approve drilling in the preserve, known as ANWR, without the threat of a Democratic filibuster.

"You know me, I'm always trying to advance ANWR," Alaska Republican Senator Lisa Murkowski, the chairman of that committee, said on Sept. 26.

Murkowski and fellow Alaska Republican Senator Dan Sullivan have previously backed legislation that would allow oil and gas development on as much as 2,000 acres (809 hectares) of the refuge, and pressed to get this provision included in the budget.

Fossil fuel development in the 19-million-acre wilderness area has been prohibited since 1980.

If the budget is adopted by both the House and the Senate, a bill conforming to the instruction can be brought up in the Senate and could pass with 50 votes plus Vice President Mike Pence's tie-breaker, rather than the usual 60 votes need to end debate.

Royalties to Flow

Republicans plan to use the budget resolution to allow fast-track consideration of a tax overhaul plan.

Royalties from oil and gas production in the wildlife reserve would be a revenue-raiser that could help offset some of the tax cuts Republicans are proposing. President Donald Trump earlier this year proposed raising $1.8 billion over the next decade by opening up parts of the refuge for oil and gas development, a change that would require congressional action.

Energy production in the wildlife refuge, which is estimated to contain as much as 12 billion barrels of oil, has been debated for more than 50 years, with major oil companies such as ConocoPhillips, Alaska's biggest oil producer, interested in exploring for oil in the area. Environmentalists, meanwhile, have argued for making the refuge's coastal plain permanently off -limit to drilling, noting the area's fragile ecosystem is home to polar bears, caribou, musk oxen and more than 200 species of migratory birds.

"It would be a sin against the environment," Senator Ed Markey, a Massachusetts Democrat, said in an interview. "We should not be doing that for the oil industry. We don't need to set up a gas station on top of the ANWR."

Fuel Prices

Proponents of opening up the area to energy development argue it's needed to help keep domestic fuel prices low and generate government revenue, including funds for Alaska, which has seen its economy and state government coffers hit hard by a decline in oil prices.

In addition to Democrats, Republicans Senators such as Susan Collins of Maine and John McCain of Arizona have in the past voted against efforts to open the refuge to drilling. Asked how she might vote this time around, Collins said she was open to reconsidering.

"I am told that there is a new kind of horizontal drilling that is far safer, but I don't know enough about it to have looked into yet," Collins said in an interview. Still, she added, "I voted against it consistently in the past."

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Perry Moves to Aid Coal, Nuclear Generators with Pricing Rule

Posted September 29, 2017, 9:58 A.M. ET

By Catherine Traywick

U.S. Energy Secretary Rick Perry is doubling down on coal and nuclear power.

The Energy Department proposed a rule Sept. 29 aimed at helping coal and nuclear power plants compete within wholesale power markets by allowing them to recover their costs at "a fair rate of return," according to the agency's website. Generators with a 90-day supply of fuel on site are eligible.

While they provide reliable, base-load power, coal, and nuclear plants are costly to run, so grid operators usually don't call on them until after all renewable and natural gas resources have been exhausted. Meanwhile, low cost gas, wind and solar power have lowered electricity prices to the point that coal plants, when needed, often aren't paid enough to cover operating costs.

"Ensuring a reliable and resilient electric supply and corresponding supply chain are vital to national security," Perry said in a letter to the Federal Energy Regulatory Commission, which will consider the proposal. The letter touts the agency's recent grid study, which made the case for preserving base-load power, a term typically used to describe coal and nuclear plants that can run all the time.

Perry's proposal may have a friend in Neil Chatterjee, who was tapped by President Donald Trump to temporarily lead the energy commission. Chatterjee has repeatedly argued that coal-fired plants are a crucial part of America's energy mix that needed to be "properly compensated to recognize the value they provide."

But grid operators may find implementing such a rule to be "difficult or problematic," Christi Tezak, managing director at ClearView Energy Partners in Washington, wrote in a research note. Still, a pricing rule of some kind may be formalized by as soon as spring 2018, she said.

'Major Retreat'

Rob Gramlich, founder of the clean energy consultancy Grid Strategies LLC, characterized the proposal as "a major retreat from competition."

The Federal Energy Regulatory Commission, an independent agency under the Energy Department, has authority over power markets, though the energy secretary may propose rules to the commission. Perry is seeking final action within 60 days.

The proposal follows the agency's controversial grid study, which argued that base-load power is critical to grid resilience and called for changes to how wholesale electricity is traded. The report cautioned that "market designs may be inadequate" to keep "traditional" power generation online.

—With assistance from Jim Polson and Ari Natter.

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Southern's Nuclear Plant Gets $3.7 Billion More in U.S. Aid

Posted September 29, 2017, 12:55 P.M. ET

By Ari Natter and Mark Chediak

Southern Co.'s troubled nuclear reactor project in Georgia is in line to get additional government support after the Energy Department announced Sept. 29 it offered $3.7 billion in additional loan guarantees.

Georgia Power Co. and its partners constructing the Vogtle plant—the only new nuclear power project in the U.S.—were already recipients of $8.3 billion in federally-backed loan guarantees, but asked the Trump administration to come to their aid amid ballooning costs and delays.

The project represents the last, best hope for a much-hyped nuclear renaissance that has failed to materialize in the U.S. following Japan's Fukushima accident and persistently weak wholesale electricity prices.

"I believe the future of nuclear energy in the United States is bright and look forward to expanding American leadership in innovative nuclear technologies," Energy Secretary Rick Perry said in a statement announcing the additional aid.

The proposed aid comes after the Trump administration proposed ending the loan guarantee program, which has been under fire from conservative critics since it famously backed a half-billion-dollar loan guarantee to failed solar-panel maker Solyndra LLC.

Project Costs Soar

The new federal financing comes as Southern seeks Georgia regulators' approval to continue building two reactors at its Vogtle nuclear facility. Costs for the project have soared to more than $25 billion amid construction delays, caused in part by the bankruptcy of contractor Westinghouse Electric Co.

The Energy Department announced conditional loan guarantees of $1.67 billion to Georgia Power, a subsidiary of Southern; $1.6 billion to Oglethorpe Power Corporation; and $415 million to three subsidiaries of Municipal Electric Authority of Georgia.

Securing the additional money will help the Atlanta-based company make its case to Georgia regulators who must now weigh Southern's recommendation to continue against concerns from environmental groups and consumer advocates.

The additional loan "will help us continue to reduce our financing costs," said Paul Bowers, president of Georgia Power. With more than $5 billion in loan guarantees promised to Southern, the utility owner says its customers will get $500 million in "benefits" for its customers.

Georgia's public service commission will likely give its OK to the Vogtle project if Southern and its partners receive about $3.7 billion in payments from Westinghouse's parent Toshiba Corp., Tim Echols, a member of the Georgia Public Service Commission, said last week.

"The additional loan guarantee money, monetizing the Toshiba payment, and tax credit extension are music to my ears," Echols said. "Without these it will be difficult to finish our Vogtle reactors and I hope the U.S. Senate knows that."

—With assistance from Brian Eckhouse.

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VW Still Choking on Diesel as Damages Surge to $30 Billion

Posted September 29, 2017, 12:44 P.M. ET

By Chris Reiter and Elisabeth Behrmann

More than two years after Volkswagen AG was thrown into chaos by the diesel-emissions scandal, the German auto giant is still choking.

The latest reminder that the crisis is far from over came Sept. 29 when Volkswagen announced it will take a charge of 2.5 billion euros ($3 billion) because plans to buy back or retrofit tainted U.S. diesel cars proved more complex than expected. That brings total damages to about $30 billion and raises questions about whether Chief Executive Officer Matthias Mueller has the situation under control.

"This is yet another unexpected and unwelcome announcement from VW, not only from an earnings and cash-flow perspective but also with respect to the credibility of management," Arndt Ellinghorst, a London-based analyst with Evercore ISI, said in an email. "No surprise, investors are skeptical and cynical."

To put the latest charge into perspective, it comes a full 15 months after the company reached a settlement with U.S. authorities to buy back or fix around 500,000 tainted vehicles, including Golf, Jetta and Audi A3 models. So after more than a year of working through the issues, Volkswagen suddenly discovered that the plans were technically tougher than anticipated. The complications, which the company didn't describe in detail, amount to more than 5,000 euros per car.

Volkswagen shares fell as much as 4 percent, making the prospect of returning to pre-crisis levels even more remote. Since September 2015, the stock has lost about 15 percent of its value.

While the charge was the clearest evidence the crisis is still smoldering, it wasn't the only sign this week. On Sept. 27, Munich prosecutors arrested former Volkswagen engineer Wolfgang Hatz, the second person detained in the widening probe into cheating at the automaker's Audi division. Hatz, who ran Volkswagen's motor development from 2007 to 2011, left the automaker in May 2016 after being suspended in the aftermath of the company's admission that it rigged diesel cars to cheat on regulatory tests.

And then there was the unrelated issue of the Scania truck unit being fined about $1 billion by European Union authorities over price fixing.

"What's clear is that the emissions scandal isn't off the table," said Stefan Bratzel, director of the Center of Automotive Management in Bergisch Gladbach, Germany. "Today's announcement shows they miscalculated."

Mueller has sought to push past the crisis, with only limited success. At the Frankfurt auto show earlier this month, he played the role of visionary, arriving at a presentation in the German financial capital in a self-driving bus, dubbed Sedric. Before hundreds of guests, he vowed to turn Volkswagen into an electric-car leader, as he remakes the company from within, with the Moia ride-hailing brand and de-centralized decision-making.

"We have got the message and we will deliver," Mueller said at the show. "'Business as usual' is no longer enough."

Yet there are plenty of signs that the old Volkswagen is alive and well. In addition to the long-running diesel saga, unions are flexing their muscles and resisting disposals of ill-fitting remnants from past empire-building such as the Ducati motorbike brand and divisions that make power plants and ship engines.

Electric Future

The affected diesel vehicles in North America are only a small part of the nearly 11 million rigged cars globally. In the U.S., Volkswagen is required to update the emissions software and make changes to engine hardware, a more rigorous fix than the repairs required in Europe.

The continuing fallout compounds pressures facing Volkswagen as it grapples with a disruptive shift in automotive technology, including the prospect of new, nimble competitors like vacuum cleaner pioneer Dyson Ltd. Keeping ahead of the shift to an era of self-driving electric cars requires significant resources, and Volkswagen is planning to invest about 20 billion euros by 2030 to develop a fleet of electric cars and another 50 billion euros to buy the batteries needed to power the vehicles.

The scandal set off a backlash that has led consumers to turn away from diesel technology amid

concerns about pollution and driving bans. That creates problems for Volkswagen as it relies on diesel cars to boost profit and lower carbon-dioxide emissions to reach tightening environmental targets. Still, the world's largest automaker had net liquidity of 23.7 billion euros at the end June to help it finance the investments.

"Volkswagen remains very liquid in terms of its financial position and the risk of a capital increase is low," said Juergen Pieper, a Frankfurt-based analyst with Bankhaus Metzler. "However, given the uncertainty in Europe about diesel cars and the future investments that need to be made for electric cars, that risk is rising" in the aftermath of the "surprisingly large" hit from the scandal.

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Trump's 1970s-Era Oil Comes at Right Time to Feed Asia's Thirst

Posted September 29, 2017, 9:11 A.M. ET

By Robert Tuttle

When President Donald Trump's Energy Department was lining up buyers a month ago to dump 14 million barrels of crude into the market, it might have seemed like bad news.

But as all that oil from the Strategic Petroleum Reserve starts hitting the market next week, the timing turned out to be pretty good.

Here's what changed: crude got out of its funk and entered a bull market, the outlook for global consumption suddenly looks a lot brighter, compliance with OPEC-led cuts improved, the shale boom is waning and, most importantly, sales to Asia have led U.S. exports to record levels. So, America doesn't look so incurably awash in oil after all.

"You'll see a lot of it get exported right away," said Dominic Haywood, an analyst at consultant Energy Aspects Ltd. in London. "There's good demand for it."

To get an idea of the size of the sale, deliveries spread over two months will add an average 233,000 barrels a day of crude that's been stashed in salt caverns in Texas and Louisiana since the wake of the Arab oil embargo in the late 1970s. That's more than either Kuwait or the United Arab Emirates have cut so far this year under the OPEC-led accord, data compiled by Bloomberg show.

That seemed worrying when the DOE was taking bids in early September and futures in New York were stuck below $50 a barrel. Hurricane Harvey had knocked out more than a fifth of U.S. refining capacity, the summer driving season had just ended and stockpiles were rising again.

But with the global Brent benchmark nearing $60 a barrel, West Texas Intermediate seems like a steal even after it surpassed $52 for the first time since April this week.

The type of oil coming out of the caverns, sour crude, also happens to be in particularly high demand because that's the kind OPEC has cut the most. Bonito Sour, for instance, sold at a $3.75-a barrel premium to WTI on Sept. 22, the widest since May 2015, data compiled by Bloomberg show.

"Sour crude differentials are on a tear," Haywood said. "Definitely it's a good time."

For the government, getting rid of the oil hoard from another era has become a priority because

maintaining the facilities is a cash drain. Trump wants to slash it by half. In recent years, Congress has ordered small sales to fill government budget holes.

At a time when U.S. fields gush increasing amounts of crude, there has been growing support for making some cash out of the reserve, or even get rid of it altogether—specially because it'll cost about $2 billion to upgrade it.

By statute, the Energy Department needs to conduct two sales of oil from the Strategic Petroleum Reserve for fiscal year 2018, according to an agency spokeswoman. The timing is based on factors including the volume of oil, the potential delivery periods for each sale and how sales integrate with maintenance and operations at storage sites. The agency doesn't try to time it based on forecast commodity prices, she said.

—With assistance from Catherine Traywick.

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Green Projects May Be About to Lose Their Richest Investors

Posted September 29, 2017, 8:29 A.M. ET

By Anna Hirtenstein

Renewable energy developers may lose some of their richest backers as wind and solar farms move toward competing on price instead of their green credentials, Sweden's largest utility said.

Vattenfall AB, which is one of Europe's biggest developers of offshore wind farms and has sold a stake in one of its projects to pension fund AMF Pensionsforsakring AB, said institutional investors may be wary of backing green projects in the future.

Green energy projects are starting to become more risky. A plunge in prices for wind and solar power has allowed many developers to bid for power-purchase deals at rates competitive with traditional forms of energy. Governments and regulators are responding by removing the subsidies and incentives that green energy sources required in their early years to attract investment, and without that backing, they're exposed to power-market price risks.

"The reason for very high interest from their side is it's a rather low-risk investment," said Chief Executive Officer Magnus Hall. "If you go for a merchant-based risk picture you would have to look at different investors. I don't think they would be the traditional pension funds because they have very clear regulation around them not to take too big risk."

So-called merchant risk is when electricity is sold on the wholesale power market rather than at a fixed price. Renewables have to date had long-term contracts that freeze a price, either paid by a government or by a large company for energy-intensive operations such as a data center.

This is starting to change as clean energy technologies like solar panels and wind turbines get cheaper. In April, developers in Germany placed bids for the first subsidy-free offshore wind farms. Hall is skeptical about whether they will actually get built.

"It's important to note that there are operators and developers who have been bidding zero bids and they have won, but we haven't seen any final investment decisions and they are not due for a quite

long time," he said. "That's important for politicians to note."

Hall expects that renewables will require long-term fixed prices going forward, but that they may not have to be inked by governments.

"As a developer you can seek to make long term contracts with a buyer of electricity and you can use that as part of your basis for investment," he said. "But the question is if we can have these fixed price contracts big enough to make the whole change that we want to make" in the energy system.

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Electric Scooter Taxes to Drop as Taiwan Boosts Green Vehicles

Posted September 29, 2017, 01:41 P.M. ET

By Yu-Tzu Chiu

Electric scooter owners in Taiwan could see a tax break as the country aims to boost clean transportation and its domestic electric vehicle industry by extending licensing incentives through 2021.

Only 929 car buyers have taken advantage of the existing automobiles license tax waiver for electric cars, and Taiwan hopes dropping the fees for electric scooters will encourage more buyers to consider eco-friendly vehicles. The proposal Taiwan approved Sept. 28, which still must be approved by the legislature, would extend the existing waiver on the license tax for electric vehicles through the end of 2021. The tax break was set to expire Jan. 5, 2018.

Currently, the vehicle license tax rate in Taiwan for electric scooters under 12 horsepower is zero; electric scooters with 45 horsepower or more pay a vehicle license tax of 1,620 Taiwanese dollar ($53) annually.

Deputy Finance Minister Tzu-hsin Wu said at a news conference that revising tax codes is one of the government's strategies to encourage the development of domestic electric vehicle industries. As European countries such as Norway consider banning gasoline and diesel cars, Wu said it's important for Taiwan to catch up.

Taiwan projects that the extended tax breaks eventually will put 5,795 electric cars on the road by 2021and more than double the number of electric scooters to 171,000. The extended tax incentives would help the government gain an additional 800 million Taiwan dollars in revenue, Wu said.

During a recent meeting discussing the tax exemption proposal, Premier Lai Ching-te said the incentives are designed to both encourage green consumption and help boost the development of domestic electric vehicle industries, according to Kuo-yung Hsu, a spokesman for the Taiwan Cabinet.

Industry Hopes for Boost

Taiwan's automakers praised the tax incentives but suggested cash rebates, such as those used in the U.S., could encourage even more buyers to consider an electric vehicle. In Taiwan, cash incentives are offered to buyers of electric scooters as one of the government's pollution control measures. Taiwan wants to ban smoky two-stroke scooters by 2020.

Wen-yi Lo, a spokesman for Taiwan-based Yulon Motor Co Ltd., said the company has invested more than 3 billion Taiwanese dollars ($99 million) in the past decade to develop electric cars. Taiwan's electric vehicle charging network has expanded with the support of government policies, and by late 2017 three kinds of electric cars produced by Yulon will be available in Taiwan, he said.

Yen-yang Chen, marketing manager of Gogoro, a Taiwan-based company selling electric scooters, said it's encouraging that the electric vehicle license tax exemption would expand to electric scooters.

"More buyers will choose electric scooters because supportive policies have been seen here," Chen told Bloomberg BNA.

Gogoro started selling its electric scooters in Taiwan in 2015. By 2016, Gogoro's sales comprised two-thirds of the total 20,000 electric scooters sold in Taiwan, according to government statistics.

Foreign electric automakers also see opportunities in Taiwan. In late January, U.S.-based Tesla Motors delivered its first batch of products to Taiwanese customers and opened its first supercharging station in Taipei.

Local media reported that, after the end of the waiver in 2021, drivers of a Tesla model with 700 horsepower will have to pay an annual license tax of 117,000 Taiwanese dollar ($3,900), about four times that on some nonelectric super cars.

Tesla Taiwan declined to comment on the Cabinet's tax revision proposal.

PODCAST: Houston Faces Long-term Damage After Hurricane Harvey

Posted September 29, 2017, 9:35 A.M. ET

By David Schultz

In some ways, things are returning to normal in Houston after Hurricane Harvey. Schools have reopened, the power is back on, and the flood water has, for the most part, receded.

But in other, very important, ways, things will never be back to normal there.

For the latest episode of our environmental policy podcast, Parts Per Billion, we speak with Bloomberg BNA Houston correspondent Nushin Huq, a lifelong resident of the city, about how the cleanup is going a month after the storm. We also talk with her about some of the long-term environmental problems that may trouble Houston for years to come.

Listen to the podcast here.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/26/2017 1:46:25 PM
Subject: EPA opens nominations for key science boards

By Eric Wolff

06/26/2017 09:43 AM EDT

EPA is seeking nominations to fill key slots on the Clean Air Science Advisory Committee and the Science Advisory Board — committees the agency is required by law to maintain to advise it on air pollution and other scientific issues.

A notice will go into the Federal Register tomorrow that will allow 30 days for nominations to fill one opening on the Clean Air Science Advisory Committee, six slots on the Science Advisory Board and experts to serve on six SAB committees.

The timing for bringing on a new CASAC member is tight since committee chair Ana Diez Roux will depart at the end of September when her second term expires. As both a medical doctor and a member of the National Academy of Sciences, Diez Roux fills two roles required under the law. If her term ends without those roles filled, the committee will cease to function. CASAC provides essential advice for setting allowable air pollution levels for six key pollutants named in the Clean Air Act.

In addition to the six positions opening on the SAB committee, EPA is asking for nominees to serve on its Chemical Assessment Advisory Committee, the Drinking Water Committee, the Ecological Processes and Effects Committee, the Environmental Economics Advisory Committee; the Environmental Engineering Committee and the Radiation Advisory Committee.

WHAT'S NEXT: EPA will accept nominations for the positions for 30 days once the notice officially is published in the Federal Register, expected Tuesday.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-opens-nominations-for-key-science-boards-089670

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Daily Environment Report

November 20, 2017 - Number 222

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Leading the News

Budget
Cut Green Funds to Pay for Hurricane Relief: White House
The White House is asking Congress for an additional $44 billion for hurricane recovery efforts in Puerto Rico and the Virgin Islands, and it wants lawmakers to cut numerous environmental programs to offset the new spending.

Climate Policy
Trump's 'America First' Foreign Policy Erodes Work on Climate
Donald Trump's "America first" foreign policy is starting to undercut progress at the annual talks on fighting global warming.

EPA
States Welcome Pruitt's Air Emphasis, But Seek Further Clarity
The EPA has labored for years to clear out its backlog of state implementation plans for federal air quality standards, and state regulators generally welcome Administrator Scott Pruitt's focus on the issue—a stand he reiterated Nov. 17.

International Climate
Bonn Climate Deal Within Reach, Punts Many Decisions to 2018
International negotiators are on the verge of taking the first concrete steps toward a rule book to implement a global climate accord, including big strides on how to verify the greenhouse gas emissions and the effectiveness of actions nations take.

News

Agriculture

Correction
In the article "Saudi Arabia Plans Region's Largest Farm Waste Processing Plant (Corrected)," Noman Qadir should have been identified as an environment and sustainability expert. He is no longer at the Dubai Municipality.

Chemicals
Sweden to Alter Some Exemptions Under Mercury Use Ban
Sweden's mercury ban will soon apply to certain metal welding and to dental amalgams, while exemptions for the use of the chemical in medical research and development will be extended.

EPA
Navajo Uranium Mine Cleanup Gets EPA Inspector General Review
The EPA's Office of Inspector General will investigate how the agency is managing abandoned uranium mines on the Navajo Nation in the southwest, it announced Nov. 16.

Energy
Mexico Planning Energy Overhaul, Relying on Efficiency, Solar
Mexico is ramping up its ability to generate more power and also looking for alternative ways to reduce its reliance on fossil fuels, a senior energy official said at the Platts Mexican Energy Conference.

Energy
NRG Fears 'Hunger Games' For Gas Plants in California
Environmental policies to cut carbon emissions and a surge in renewable energy could force natural-gas generators out of California's state electricity market, the largest U.S. independent power producer said.

Energy
Puerto Rico Power Chief Abruptly Resigns as Congress Weighs Aid
The head of Puerto Rico's public power utility resigned amid questions about the effort to rebuild an electricity system devastated by Hurricane Maria and concern about the agency's leadership jeopardized much-needed aid from Congress.

Energy
Scana May Be Paving Way for Two-Utility Takeover with Nuke Plan
U.S. utility owner Scana Corp. may have just set the stage for its own takeover—and that of a neighboring power company.

Enforcement
Formosa Chemicals Gets Record Environmental Fine in Taiwan
Formosa Chemicals & Fibre Corp. has been fined NT$1.24 billion ($41.2 million) for environmental breaches at one of its plants, the largest such penalty handed down in Taiwan.

Oil Spills
Keystone Pipeline Springs a Leak as Extension Decision Nears
Talk about bad timing.

Renewable Energy
Apple Seeks Nevada Solar Power as State Weighs Energy Future
Northern Nevada may soon get a boost in solar power projects, driven by companies like Apple that are looking for renewable energy as they expand in the state.

Renewable Energy

Bid to Revive U.S. Solar Factories Faces Familiar Job-Killer

A bankrupt Georgia company is pushing to revive U.S. solar manufacturing with a trade case that's headed for the president's desk. The simmering dispute from Suniva Inc. stands a good chance of leading to import tariffs, but don't expect that to bring the jobs back.

Vehicle Fuels

Tesla Truck Could Threaten Big Chunk of Oil Demand, If It Works

Tesla Inc.'s unveiling on Nov. 16 of a new electric truck showed Elon Musk can match Steve Jobs's ability to wow the tech crowd with a glimpse of the future. If he can equal the manufacturing prowess of Apple Inc.'s current Chief Executive Officer Tim Cook, he might just clobber the oil industry too.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 9/12/2017 11:52:10 AM
Subject: Sep. 12 -- EHS State Regulatory Alert

EHS State Regulatory Alert

September 12, 2017 - Number 175

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California

GENERAL ENVIRONMENT AND SAFETY
Building Standards Commission/Exterior Elevated Elements
California GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Building Standards Commission amends regulations under 24 CCR, Parts 2 and 10, to revise building standards related to exterior elevated elements. The rule adds waterproofing and ventilation requirements for exterior weather-exposed balcony and elevated walking surfaces. The rule is being proposed concurrently with similar proposals of the Division of the State Architect and the Department of Housing and Community Development regarding exterior elevated elements. The rule would permanently adopt provisions of a Jan. 27, 2017, emergency rule. Hearing requests are due Oct. 8, 2017. Comments are due Oct. 23, 2017. Contact: Gary Fabian; BSC; 916-263-0916; gary.fabian@dgs.ca.gov

—California Regulatory Notice Register (09/08/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Department of Housing and Community Development/Exterior Elevated Elements
California GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Building Standards Commission amends regulations under 24 CCR, Parts 2 and 10, on behalf of the Department of Housing and Community Development, to revise building standards related to exterior elevated elements. The rule adds waterproofing and ventilation requirements for exterior weather-exposed balcony and elevated walking surfaces. The rule is being proposed concurrently with similar proposals of the Building Standards Commission and the Division of the State Architect regarding exterior elevated elements. The rule would permanently adopt provisions of a Jan. 27, 2017, emergency rule. Hearing requests are due Oct. 8, 2017. Comments are due Oct. 23, 2017. Contact: Stoyan Bumbalov; DHCD; 916-263-4715; stoyan.bumbalov@hcd.ca.gov

—California Regulatory Notice Register (09/08/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Division of the State Architect/Exterior Elevated Elements
California GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Building Standards Commission amends regulations under 24 CCR, Parts 2 and 10, on behalf of Division of the State Architect, to revise building standards related to exterior elevated elements. The rule adds waterproofing and ventilation requirements for exterior weather-exposed balcony and elevated walking surfaces. The rule is being proposed concurrently with similar proposals of the Building Standards Commission and the Department of Housing and Community Development regarding exterior elevated elements. The rule would permanently adopt provisions of a Jan. 27, 2017, emergency rule. Hearing requests are due Oct. 8, 2017. Comments are due Oct. 23, 2017. Contact: Diane Gould; DSA; 916-324-6959; diane.gould@dgs.ca.gov

—California Regulatory Notice Register (09/08/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Electronic Waste Recycling Program
California HAZARDOUS WASTE MANAGEMENT

Emergency rule of the Department of Resources Recycling and Recovery amends regulations under 14 CCR 18660.7 and adopts regulations under 14 CCR 18660.44, 18660.45, and 18660.46 to establish the procedure for imposing civil liabilities for violations of the Electronic Waste Recycling Program. The rule establishes penalties for false statements or representations, failure to pay a covered electronic waste recycling fee, and failure to comply with requirements for manufacturers. The rule readopts an Oct. 16, 2015, emergency rule. The rule is effective Oct. 6, 2017, and expires Oct. 7, 2019. Contact: Meagan Wilson; DRRR; 916-341-6077; meagan.wilson@calrecycle.ca.gov

—California Regulatory Notice Register (09/08/2017)

Regulatory Update

Delaware

WATER
Surface Water Quality Standards
Delaware WATER

Final rule of the Department of Natural Resources and Environmental Control, Division of Watershed Stewardship, amends regulations under 7 DEAC 7401 regarding surface water quality standards. The rule adds bacteria water quality standards for enterococcus colonies to align with federal requirements. The rule revises the proposal by changing the description of the affected

waterbody to marine coast recreation waters from the Delaware Bay to the Maryland state line, reorganizing information in the primary and secondary contact recreation waters table, and removing references to weekly samples in the table. The rule is effective Sept. 11, 2017. Contact: David Wolanski; DNREC; 302-739-9939; David.Wolanski@state.de.us

—Delaware Register of Regulations (09/01/2017)

Regulatory Update

WATER
Underground Injection Control
Delaware WATER

Notice of the Department of Natural Resources and Environmental Control, Division of Water, announces changes to and an extension of the comment period regarding a May 1, 2017, proposed rule to repeal and readopt regulations under 7 DEAC 7102 to align requirements for the construction and use of underground injection wells with federal provisions. The rule specifies six classes of underground injection wells and prohibits four of these classes. The rule also establishes minimum construction and operation requirements for two classes, including wells that inject hazardous waste or fluids beneath the lowermost aquifer containing an underground source of drinking water and shallow wells used to place a variety of fluids directly below the land surface. In addition, the rule addresses permit procedures and adds requirements for multiple water management activities. The changes clarify that "SIC" and "TMDL" mean "standard industrial classification" and "total maximum daily load," respectively. The changes also specify noncompliance notification procedures and revise well abandonment provisions. Comments now are due Oct. 2, 2017. Contact: Lisa Vest; DNREC, Ground Water Discharges Section; 302-739-9042; lisa.vest@state.de.us

—Delaware Register of Regulations (09/01/2017)

Regulatory Update

Texas

WATER
Surface Water Quality Standards
Texas WATER

Proposed rule of the Texas Commission on Environmental Quality amends regulations under 30 TAC 307.2, .3, .6, .7, .9, and .10 regarding surface water quality standards. The rule updates toxic criteria to incorporate new data on toxicity effects, clarifies how water quality standards are assessed using instream monitoring data for bacteria, and incorporates new data and use-attainability analysis results concerning uses and criteria of individual water bodies. The rule also defines "coastal recreation waters," lists numeric criteria for aquatic life protection, and updates human health criteria to add four chemicals and revise 18 noncarcinogens. In addition, the rule changes the saltwater single sample criterion for Enterococci to 130 per 100 milliliters, allows for basing attainment of bacteria standards in coastal recreation waters on both geometric mean and single sample criteria, revises site-specific uses and criteria for classified segments for numerous water sources, and deletes several sources that no longer qualify as sole-source drinking water supplies. Finally, the rule revises descriptions for several water segments, adds

eight unclassified water bodies with their designated aquatic life uses and dissolved oxygen criteria, specifies site-specific copper and aluminum water-effect ratios for several segments, and revises the presumed use of primary contact recreation for numerous water bodies. A hearing is scheduled for Oct. 16, 2017, in Austin. Comments are due Oct. 17, 2017. Contact: Debbie Miller; TCEQ, Monitoring and Assessment Section; 512-239-1703

—Texas Register (09/08/2017)

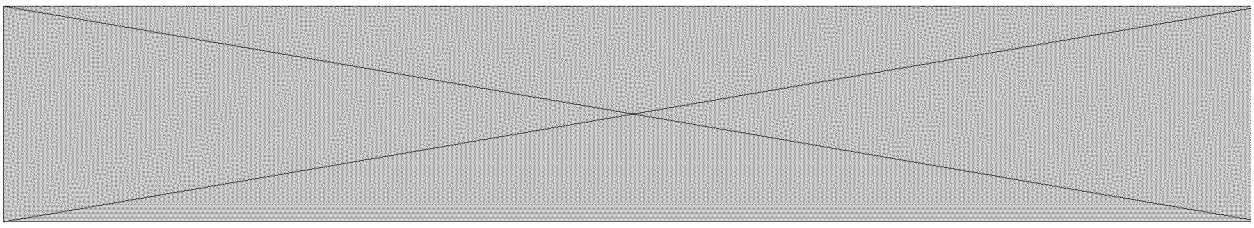
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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Tue 6/6/2017 10:07:00 AM
Subject: AEI Today: The Senate should build automatic enrollment into health reform

. The Senate should build automatic enrollment into health reform



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

The Senate should build auto enrollment into health care reform

James C. Capretta and Lanhee Chen | Health Affairs

As the debate over health care rages behind the scenes, some Republicans are looking for ways to boost coverage, stabilize insurance markets, and lower health costs. Automatically enrolling Americans eligible for tax credits into no-premium plans with the opportunity to opt out would preserve freedom of choice while boosting the ranks of the insured — a win-win for conservatives.

Twenty20

US infrastructure is in trouble, but hiking the gas tax won't fix it

R. Richard Geddes | Illinois Business Journal

America's surface transportation system is in scary shape. Congested roads wasted 6.9 billion hours of motorists' travel time and almost 3.1 billion gallons of fuel in 2014. Key system parts are in need of major overhaul. Maintenance of roads and bridges has been deferred — sometimes for decades. Revenue sources are inadequate and unreliable; the system needs more direct user fees. So, time to raise the gas tax, right? Not so fast.

AEI

Elliott Abrams on the Six-Day War, 50 years later

Danielle Pletka | AEI Viewpoint video

The Six-Day War, otherwise known as the June War, between Israel and its neighbors — Egypt, Jordan, and Syria — marked a turning point in how Arab countries would see the Jewish state for the next half-century. In anticipation of the 50th anniversary of the conflict, Elliott Abrams, senior fellow at the Council on Foreign Relations, discusses this major turning point in the Middle East and how it has shaped the world today.

Reuters

The real victim of the president's NATO outburst? The US

Dalibor Rohac | Politico Europe

The partnership between Europe and the US will survive President Trump's performance at NATO headquarters last week. His brusque

behavior and intemperate words may have prompted a response from Angela Merkel, but the German chancellor knows the transatlantic relationship is bigger than any one politician. The real victim of Trump's crudely transactional approach will in fact be the country he was elected to serve.

More from AEI

We should thank China for doing more to raise our standard of living than any country in America's history
Mark J. Perry | AEIdeas

President Trump shouldn't give in to the temptation to downsize the IMF

Desmond Lachman | US News & World Report

The plain truth about the Paris climate accord that both sides are missing

Ramesh Ponnuru | Bloomberg View

Theresa May should fear for her job — and Americans should start bracing ourselves

Desmond Lachman | The Hill

Donald Trump actually did carry (metro) Pittsburgh

Michael Barone | Washington Examiner

Is automation really the worst enemy of the US middle class?

James Pethokoukis | AEIdeas

Watch live this morning: AEI and Brookings scholars release a plan for paid family leave

Aparna Mathur | AEI event today at 9:00 AM ET

The new FCC can only do so much. Keeping the internet free requires legislation.

James K. Glassman | TechPolicyDaily.com

Productivity growth stinks. Is artificial intelligence the answer?

James Pethokoukis | AEIdeas

Last chance to RSVP: Deaths of despair — opioids, community, and the economy

Nicholas Eberstadt and Sally Satel | AEI event tomorrow at 10:30 AM ET

Lessons from the road on charter schools

Gerard Robinson | AEIdeas

How big are the gains from international trade since 1950? Try $2 trillion — or $18,000 per American household.

Mark J. Perry | AEIdeas

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Subject: July 26 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 26, 2017 - Number 142

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Arizona

PESTICIDES
Department of Agriculture/Pest Management
Arizona PESTICIDES

Final exempt rule of the Department of Agriculture, Pest Management Division, amends regulations under R3-8-101 through -606 (nonconsecutive) regarding pest management, which are recodified from R4-29-101 through -708 in a concurrent notice. The rule updates provisions to reflect the transfer of authority from the Office of Pest Management to the Pest Management Division. The rule addresses licensure for pest management, recordkeeping and reporting, disciplinary procedures, and supervision. The rule also adds and revises definitions. The rule is effective Aug. 29, 2017. Contact: Vince Craig; Department of Agriculture, Pest Management Division; 602-255-3663; vcraig@azda.gov

—Arizona Administrative Register (07/21/2017)

Regulatory Update

PESTICIDES
Groundwater Protection List
Arizona PESTICIDES

Notice of the Department of Environmental Quality announces the availability of the draft 2017 groundwater protection list of agricultural use pesticides and active ingredients determined to have the potential to pollute groundwater, pursuant to regulations under R18-6-301. The draft list adds clopyralid monoethanolamine salt and pyraclostrobin to the 96 active ingredients in the 2016 list. Comments are due Aug. 20, 2017. Contact: David Haag; DEQ; 602-771-4669; haag.david@azdeq.gov

—Arizona Administrative Register (07/21/2017)

Regulatory Update

PESTICIDES
Pest Management
Arizona PESTICIDES

Notice of the Department of Agriculture, Office of Pest Management, announces the recodification of regulations under R4-29-101 through -708 (nonconsecutive) as R3-8-101 through 708 (nonconsecutive) regarding pest management. A concurrent final exempt rule updates the provisions to reflect the transfer of authority from the Office of Pest Management to the Pest Management Division. Contact: Vince Craig; Department of Agriculture, Pest Management Division; 602-255-3663; vcraig@azda.gov

—Arizona Administrative Register (07/21/2017)

Regulatory Update

California Regions

AIR
Adhesives and Sealants
California Regions AIR

Proposed rule of the South Coast Air Quality Management District amends regulations under Rule 1168 regarding volatile organic compound (VOC) emissions limits for adhesives and sealants. The rule updates current VOC limits, adds new product categories and VOC limits, and adds three-year sell-through/use-through provisions. The rule also clarifies that the limits apply to adhesives, adhesive primers, caulks, sealants, or sealant primers not regulated by the California Air Resources Board; applies the most restrictive requirements to products marketed for use under certain specified categories; and prohibits storage of noncompliant products on site unless they are stored for shipment outside of the district. In addition, the rule adds VOC content container labeling requirements, test methods, and reporting requirements and prohibits the use of most Group II exempt solvents, except cyclic, branched, or linear completely methylated siloxanes. Finally, the rule provides for a technology assessment for certain product categories; revises exemptions; and applies VOC limits to consumer products used during manufacturing. A workshop is scheduled for Aug. 17, 2017, in Diamond Bar. A concurrent meeting will address analysis of the proposal under the California Environmental Quality Act. Comments are due Aug. 31, 2017. Contact: Nicole Silva; South Coast AQMD, Planning, Rule Development and Area Sources; 909-396-3384; nsilva@aqmd.gov

—California RegionsRegulations (07/21/2017)

Regulatory Update

Florida

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Saddleback and Round Lakes
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop to discuss amendments to regulations under FAC 40D-8.624 regarding guidance and minimum levels for Saddleback and Round Lakes in Hillsborough County. The workshop is scheduled for Aug. 14, 2017, in Tampa. Contact: Jaime Swindasz; SWFWMD; 352-796-7211

—Florida Administrative Weekly (07/24/2017)

Regulatory Update

Illinois

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Administrative Citations
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 108.200 through .502 (nonconsecutive) to clarify administrative citations under the Environmental Protection Act, the Public Water Supply Operations Act, and the Electronic Products Recycling and Reuse Act. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-3620; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Appeals of Final Decisions of State Agencies
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 105.108 through .510 (nonconsecutive) and repeals regulations under 35 IAC 105, Appendix A, concerning appeals of final decisions of state agencies. The rule provides for judicial review of agency decisions, specifies that hearings may be held by videoconference, and specifies record filing format requirements. The rule also deletes provisions concerning agency leaking underground storage tanks final decisions that are reviewable. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Enforcement
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 103.100 through .504 (nonconsecutive) concerning enforcement. The rule requires 30 days notice for settlements involving a National Pollutant Discharge Elimination System permit, clarifies orders on proposed stipulations and settlement agreements, and adds electronic funds transfers as an acceptable payment form for civil penalties. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Facility Siting Decisions
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 107.100 through .502 (nonconsecutive) regarding petitions to review pollution control facility siting decisions. The rule specifies content and filing requirements for records. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/General Rules
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 101.106 through 101.1070 (nonconsecutive) and Appendix A, Illustration L, regarding the general rules of the board. The rule requires email service for attorneys that file an appearance before the board and updates requirements for electronic document filing. The rule also adds email addresses for the Illinois EPA and state Attorney General and specifies that up to two secondary e-mail addresses may be included for service by e-mail. In addition, the rule addresses board conflicts of interest, adds filing requirements, specifies procedures for the appearance of out-of-state attorneys, and clarifies how mistakes can be corrected during an appeal. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Hearings and Proceedings
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 102.100 through 102.830 (nonconsecutive) and repeals regulations under 35 IAC 102.110 concerning regulatory and informational hearings and proceedings. The rule makes technical and editorial revisions and deletes provisions concerning the waiver of requirements. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; marie.tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Proceedings
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 106.100 through .1180 (nonconsecutive) and repeals regulations under 35 IAC 106.204 through .740 (nonconsecutive) regarding proceedings pursuant to specific rules or statutory provisions. The rule provides for hearings held by videoconference and clarifies renewals of alternative thermal effluent limitations. The rule also deletes provisions concerning motions and responses, continuances, discovery and admissions, subpoenas, order and conduct of hearings, evidentiary matters, post-hearing procedures, and motions after entry of and relief from final orders. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; marie.tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Regulatory Relief Mechanisms
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 104.100 through .428 (nonconsecutive) and adopts regulations under 35 IAC 104.419 concerning regulatory relief mechanisms. The rule specifies procedures for insufficient petitions, updates petition notice requirements, and clarifies written hearings requests to include hearings held by videoconference. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Tax Certifications
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 125.100 through .216 (nonconsecutive) regarding tax certifications. The rule makes technical corrections and updates provisions to reflect legislative changes. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Trade Secrets, Other Nondisclosable Information
Illinois GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Board amends regulations under 35 IAC 130.100 through .406 (nonconsecutive) regarding identification and protection of trade secrets and other nondisclosable information. The rule makes technical changes and updates provisions to reflect legislative changes. The rule is effective July 5, 2017. Contact: Marie Tipsord; PCB; 312-814-4925; Marie.Tipsord@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

WATER
Primary Drinking Water Standards
Illinois WATER

Proposed rule of the Pollution Control Board amends regulations under 35 IAC 611.100 through .1060 (nonconsecutive); Appendices A, G, and H; and Table Z and repeals regulations under 35 IAC 611.521 through .528, Appendix D, and Table E regarding safe drinking water requirements. The rule updates provisions to align with federal standards under 40 CFR 141 through 143, as of Dec. 31, 2016, including adding 16 equivalent methods for analyzing contaminants in drinking water. The rule also deletes outdated provisions and makes technical revisions. Comments are due Sept. 4, 2017. Contact: Michael McCambridge; PCB; 312-814-6924; michael.mccambridge@illinois.gov

—Illinois Register (07/21/2017)

Regulatory Update

Maryland

WATER
Susquehanna River Basin Commission/Meeting Actions
Maryland WATER

Notice of the Susquehanna River Basin Commission announces actions taken at its June 16, 2017, meeting in Entrinken, Pa. The commission elected a chair and vice chair; adopted the fiscal year 2018-2019 water resources program, the FY 2018 regulatory program fee schedule, and the FY 2019 preliminary budget; authorized execution of a treasury management services agreement; and approved or ratified contracts, a grant agreement, and a bank loan payoff. The committee also approved a rulemaking action to address application requirements, standards for review of projects, mitigation of consumptive uses, registration of grandfathered projects, and hearings and enforcement actions. In addition, the commission denied and tabled two requests, extended the term of an emergency certificate with Susquehanna Nuclear LLC, adopted amendments to the Comprehensive Plan for the Water Resources of the Susquehanna River Basin, and provided a report on delegated settlements with two project sponsors. Finally, the commission approved 17 and tabled eight project applications, including two involving a diversion. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net

—Maryland Register (07/21/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Review and Approval of Projects
Maryland WATER

Notice announces a June 29, 2017, final rule of the Susquehanna River Basin Commission that clarifies application requirements and standards for review of projects and provides for the registration of grandfathered projects. The rule also revises requirements for hearings and enforcement actions and updates definitions. The final rule includes numerous changes and clarifications to the rule as proposed. For example, the final rule allows the executive director to use past grandfathering determinations and allows the commission to waive certain registration information if a project is relying on a past grandfathering determination. The final rule does not finalize proposed changes to the consumptive use mitigation policy. The commission plans to reevaluate its policies and procedures for consumptive use and consumptive use mitigation in a more comprehensive fashion. The rule is effective July 1, 2017. Provisions concerning registration of grandfathered projects and grandfathered consumptive use are effective Jan. 1, 2018. Contact: Jason Oyler; Susquehanna River Basin Commission; 717-238-0423; joyler@srbc.net. Citations: 18 CFR 806.1 through 808.18

—Maryland Register (07/21/2017)

Regulatory Update

Minnesota

WATER
Wells and Borings/Bored Geothermal Heat Exchangers
Minnesota WATER

Notice announces the intention of the Department of Health, Environmental Health Division, to amend regulations under MNR 4725 regarding bored geothermal heat exchangers. The amendments address licensure and permit requirements for individuals who construct, repair, or seal bored geothermal heat exchangers. The rule also addresses construction, location, and sealing requirements. The department originally requested comments on the amendments in an Aug. 5, 2013, notice. Comments are requested, but a due date is not specified. Contact: Nancy La Plante; DOH, Environmental Health Division; 651-201-3651; nancyjo.laplante@state.mn.us

—Minnesota State Register (07/24/2017)

Regulatory Update

Nevada

OCCUPATIONAL SAFETY AND HEALTH

OCCUPATIONAL SAFETY AND HEALTH
Occupational Safety and Health/Entertainment Construction
Nevada OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Business and Industry, Division of Industrial Relations, to amend regulations under NAC 618.990, .9917, and .9927 and adopt regulations under NAC 618 to establish OSHA-10 and OSHA-30 continuing education requirements for workers whose primary occupation is to perform work on entertainment sites, including the construction, installation, maintenance, operation, repair or removal of certain specified sites and equipment. A comment due date is not specified. Contact: DBI, Division of Industrial Relations; 775-684-7270

—Nevada Register (07/24/2017)

Regulatory Update

Ohio

GENERAL ENVIRONMENT AND SAFETY
Environmental Review Appeals Commission/Notice of Public Meetings
Ohio GENERAL ENVIRONMENT AND SAFETY

Final rule of the Environmental Review Appeals Commission amends regulations under OAC 3746-15-01 regarding notice of public meetings. The rule replaces an outdated mailing address with a references to the commission's website. The rule is effective Aug. 1, 2017. Contact: Julie Slane; ERAC; 614-466-8950; Julie.A.Slane@erac.state.oh.us

—Ohio Regulations (07/24/2017)

Regulatory Update

WATER
Water Pollution and Soil Erosion/Civil Penalties
Ohio WATER

Final rule of the Department of Agriculture rescinds and readopts regulations under OAC 901:13-1-99 concerning civil penalties for unlawful surface application of manure in the Western Basin. The rule establishes the amount of civil penalties for violations of any provision of Ohio Revised Code Chapter 939 or OAC 901:13-1. The rule is effective July 28, 2017. Contact: David Miran; Department of Agriculture; 614-728-6390; david.miran@agri.ohio.gov

—Ohio Regulations (07/24/2017)

Regulatory Update

WATER

Water Quality Standards
Ohio WATER

Proposed rule of the Ohio EPA amends regulations under OAC 3745-1-04 and rescinds and readopts regulations under OAC 3745-1-01 concerning applicability of water quality standards and criteria applicable to all waters. The rule adds criteria covering harbor or navigation maintenance activities to reflect the 2020 ban on open lake disposal. The rule also clarifies provisions concerning pesticide applications, updates cross-references, and reflects the recently updated E. coli number under OAC 3745-1-37. A hearing is scheduled for Aug. 23, 2017, in Columbus. Comments are due Aug. 23, 2017. Contact: Emily DeLay; OEPA, Division of Surface Water; 614-728-2396; Emily.DeLay@epa.ohio.gov

—Ohio Regulations (07/24/2017)

Regulatory Update

Rhode Island

GENERAL ENVIRONMENT AND SAFETY
Department of Health/Lead Poisoning Prevention Fees
Rhode Island GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Health amends regulations under 216-RICR-10-5-2 regarding the fee structure for licensing, laboratory, and administrative services provided by the department. The rule revises several fees related to lead training courses and lead professional licensure related to lead poisoning prevention regulations under 216-RICR-50-15-3, which are proposed concurrently. A hearing is scheduled for Aug. 3, 2017, in Providence. Comments are due Aug. 21, 2017. Contact: Paula Pullano; DOH, Division of Policy, Information, and Communications; 401-222-1042; paula.pullano@health.ri.gov

—Rhode Island Regulations (07/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Lead Poisoning Prevention
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Health repeals regulations under R23-24.6-PB regarding lead poisoning prevention. A concurrent proposed rule adopts regulations under 216-RICR-50-15-3 to update the standards for lead poisoning prevention. A hearing is scheduled for Aug. 3, 2017, in Providence. Comments are due Aug. 21, 2017. Contact: Paula Pullano; DOH, Division of Policy, Information, and Communications; 401-222-1042; paula.pullano@health.ri.gov

—Rhode Island Regulations (07/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Lead Poisoning Prevention
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Health adopts regulations under 216-RICR-50-15-3 regarding lead poisoning prevention. The rule updates provisions to align with federal standards, revise fees and fee categories, and adds a penalty matrix. The rule addresses standards for childhood lead poisoning screening, environmental lead inspections, and environmental lead testing methods. The rule also addresses licensure and certification requirements for lead professionals and training courses, hazard reduction, and safe work practices. In addition, the rule recodifies provisions under R23-24.6-PB, which are repealed in a concurrent proposed rule. A hearing is scheduled for Aug. 3, 2017, in Providence. Comments are due Aug. 21, 2017. Contact: Paula Pullano; DOH, Division of Policy, Information, and Communications; 401-222-1042; paula.pullano@health.ri.gov

—Rhode Island Regulations (07/23/2017)

Regulatory Update

Tennessee

OCCUPATIONAL SAFETY AND HEALTH
Occupational Safety and Health Standards for General Industry, Construction, Agriculture
Tennessee OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Workforce Development, Division of Occupational Safety and Health, amends regulations under RRT 0800-01-01-.06, -06-.02, -07-.01, and -07-.02 regarding occupational safety and health standards for general industry, construction, and agriculture. The rule updates references to federal standards under 29 CFR 1910, 1926, and 1928, as of July 1, 2017. The rule is effective July 23, 2017. Contact: Larry Hunt; DLWD, Division of Occupational Safety and Health; 615-741-7036; larry.hunt@tn.gov

—Tennessee Administrative Register (07/24/2017)

Regulatory Update

Wyoming

WATER
State Engineer/Water Well Permit Application Fees
Wyoming WATER

Proposed rule of the State Engineer's Office amends regulations under Chapter 1 regarding fees. The rule reassigns responsibility for payment of water right adjudication advertisement fees from the county where the water right is located to the appropriator who holds the water right. The rule is currently in effect as an emergency rule. Comments and hearing requests are due Sept. 12,

2017. Contact: Nancy McCann; State Engineer's Office; 307-777-5958; nancy.mccann@wyo.gov

—Wyoming Regulations (07/24/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Tue 7/18/2017 5:10:57 PM
Subject: Playbook Power Briefing: Senate GOP health care 'Plan B' on verge of failure -- EIGHTH PERSON in Don Jr. meeting identified -- Business down at some Trump properties -- RACHEL WHETSTONE to Facebook

View online version | Add politicoplaybook@politico.com to your address book.

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

BULLETIN -- "Eighth person in Trump Tower meeting is identified," by WaPo's Roz Helderman: "An American-based employee of a Russian real estate company took part in a June 2016 Trump Tower meeting between a Russian lawyer and Donald Trump Jr., bringing to eight the number of known participants at the session that has emerged a key focus of the investigation of the Trump campaign's interactions with Russian.

"Ike Kaveladze's presence was confirmed by Scott Balber, an attorney for Emin and Aras Agalarov, the Russian developers who hosted the Trump-owned Miss Universe pageant in 2013. Balber said Kaveladze works for the Agalarovs' company and attended as their representative. Balber said Tuesday that he received a phone call from a representative of Special Counsel Robert Mueller over the weekend requesting the identity of the Agalarov representative, which he said he provided. The request is the first public indication that Mueller's team is investigating the meeting." http://wapo.st/2u4JmnE

WHAT YOU NEED TO KNOW -- THE REPEAL EFFORT IS NEARLY DEAD -- SEN. SHELLEY MOORE CAPITO (R-W.VA.) is signaling she will not vote to begin debate on the House's Obamacare repeal and replace bill, but she's leaving herself some wiggle room. "My position on this issue is driven by its impact on West Virginians. With that in mind, I cannot vote to repeal Obamacare without a replacement plan that addresses my concerns and the needs of West Virginians." **SEN. SUSAN COLLINS (R-MAINE)** is a no on the motion to proceed. **SEN. LISA MURKOWSKI (R-ALASKA)** also is a no on moving ahead.

IF THIS HOLDS, this process is dead -- for now.

SENS. ROB PORTMAN (R-OHIO) and **DEAN HELLER (R-NEV.)** say they are undecided at the moment. **SEN. JOHN MCCAIN (R-ARIZ.)** is in Arizona recovering from surgery. **SENS. JERRY MORAN (R-KAN.)** and **MIKE LEE (R-UTAH)**, who came out as nos last night together, will vote for the motion to proceed. ***The latest from Seung Min Kim, Burgess Everett and Jen Haberkorn*** http://politi.co/2tb7VOl

-- THINK ABOUT IT THIS WAY: If you're a nervous Republican, there's no point in

voting for the motion to proceed because it could lead you down a path you might not want to go down. For example, if a senator votes for the motion to proceed and that leads to a repeal of Obamacare, he or she could be blamed for voting to repeal Obamacare -- even if he or she didn't.

THIS IS A BIG MOMENT -- Since this seems like it's dead, **SENATE MAJORITY LEADER MITCH MCCONNELL (R-KY.)** will have to go back to the drawing board and figure out how to get something to the floor. He might be forced to hold hearings, drawing this process out even more.

COMING ATTRACTIONS -- FIRST IN PLAYBOOK -- THE HOUSE FREEDOM CAUCUS is going to begin putting pressure on Speaker Paul Ryan to bring up the bill the Senate is considering immediately. Their thinking: it would put pressure on the Senate to get in line.

PRESIDENT TRUMP says he was "disappointed" about health care. His plan, per pooler Ben Jacobs of The Guardian: The plan is "to let Obamacare fail, it will be a lot easier. And I think we're probably in that position where we'll let Obamacare fail. We're not going to own it. I'm not going to own it. I can tell you the Republicans are not going to own it. We'll let Obamacare fail and then the Democrats are going to come to us."

WHITE HOUSE STATEMENTS ON THE PROCESS -- @realDonaldTrump at 7:53 a.m.: "We were let down by all of the Democrats and a few Republicans. Most Republicans were loyal, terrific & worked really hard. We will return!" ... **at 7:58 a.m.:** "As I have always said, let ObamaCare fail and then come together and do a great healthcare plan. Stay tuned!" ... **at 9:15 a.m.:** "With only a very small majority, the Republicans in the House & Senate need more victories next year since Dems totally obstruct, no votes!" ... **at 9:26 a.m.:** "The Senate must go to a 51 vote majority instead of current 60 votes. Even parts of full Repeal need 60. 8 Dems control Senate. Crazy!"

-- HEY, MR. PRESIDENT: Nothing under consideration right now needs 60 votes.

DRUDGE BANNER -- "MOST UNPRODUCTIVE CONGRESS IN 164 YEARS"

ANOTHER TRUMP PRIORITY FALTERS -- HAARETZ'S BARAK RAVID: "Prime Minister Benjamin Netanyahu told French President Emmanuel Macron in their meeting Sunday that he was skeptical about the peace efforts being made by U.S. President Donald Trump, diplomatic sources familiar with the conversation told Haaretz. During the meeting in Paris, Macron told Netanyahu that he supports Trump's efforts and that the settlement-building plans that Israel has advanced in the past six months have made an already complicated situation that much harder, the sources said." http://bit.ly/2tCxtDp

Good Tuesday afternoon. Jake and Anna talked to the great Bob Schieffer for his podcast with CSIS' Andrew Schwartz. ***Listen*** http://bit.ly/2uFhd9Q

FOGGY BOTTOM WATCH -- "U.S. levies new Iran-related sanctions," by Jake Lahut: "The U.S. is pursuing sanctions against 18 individuals and other entities for supporting Iran's ballistic missile program and other factors, including Iran's 'egregious human rights record,' the State Department announced Tuesday. The new sanctions follow the administration's announcement Monday that it had informed Congress that Iran continues to abide by the terms of the nuclear deal." http://politi.co/2tCN3iF ... ***State's statement on the new sanctions*** http://bit.ly/2uw402A

TRUMP INC. -- "Is the presidency good for Trump's business? Not necessarily at this golf course," by WaPo's David Fahrenthold and Rob Kuznia: "For two years, Donald Trump has been running a first-of-its-kind American experiment. Can one man be the face of a polarizing political movement and a successful hospitality business? ... But in Los Angeles County, the experiment doesn't seem to be going well. Since Trump entered the presidential race in June 2015, revenues from greens fees at the L.A. club has dropped by 13 percent, according to figures from the city government.

"Charity golf-tournaments, another core piece of the club's business, have moved away: ESPN relocated its celebrity tournament. The L.A. Galaxy soccer team withdrew. The L.A. Unified School District also moved, forfeiting a $7,500 deposit it had already paid Trump's course. Hollywood, another source of revenue for the club, has largely stopped coming to film TV shows and movies, according to city permit records. And the club's wedding business seems to have been affected as well. Couples used to hold big outdoor ceremonies at a city park across the street, then return to Trump National for a reception. Nobody's done that since November, according to city records.

"The troubles at the L.A. club mirror those that have been reported at some other Trump properties. Together, they illustrate an unexpected side effect of the presidency: In some cases, it has proven a challenge to sell the president's brand, without offering proximity to the presidency itself." http://wapo.st/2vyj7p0

BUT, BUT, BUT-- "Trump Properties Are Already Profiting Off Republican Campaigns," by BuzzFeed's Tarini Parti and Jeremy Singer-Vine: "BuzzFeed News has identified at least $293,000 in spending from Republican campaigns and committees on Trump businesses after Trump was elected to the White House. The bulk of the spending was from Trump's re-election campaign, but other Republican committees shelled out about $72,000, based on FEC data made public this week. The spending from House Republicans and party committees appears to be mostly for fundraisers held at Trump properties. The total does not include spending between April and June from Senate campaigns, which do not file their reports electronically, and from certain committees that file monthly and have yet to report their June spending." http://bzfd.it/2u5TPAF

MUST SEE TV -- @jonathanwald: "Exclusive. @ChrisChristie 1st interview since that day at the beach, the Russia bombshells, and GOP Health Care meltdown live 4pm @msnbc."

AFTERNOON READING -- NICK HANAUER in POLITICO Magazine, "To My Fellow Plutocrats: You Can Cure Trumpism: Pay your workers a decent wage and maybe you can stave off the pitchforks that are still coming": "I find myself in deep disagreement with almost everyone I talk to about Trump and Trumpism. I firmly believe that Trump, by himself, is not the problem. Indeed, the left's maniacal focus on Trump confuses cause with effect. Yes, Trump is a manifestation of a serious civic sickness. But treating the symptom by removing Trump won't cure the disease, even if it temporarily makes us feel better. No, to heal the body politic we must confront the disease itself.

"The real threat to our republic is an alarming breakdown in social cohesion, and the cause of this breakdown is obvious: radical, rising economic inequality, and the anger and anxiety it engenders. The truth is that over the span of decades, American lawmakers (at the behest of economic elites like us!) have enacted policies that have depressed wages, stoked economic insecurity and exacerbated cultural angst and social dislocation. At the same time, a tiny minority of mostly urban elite (again, us!) have benefitted obscenely from our growing economic, political and legal power." http://politi.co/2veMzky

FLASHBACK -- NICK HANAUER in POLITICO Magazine, July/Aug. 2014, **"The Pitchforks Are Coming... For Us Plutocrats":** http://politi.co/2tc0uGR

VALLEY TALK -- "Google Glass 2.0 Is a Startling Second Act," by Backchannel's Steven Levy: "The original Glass designers had starry-eyed visions of masses blissfully living their lives in tandem with a wraparound frame and a tiny computer screen hovering over their eye. But the dream quickly gave way to disillusionment as early adopters found that it delivered less than it promised-and users became the target of shaming from outsiders concerned about privacy. Within three years, Alphabet (the parent company of Google and its sister company, the 'moonshot factory' called X) had given up Glass for good-or so people assumed.

"What they didn't know was that Alphabet was commissioning a small group to develop a version for the workplace. ... For about two years, Glass EE has been quietly in use in dozens of workplaces, slipping under the radar of gadget bloggers, analysts, and self-appointed futurists. Yes, the population of those using the vaunted consumer version of Glass has dwindled, tired of being driven out of lounges by cocktail-fork-wielding patrons fearing unwelcome YouTube cameos. Meanwhile, Alphabet has been selling hundreds of units of EE, an improved version of the product that originally shipped in a so-called Explorer Edition in 2013. Companies testing EE-including giants like GE, Boeing, DHL, and Volkswagen-have measured huge gains in productivity and noticeable improvements in quality." http://bit.ly/2vxVMUA

HOT JOB - UBER has posted a director of federal affairs job for its D.C. office and hundreds of people have applied so far, including people from Fortune 100 companies, government, and NGOs. The company is starting to talk to candidates and expects to fill the position by the end of the summer, according to a source familiar with the hiring

process. The position includes managing the company's federal affairs team, dealing with the White House, Congress and third party groups, as well as related communications. Justin Kintz, the head of Americas public policy and communications at Uber, is in charge of hiring for the position, which is Niki Christoff's old job before she went over to Salesforce. ***See the job posting*** http://ubr.to/2u69pw7

-- "Former Uber comms head Rachel Whetstone is jumping to Facebook," by Recode's Kara Swisher: "Rachel Whetstone, who recently left her job as top public relations and policy exec at Uber, is joining the communications team at Facebook in a newly created role as VP of comms of its WhatsApp, Instagram and Messenger products. Whetstone, who previously worked at Google at the top of its comms and policy unit, will report to Facebook's VP of technology communications Caryn Marooney. Current comms leaders at Instagram and Messenger will continue to lead their teams and get guidance from Whetstone, who will primarily focus on WhatsApp. She will start in September." http://bit.ly/2u5Rmq4

HASTERT TRANSFERRED FROM PRISON -- From the Chicago Tribune's Christy Gutowski: "Former U.S. House Speaker Dennis Hastert returned to Chicago - under supervision - to complete the remaining month of his prison sentence for breaking banking laws to hide his sexual abuse of teenage boys. Nearly 13 months after entering a federal prison in Minnesota, Hastert was listed Tuesday as entering a residential re-entry management field office in Chicago, according to the Federal Bureau of Prisons website. Hastert, 75, originally reported to the Federal Medical Center in Rochester on June 22, 2016 - one year after his explosive indictment surrounding secret hush-money payments sparked the Chicago-area coaching legend's epic downfall." http://trib.in/2veGJQk

MEDIAWATCH -- Matt Thompson has been promoted at The Atlantic to a new role of executive editor overseeing all cross-platform projects. He was previously the deputy editor of TheAtlantic.com. **Adrienne LaFrance,** a staff writer, has been promoted to editor of TheAtlantic.com.

SPOTTED: Tucker Carlson entering the Liaison Hotel on Capitol Hill today ... Olympic Silver Medalist Sasha Cohen this morning on Capitol Hill discussing the importance of "home visiting" at the Council for a Strong America and Parents As Teachers MIECHV briefing in Russell (***the Council's new report on the subject:*** http://bit.ly/2uzc4zk)

TREASURY DEPARTURE LOUNGE -- After seven years at the Treasury Department, today is **Michael Greenwald's** last day in Treasury's office of terrorism and financial intelligence. He spent the last two years spent as Treasury's attaché to Qatar and Kuwait and tonight will be celebrating with friends and colleagues at Hay Adams' hotel bar Off the Record. Greenwald has been named a senior vice president at the investment management firm Tiedemann Wealth Management.

TRANSITIONS -- Erick Sanchez is the new director of community affairs for Drink Company, which brought D.C. the Game of Thrones pop up bar. He retains his position

as senior adviser at Frontier Solutions.

WEEKEND WEDDING -- Justin Vail, a McCaskill and Obama WH alum and now an independent consultant, on Saturday married **Roshni Shikari,** an associate at Correia & Puth, at The Alfred Caldwell Lily Pool in Chicago, the bride's hometown. The ceremony was attended by their parents, siblings, and nieces, and the Hon. Sharon Johnson Coleman, for whom the bride previously clerked, officiated. The couple met on their first day of law school at Washington University in St. Louis. ***Pic*** http://bit.ly/2veNku1

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Subject: POLITICO Playbook, presented by Better Medicare Alliance: W.H. UNDER SIEGE, again -- REINCE comes under fire, but why? -- CROWLEY: 'Trump Jr.'s love affair with Moscow' -- McCONNELL's legislative wish list -- SCARBOROUGH leaves GOP – B'DAY: Ryan Lizza

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Today's POLITICO Playbook presented by Better Medicare Alliance
07/12/2017 06:47 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Wednesday morning. SENATE MAJORITY LEADER MITCH MCCONNELL told lawmakers to expect to stay in session through the first two weeks of August. Here what he'd like to see accomplished in the coming weeks, according to several K Streeters: clear executive branch nominations, repeal and replace Obamacare, pass the National Defense Authorization Act, lift the debt ceiling and reauthorize the FDA user-fee structure.

-- HOUSE REPUBLICAN LEADERS have stopped short of saying they'll stay in session -- and privately, some have vowed to stick to the schedule and leave for the summer at the end of July. We assume they'll have to stay in session for the first week of August. Hope you bought refundable plane tickets!

THE UPSIDE of Congress staying in session: Lawmakers show they're working.

THE DOWNSIDE: If they get nothing accomplished, they look incompetent. McConnell wants to clear a bunch of Trump administration nominees. But we're skeptical that will break through with voters. Aides tell us they need to accomplish something tangible.

FROM THE WHITE HOUSE -- **@realDonaldTrump at 6:19 a.m.** : "My son Donald did a good job last night. He was open, transparent and innocent. This is the greatest Witch Hunt in political history. Sad!" ... **at 6:32 a.m.:** "Remember, when you hear the words 'sources say' from the Fake Media, often times those sources are made up and do not exist."

-- ACTUALLY, THIS IS NOT TRUE. We don't know any reporters who make up

sources. We don't make up sources. And Trump's White House often asks to be quoted on background -- which means identifying a source by a vague title, like "White House aide" or "administration official." And this story about the president's son is not based on a "source." It's based on emails that Donald Jr. sent and later released. to ***The president also retweeted a Fox News tweet that featured Jesse Watters saying Donald Jr. is a victim and a Fox & Friends segment praising Mitch McConnell***.

THE MAIN BAR -- THE NYT STORY THAT STARTED THIS ALL -- A1 -- "Russian Dirt on Clinton? 'I Love It,' Donald Trump Jr. Said," by Jo Becker, Adam Goldman and Matt Apuzzo. http://nyti.ms/2tHvMYB

THE WHITE HOUSE UNDER SIEGE STORIES...

-- POLITICO'S TARA PALMERI and **JOSH DAWSEY: "White House aides feeling 'helpless' as Trump Jr. scandal blossoms":** "White House aides feel blindsided by the bombshell revelations around Donald Trump Jr.'s campaign meeting with a Russian lawyer, while the president is using his relatively light schedule to watch TV and fume about the latest scandal, according to interviews with half a dozen White House officials and advisers. Unlike prior Russia-related controversies, the White House is not minimizing the political ramifications of Trump's eldest son's decision to meet with the Kremlin-linked lawyer after being offered information that he was told would 'incriminate' Hillary Clinton as 'part of Russia and its government's support for Mr. Trump.'"

"But top West Wing aides are exasperated by their limited ability to steer the damage control and the risk that more damaging news has yet to emerge. One Trump adviser said the White House was 'essentially helpless' because the conduct happened in an 'anything goes' campaign that had few rules. This person said he had spoken to several people in the White House on Tuesday, and that 'none of them knew anything about Donald Trump Jr.'s meetings,' despite the fact that top adviser Jared Kushner was also present for the controversial Trump Tower sit-down. Many of the White House aides had previously dismissed the Russia stories as 'conspiracy bullshit,' this person said, but that this scandal was not being dismissed as that." http://politi.co/2tGPK5R

-- NYT'S PETER BAKER and **MAGGIE HABERMAN: "Rancor at White House as Russia Story Refuses to Let the Page Turn":** "As Air Force One jetted back from Europe on Saturday, a small cadre of Mr. Trump's advisers huddled in a cabin helping to craft a statement for the president's eldest son, Donald Trump Jr., to give to The New York Times explaining why he met last summer with a lawyer connected to the Russian government. Participants on the plane and back in the United States debated how transparent to be in the statement, according to people familiar with the discussions. Ultimately, the people said, the president signed off on a statement from Donald Trump Jr. for The Times that was so incomplete that it required day after day of follow-up statements, each more revealing than the last. ... The Russia story has become the brier patch from which the president seemingly cannot escape. ... Advisers said the president was annoyed not so much by his son as by the headlines.

"But three people close to the legal team said he had also trained his ire on Marc E. Kasowitz, his longtime lawyer, who is leading the team of private lawyers representing him. Mr. Trump, who often vents about advisers in times of trouble, has grown disillusioned by Mr. Kasowitz's strategy ... The strain, though, exists on both sides. Mr. Kasowitz and his colleagues have been deeply frustrated by the president. And they have complained that Mr. Kushner has been whispering in the president's ear about the Russia investigations and stories while keeping the lawyers out of the loop, according to another person familiar with the legal team. But one person familiar with Mr. Kasowitz's thinking said his concerns did not relate to Mr. Kushner. The president's lawyers view Mr. Kushner as an obstacle and a freelancer more concerned about protecting himself than his father-in-law, the person said. While no ultimatum has been delivered, the lawyers have told colleagues that they cannot keep operating that way, raising the prospect that Mr. Kasowitz may resign." http://nyti.ms/2sOYfsx

PERHAPS the most important detail of the day is Peter and Maggie's reporting that shows the White House crafted Don Jr.'s statement.

-- WAPO'S PHIL RUCKER and **ASHLEY PARKER: "'Category 5 hurricane': White House under siege by Trump Jr.'s Russia revelations":** "The White House has been thrust into chaos after days of ever-worsening revelations about a meeting between Donald Trump Jr. and a lawyer characterized as representing the Russian government, as the president fumes against his enemies and senior aides circle one another with suspicion, according to top White House officials and outside advisers. President Trump ... is enraged that the Russia cloud still hangs over his presidency and is exasperated that his eldest son and namesake has become engulfed by it, said people who have spoken with him this week. ...

"Ivanka Trump, the president's daughter and senior advise r; Jared Kushner, her husband and another senior adviser; and first lady Melania Trump have been privately pressing the president to shake up his team -- most specifically by replacing Reince Priebus as the White House chief of staff, according to two senior White House officials and one ally close to the White House. ... After this story first published, Josh Raffel, a White House spokesman, said in a statement on behalf of Kushner and Ivanka Trump: 'Jared and Ivanka are focused on working with Reince and the team to advance the President's agenda and not on pushing for staff changes.' ... One White House official went so far as to stop communicating with the president's embattled son, although this official spoke sympathetically about his plight, casting Trump Jr. as someone who just wants to hunt, fish and run his family's real estate business." http://wapo.st/2sOAC3G

BY THE WAY ... Say what you want about Reince, but he has nothing to do with the scandals engulfing this administration. His job is literally impossible: he has to impose order on a president who thrives off chaos.

-- JONATHAN LEMIRE and **JULIE PACE** of the **AP: "As Russia scandal touches his son, Trump privately rages":** "The public has not laid eyes on the president since his return from Europe Saturday. But in private, Trump has raged against the latest Russia

development, with most of his ire directed at the media, not his son, according to people who have spoken to him in recent days. The only comment from Trump on the matter for much of the day came in a brief statement via spokeswoman Sarah Huckabee Sanders, who said Tuesday that the president believes his son is 'a high-quality person.'" http://bit.ly/2uhCt5n

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

NORM EISEN and **RICHARD PAINTER**, ethics chiefs for Obama and Bush, in the **NYT: "Did Donald Jr. Break the Law?":** "It raises a host of potential criminal and other legal violations for Donald Jr. and others involved, including his brother-in-law Jared Kushner; Paul Manafort, the campaign chairman at the time; and perhaps the president himself. These new facts are a critical inflection point in the Trump-Russia matter. But they should not be exaggerated: The investigation has much further to go before Donald Jr.'s liability, or that of others, can be finally assessed.

"The defense that this was a routine meeting to hear about opposition research is nonsense. As ethics lawyers, we have worked on political campaigns for decades and have never heard of an offer like this one. If we had, we would have insisted upon immediate notification of the F.B.I., and so would any normal campaign lawyer, official or even senior volunteer.

"That is because of the enormous potential legal liability, both individually and for the campaign. The potential offenses committed by Donald Jr., his colleagues and brother-in-law who attended the meeting, and the campaign itself, include criminal or civil violations of campaign finance laws. These laws prohibit accepting anything of value from a foreign government or a foreign national. The promised Russian 'documents and information' would have been an illegal campaign contribution from a foreign government -- and a priceless one." http://nyti.ms/2uQkHTI

FROM 30,000 FEET -- "Trump Jr.'s love affair with Moscow," by Michael Crowley: "While President Donald Trump's handful of trips to Russia have been meticulously scrutinized, a review of his son's public statements spanning several years, as well as social media posts and interviews with Russia experts, shows that Donald Jr. spent far more time in the country than his father did, and developed personal ties there that continued beyond the November election. That might help to explain why Trump Jr. was so receptive to an approach last summer by a Russian lawyer promising dirt on Hillary Clinton which, as an intermediary told him in an email, was part of a Kremlin effort to assist his father's campaign." http://politi.co/2uhipzU

DARREN SAMUELSOHN, "Trump Jr. delivers 'smoking gun' to Mueller: The email chain released by the president's son shows an intent to collude with Russia, veteran

prosecutors and white-collar defense attorneys say": "Two of Donald Trump's most senior campaign advisers -- Jared Kushner and Paul Manafort -- are also included in the 'private and confidential' email exchange, which the lawyers interviewed by POLITICO say exposes them to the same potential federal criminal statutes as Trump Jr., including prohibitions on the solicitation or acceptance of anything of value from a foreign national, as well as a conspiracy to defraud the United States." http://politi.co/2tGYZTu

REPUBLICAN frustration on Capitol Hill with the continued drip, drip out of the Trump White House over its Russia scandal is hitting a new high. House Oversight Chairman Trey Gowdy's (R-S.C.) exasperation was on full display in a brief Fox News interview Tuesday. "If you had a contact with Russia, tell the special counsel about it! Don't wait until the New York Times figures it out!," Gowdy said. "Someone needs to get everyone in a room and say, from the time you saw Dr. Zhivago until the moment you drank vodka with a guy named Boris, you list every single contact with Russia." Still, Gowdy declined to say his oversight committee would investigate Russian interference, leaving that to special prosecutor Robert Mueller. ***Rachael Bade's full report*** http://politi.co/2ucchZ3

MOSCOW'S NEW MAN IN D.C. -- "Russian diplomacy about to get tougher edge in Washington," by Ali Watkins: "A new -- and likely more aggressive -- chapter in Russian diplomacy is about to begin in Washington with the departure of Russian ambassador Sergei Kislyak, whose soft-power approach to D.C. will be taken over by noted hardliner Anatoly Antonov. The switch in what has become one of Washington's most scrutinized jobs comes as the controversy over President Donald Trump and his allies' ties to Moscow intensifies, especially with the revelation that Donald Trump Jr. met with a Kremlin-linked lawyer at the height of the campaign after being told she could provide damaging information on Hillary Clinton as 'part of Russia and its government's support for Mr. Trump.'

"The scandal has at times centered on secret meetings with Kislyak - a long-time and well-respected diplomat who held the top post in Washington for nine years before his 2016 meetings with Trump officials made him a politically radioactive figure. The 62-year-old Antonov is also a longtime diplomat, but he recently completed a nearly six-year stint as a deputy in Russia's far more hardline defense ministry. Antonov's arrival is expected to be a noted shift in Washington's diplomatic community, where Kislyak was known as an affable fixture on the embassy party circuit, and an experienced political figure with routine official access to U.S. government circles." http://politi.co/2v9lcqd

TRUMP'S TRIP TO PARIS -- THE PRESIDENT is going to France for Bastille Day tonight. Here is what he is doing, per a background official to Annie Linskey of the Boston Globe: he is meeting Thursday with Joseph Dunford, the chairman of the Joint Chiefs, and then will also hold a bilateral meeting with with French President Emmanuel Macron. Trump and Macron will also hold a news conference. The two, accompanied by their wives, are scheduled to have dinner. "The senior administration official is aware that [German Chancellor Angela] Merkel is [scheduled] to be in Paris earlier on Thursday, but does not expect POTUS to meet with her. 'That's not on the schedule right now,' said a SAO. Trump returns back to Washington Friday.

BURGESS EVERETT and **JEN HABERKORN** -- **"Reeling Republicans take one last shot at Obamacare":** "Twenty-three years ago, President Bill Clinton and Senate Democrats canceled two weeks of the August recess to pass a major health care bill. They got nowhere. Now Senate Majority Leader Mitch McConnell is trying the same thing with the GOP for the August break, and it may lead to the same result. ... There will be a vote to advance the bill next week, McConnell said Tuesday. And even if it fails, he made clear to his members at a party lunch that there will be no more false starts despite an increasingly downbeat feeling in the caucus. New text of the proposal will be made public Thursday, and a Congressional Budget Office analysis is expected on Monday. 'We're in gridlock,' said Sen. John McCain of Arizona. He added sarcastically: 'Now we're going to look at a new approach. And we're going to get a CBO estimate on Monday. Yay!'" http://politi.co/2uQmJDm

-- NEW POLITICO/MORNING CONSULT POLL: "Republican voters to GOP: Keep working on Obamacare repeal," by Steven Shepard: "The Republican base wants Senate GOP leaders to continue trying to repeal Obamacare despite recent setbacks, according to a new POLITICO/Morning Consult poll. A clear majority of Republican voters, 67 percent, want the GOP to continue to work to repeal and replace the health care law, compared to only 21 percent who want party leaders to move on. Among all voters, 40 percent want congressional Republicans to continue to work on a new health care bill, and 47 percent want them to move on.

"The poll also suggests that Republicans want Senate GOP leaders to shift gears and work with Democrats to pass a new health care bill. More than half of Republican voters who want the GOP to keep trying to repeal Obamacare, 54 percent, want their leaders to work with Democrats, while just 39 percent want them to work only with other Republicans." http://politi.co/2uQunNQ

VALLEY TALK -- "Paying Professors: Inside Google's Academic Influence Campaign," by WSJ's Brody Mullins and Jack Nicas: "Google operates a little-known program to harness the brain power of university researchers to help sway opinion and public policy, cultivating financial relationships with professors at campuses from Harvard University to the University of California, Berkeley. Over the past decade, Google has helped finance hundreds of research papers to defend against regulatory challenges of its market dominance, paying $5,000 to $400,000 for the work ... In some years, Google officials in Washington compiled wish lists of academic papers that included working titles, abstracts and budgets for each proposed paper -- then they searched for willing authors, according to a former employee and a former Google lobbyist." http://on.wsj.com/2tGSz6S

THE JUICE ...

-- ELIANA JOHNSON is reporting that the Heritage Foundation has hired the Atlanta-based executive search firm CarterBaldwin to assist in its efforts to find a replacement for former Sen. Jim DeMint (R-S.C.) to lead the organization. ***The full report***

http://politi.co/2tFCE8O

-- HAPPENING TODAY -- FBI director nominee Christopher Wray has his confirmation hearing today. It will be live streamed on Twitter via PBS NewsHour. http://bit.ly/2t3g0J3 **GET SMART FAST** with Seung Min Kim and Darren Samuelsohn's piece on "The 6 toughest questions for the next FBI director": http://politi.co/2uhL207

-- SCOOP: "Donna Brazile to publish book on 2016 titled 'Hacks,'" by Isaac Dovere, whose birthday is today: "Brazile will celebrate the one-year anniversary of President Donald Trump's election with the publication of her book 'Hacks: The Inside Story of the Break-ins and Breakdowns that Put Donald Trump in the White House.' ... Brazile's publisher Hachette promises a book that is 'equal parts campaign thriller, memoir, and roadmap for the future.' The publisher did not say how much the book deal was worth." http://politi.co/2tdJXkJ

Playbook Reads

PHOTO DU JOUR: Former Vice President Joe Biden walks through the hallways on Capitol Hill on July 11. | Pablo Martinez Monsivais/AP Photo

FOR AVIATION GEEKS -- "Trump rethinking aviation agreements with Gulf countries," by Andrew Restuccia and Michael Grunwald: "The Trump administration is rethinking a pair of international aviation agreements with the United Arab Emirates and Qatar amid allegations that the Persian Gulf nations are unfairly subsidizing their state-run airlines, three administration officials told POLITICO.

"The administration is facing increasing pressure from three of the biggest American airlines -- Delta, United and American -- to do something about the Gulf carriers' low ticket prices, with the U.S. airlines arguing they can't compete with the UAE and Qatar's deep pockets.

"National Economic Council Director Gary Cohn, White House trade adviser Peter Navarro, chief of staff Reince Priebus and other senior administration officials have been discussing the issue behind the scenes for months, the officials said. Staffers from the NEC, National Security Council, Transportation Department and other agencies huddled for the latest strategy meeting on the aviation agreements last week while Trump's senior aides were in Europe." http://politi.co/2uhuK7g

HOT ON CONSTITUTION AVE. -- "Sources: Cohn is Trump's top candidate to replace Yellen at Fed," by Ben White and Victoria Guida: "President Donald Trump is increasingly unlikely to nominate Federal Reserve Chair Janet Yellen next year for a second term, four people close to the process said. National Economic Council Director

Gary Cohn is now the leading candidate to succeed Yellen as the world's most important central banker ... If Trump taps Cohn for the Fed, it could enrage economic nationalists in the White House and some staunchly conservative Republicans on Capitol Hill who don't like the former Goldman Sachs president's background as a Democrat who generally favors free trade." http://politi.co/2vbCnIC

TWO GOOD MCCLATCHY STORIES -- "Trump-Russia investigators probe Jared Kushner-run digital operation," by Peter Stone and Greg Gordon: "Investigators at the House and Senate Intelligence committees and the Justice Department are examining whether the Trump campaign's digital operation - overseen by Jared Kushner - helped guide Russia's sophisticated voter targeting and fake news attacks on Hillary Clinton in 2016. Congressional and Justice Department investigators are focusing on whether Trump's campaign pointed Russian cyber operatives to certain voting jurisdictions in key states - areas where Trump's digital team and Republican operatives were spotting unexpected weakness in voter support for Hillary Clinton, according to several people familiar with the parallel inquiries." http://bit.ly/2udFhiU

--"Lawyer that met Don Jr. had ties to Russian government, spy agency," by Kevin G. Hall: "The Russian lawyer at the center of Donald Trump Jr.'s scandal over possible collusion with Kremlin election meddlers has denied she has ties to the Russian government. But she threatened action by the Russian security service, the FSB, against a rights group working to expose corruption by Russian government officials, according to information in the possession of U.S. prosecutors who had been investigating a large and complex money laundering case involving Russian funds." http://bit.ly/2tM2xIP

FUN READ - "Inside the Semi-Secret Life of Rob Goldstone, the Playboy Who Could Bring Down Trump," by The Daily Beast's Gideon Resnick and Kelly Weill: "Before he organized a meeting between Donald Trump Jr. and a Kremlin-connected attorney, Rob Goldstone was known as a New York City playboy who hosted vodka-soaked parties with younger acquaintances in the Russian Tea Room, a Manhattan restaurant blocks away from Trump Tower. Goldstone, 57, is a British music publicist and former journalist based in the New York area, who has represented musicians including John Denver and Michael Jackson. ... [O]ne former member of the scene [said it was the] 'kind of crowd where an apartment party in a loft on Madison Square Park turned into a limo ride turned into illicit substances in the bathrooms at Boom Boom Room, all of it getting paid for ... somehow. One of the fixtures in this scene was Rob, who was always the only old guy in the group." http://thebea.st/2tLUUvZ

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

TRUMP INC. - "Hackers have been stealing credit card numbers from Trump's hotels for months," by WaPo's Abha Bhattarai: "Guests at 14 Trump properties, including hotels in Washington, New York and Vancouver, have had their credit card information exposed, marking the third time in as many years that a months-long security breach has affected customers of the chain of luxury hotels. The latest instance occurred between August 2016 and March 2017, according to a notice on the company's website, and included guest names, addresses and phone numbers, as well as credit card numbers and expiration dates. The breach took place on the systems of Sabre Hospitality Solutions, a reservation booking service used by Trump Hotels, but did not compromise the Trump Hotels' systems." http://wapo.st/2sOBxRs

BEYOND THE BELTWAY -- "L.A. is a virtual lock to host 2024 or '28 Olympics after IOC vote," by L.A. Times' David Wharton: "The International Olympic Committee on Tuesday approved an unusual proposal to name two winners in the Summer Games bidding race between Los Angeles and Paris. Gathering at a meeting in Switzerland, IOC members unanimously agreed to the idea of awarding 2024 to one city and 2028 to the other. The decision all but assures that Southern California will get the Olympics back for a third time." http://lat.ms/2t0XT6x

MEDIAWATCH -- "Scarborough tells Colbert: 'I'm not going to be a Republican anymore'," by Cristiano Lima: "Joe Scarborough, the longtime Republican political figure and MSNBC host whose public feud with President Donald Trump grew to a fevered pitch two weeks ago amid a series of heated attacks, said he is leaving the Republican Party. 'I've got to become an independent,' Scarborough, a one-time Republican congressman and prominent figure in the conservative media sphere, told CBS' Stephen Colbert during an interview airing Tuesday night." http://politi.co/2tLrPkb ... ***5-min. video*** http://bit.ly/2vbtsHi ... ***Scarborough plays his song "Monkey House"*** http://bit.ly/2u7VLK5

Playbookers

SPOTTED: Valerie Jarrett and Betsy DeVos last night dining at Fiola Mare. They were at different tables ... Rep. Karen Handel (R-Ga.) walking out of a house on Q street near Dupont Circle just before 8 p.m. yesterday, talking on the phone, still wearing her

American flag pin ... RNC Chairwoman Ronna Romney McDaniel waiting yesterday at the Pittsburgh airport for a delayed flight to DCA ... Reps. Jim Renacci (R-Ohio) and Lou Barletta (R-Pa.) enjoying cigars last night on the patio at Bullfeathers ... Sen. Robert Menendez (D-N.J.) walking across Connecticut Avenue yesterday evening headed to Morton's Steakhouse.

OUT AND ABOUT -- SPOTTED last night at a dinner and a special screening of "Wonder Woman" at the MPAA, hosted by Carol Melton, EVP of Time Warner: Rep. Debbie Dingell (D-Mich.), Susan Molinari, Deborah Rutter, Deborah Lehr, Sally Quinn, Genny Ryan, Capricia Marshall, Ruth Marcus, Tammy Haddad, Hilary Rosen, Mary Brady, Heather Podesta, Penny Lee, Ann Stock, Amy Weiss, Jennifer Maguire, Melissa Moss, Elizabeth Bagley, Kathy O'Hearn, Sandra Sobieraj Westfall.

-- Amazon Public Policy celebrated its third annual Prime Day with a party last night at the National Union Building. They served banana daiquiris, ate from a raw bar and munched on popcorn. ***Pics*** http://smu.gs/2uh1BJn **SPOTTED** : Sen. Jim Inhofe (R-Okla.), Reps. Joe Wilson (R-S.C.), Eric Swalwell (D-Calif.), Mike Bishop (R-Mich.) and Sheila Jackson Lee (D-Texas), Internet Association's Michael Beckerman and Amazon's Jay Carney, Brian Huseman.

TRANSITIONS - Alexandra Smith has been named the new executive director of America Rising PAC. She is the former chairwoman of the College Republican National Committee and will be the first woman to lead the organization. **Colin Reed** will now be a senior adviser at AR, working on tracking potential 2020 Democrats. ***Katie Glueck's story on changes at the group*** http://bit.ly/2uQhCTy ... **Kristin Lee** is joining Facebook's communications team to work on Internet connectivity and access. She most recently served as comms director and senior policy adviser for the Obama White House Office of Science and Technology Policy. ... The Center for International Policy has hired **Salih Booker** as its new executive director. He most recently was VP of external relations at the U.S. Institute of Peace. ...

... The Herald Group has added **Marc Brumer**, former comms director for Sen. Kirsten Gillibrand (D-N.Y.) as a VP. It has also hired **Jason Cannata**, formerly with FP1 Strategies, as a director and **Seth Guidry,** formerly with Lukens Company, has joined as a digital account manager. ... **Lara Brown** has been formally named the director of GW's Graduate School of Political Management. She's been at GW for four years as a professor and has been the school's interim director for the last year.

WEEKEND WEDDINGS -- Sacha Samotin, co-founder of political data analytics firm Applecart, got married this weekend to **Laura Resnick** , Ph.D. candidate at Columbia University, in a traditional Jewish ceremony at Natirar Estate overlooking the hills of Somerset County, New Jersey. The couple met in 2013 as undergrads at UPenn. Pool report: "Wedding highlights included a hilarious musical homage to the couple by best-man Noah Samotin and a speech from the bride's sister, Allison Resnick, quoting Virgil in the original Latin. Former Schwarzenegger/Huntsman/Kasich strategist Matt David was spotted on the dance floor enthusiastically lifting the bride's chair aloft during the

hora." ***Pic*** http://bit.ly/2uQogsT

-- **SPOTTED:** Sacha's business partners Matt Kalmans and Anthony Liveris, Audrey Scagnelli, Campbell Curry-Ledbetter, Mitchell Resnick, Luke Thompson, Allan Anders, Elizabeth Ashford and Conyers Davis, Stephen Geer and Szelena Gray.

WELCOME TO THE WORLD -- Harley-Davidson lobbyist **April Canter Bohrer** and NAM's **David Bohrer** (who was a photographer for former VP Cheney) welcomed Mia Bohrer into the world last week. "Mom and baby are doing great; April says papa Dave is a already a 'supreme swaddler and master diaper changer'!" ***Pic*** http://bit.ly/2u85hNb

BIRTHDAY OF THE DAY: Ryan Lizza, Washington correspondent for The New Yorker, celebrating with "a quiet dinner at home with my two boys." Asked how the Trump is presidency going: "Off to a brilliant start!" Read his Playbook Plus Q&A: http://politi.co/2sOZ4Sf

BIRTHDAYS: Susan Axelrod ... Josh King, former Clinton visual guru, author of "Off Script," and now weekend host of Slate's "Trumpcast" (h/t old White House buddy Jeremy Gaines) ... Matt Rosenbaum, Treasury alum now at Paul Weiss, is 31 ... Adam Elias, COS to Rep. Bill Foster (D-Ill.) ... Politico's Isaac Dovere is 37 ... Beth Lester Sidhu, COO of PE firm The Stagwell Group and a Politico alum ... Brendan Daly, senior director of comms at Save the Children Action Network and former comms director for Nancy Pelosi (h/t Allie Wright and) ... Christie Vilsack ... Jason Childress ... Paul Shone (h/ts Teresa Vilmain) ... Eric Ueland, who has been nominated to be under secretary of state for management, is 52 ... Thea McDonald ... newly upped entertainment spox Brandon Shaw of Fifteen Minutes Public Relations leaves youth behind ... Eva Brown ... Ginny Justice ... Javier Folger, director of marketing and comms for the Appalachian Trail Conservancy (h/t Jon Haber) ...

... Alex Levy, president of speechwriting firm A.H. Levy & Co. ... Jordan Gehrke, partner of Vertical Strategies and a Ben Sasse alum ... John Gans Jr. ... David Lerman ... Nicole Narea ... Rep. Betty McCollum (D-Minn.) is 63 ... Rep. Kyrsten Sinema (D-Ariz.) is 41 ... former Rep. Mickey Edwards (R-Okla.) is 8-0 ... former Rep. J.D. Hayworth (R-Ariz.) is 59 ... Angela Belden Martinez ... Ashley Williams ... CBS News' Mary Walsh ... Gregorio Gomez, investment banking analyst at Goldman Sachs ... documentary and news producer and writer Basel Hamdan is 36 ... Jessica Hanks, SVP at DKC ... Brian Schoeneman is 4-0 ... Debbee Keller, director of public affairs at WeWork ... Rachel DiCarlo Currie ... Seton Motley ... writer-producer Brian Grazer is 66 ... actress Michelle Rodriguez is 39 ... Rachel Brosnahan ("House of Cards") is 27 ... Nobel peace prize laureate Malala Yousafzai is 2-0 (h/ts AP)

****** **A message from BMA:** Better Medicare Alliance is helping to build the future of care through Medicare Advantage. As a community of experts, we're leading the way on health care through research, policy, and grassroots advocacy. Together, we're creating a path forward for innovative, modern health care. Stand with us: http://www.bettermedicarealliance.org/special-needs-plans ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/14/2017 11:01:45 PM
Subject: Former Arizona environmental chief tapped for EPA operations job

By Alex Guillén

06/14/2017 06:58 PM EDT

Arizona's former environmental chief has been tapped to be EPA's "chief of operations," according to a release from Gov. Doug Ducey's office.

Henry Darwin has been the state's chief operating officer since 2015, and is also acting director of the state's Department of Economic Security. Before that he spent five years as director of the Arizona Department of Environmental Quality. Darwin will remain in his Arizona post until June 30.

It is not clear what the job of chief of operations entails, or how it is different from deputy administrator, who traditionally runs day-to-day operations at EPA. Agency spokespeople today did not immediately answer questions about the position.

In 2014, Darwin testified before Congress that he did not believe EPA had the authority to regulate greenhouse gases as EPA did under its Clean Power Plan. He has a degree in engineering from the University of Arizona and a law degree from Lewis & Clark College.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/former-arizona-enviro-chief-tapped-for-epa-operations-job-089132

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Thur 6/15/2017 10:09:58 PM
Subject: Today on Climate Beat

June 15, 2017

Today on Climate Beat . . .

. . . we talked money, reporting that top Republicans and Democrats on the House appropriations panel overseeing EPA's budget are sharply criticizing the Trump administration's fiscal year 2018 proposal, suggesting that Congress is unlikely to adopt many of its steep proposed cuts.

Our daily news roundup previewed the lawmakers' concerns over the proposed $2.6 billion cut to the agency, which represents a 31 percent reduction.

Speaking of Congress, House appropriations interior subcommittee Chairman Rep. Ken Calvert (R-CA) is signaling strong concerns if the Trump EPA were to attempt to rescind California's longstanding authority to enforce its own vehicle emissions standards.

In personnel news, Arizona's former top environment official Henry Darwin will soon join EPA as assistant deputy administrator, a position that does not require Senate confirmation -- and his record as a state official shows support for flexible ways to comply with federal environmental programs, deferring to states, and opposition to climate rules.

And over at the Energy Department, officials are closing a small office focused on international climate collaboration – a move that could complicate the United States' ability to develop and advance clean energy technologies in coordination with other countries.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 11/2/2017 12:33:05 AM
Subject: Nov. 02 -- Daily Environment Report



Daily Environment Report

November 02, 2017 - Number 211

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Leading the News

Air Pollution
EPA Won't Expand Region Required to Reduce Ozone Pollution
Central states will not have to install more rigorous pollution controls for ozone-forming emissions that contribute to neighboring states' ozone problems, the EPA said.

Air Pollution
Shippers Question $14 Billion Cost of Greening California Ports
AP Moller-Maersk, Evergreen Shipping Agency, and other terminal operators, along with dozens of trucking companies, would shoulder most of the $14 billion cost of a plan to address air pollution at the city-owned ports of Los Angeles and Long Beach.

Energy
Three LNG Export Terminal Authorizations Upheld in D.C. Circuit
Energy Department authorizations of liquefied natural gas export terminals in Louisiana, Maryland, and Texas were upheld Nov. 1 by a federal appeals court, which rejected the Sierra Club's petitions alleging the department didn't do enough to assess indirect environmental impacts of the projects.

Forests
Forest Management and Wildfire Fighting Bill Passes House
A bill to increasing funding for fighting wildfires and to expedite timber harvests and other forest management actions passed in the House Nov. 1.

News

Chemicals

Retailers' Path Eased to Comply With EPA Wood Glue Emissions Rule

Furniture retailers such as Mitchell Gold + Bob Williams and Room and Board will have more time and a potentially easier path ensuring that their supply chains sell wood products that comply with a glue emissions rule by a Dec. 12, 2018, deadline, following changes EPA recently made to the rule.

Civil Infrastructure

Engineers Question Millions FEMA Spent on Generators for Puerto Rico

The Federal Emergency Management Agency spent $35.1 million on renting two emergency generators to help power blacked-out San Juan, Puerto Rico. But a group of engineers says existing infrastructure could have been used more effectively at a fraction of the cost.

Climate Policy

Biggest Aluminum Maker Outside China Aims for Low Carbon Brand

United Co. Rusal, the biggest aluminum maker outside China, plans to sell a quarter of its output under a "low carbon" brand in the next three to four years to tap into demand for metal produced with less pollution and to mark itself off from rivals relying on power generated from coal.

Cost Recovery

Limestone Company Not Liable as Superfund Arranger

A Virginia limestone company isn't liable as a Superfund arranger for disposal of hazardous waste absent proof it hired another party for the disposal, the Western District of Virginia said.

Drinking Water

New Jersey Advances New Limit for Chemical in Drinking Water

The New Jersey Department of Environmental Protection said it has accepted a state scientific panel's recommendation for setting a standard for drinking water contamination from PFOA and a related chemical compound.

Energy

Emphasis on Coal Moves Japan in the Wrong Direction, Report Says

Japan's support for coal power is pushing against global trends and ignores the nation's advantages in clean-energy technology, according to a report released Nov. 1.

Energy

U.K. Nuclear Industry Sees No Brexit Win from Euratom Pullout

There is no upside to Britain withdrawing from the European Union's treaty dealing with such issues as radioactive materials transport to nuclear reactor parts. That was the unanimous verdict of four industry insiders quizzed by a cross-party panel of lawmakers Nov. 1.

Insurance

Doe Run Resources Must Face South America Lead Pollution Suits, Court Rules

St. Louis-based Doe Run Resources Corp. will have to fight personal injury lawsuits over lead pollution from its operations in Peru without the help of its insurance company, the Missouri Supreme Court ruled.

International Climate

Sweden Pays for Trump Whistleblower to Attend UN Climate Talks

The government of Sweden is paying for a former U.S. Interior Department official and prominent critic of President Donald Trump's climate policy to attend next week's United

Nations climate conference in Germany, where he says he will speak about the U.S. "war on science."

Mine Safety

Coal Boss Bob Murray to Challenge 'Humiliating' Order

Murray Energy Corp. is vowing to "immediately" appeal a pending ruling forcing company boss Bob Murray to tell miners, either personally or via video, about their safety rights, a company spokesman told Bloomberg Environment.

Oil & Gas

Gas Retailers Seek Bounty in Blue-Sky Push in Indian Capital

A ban on dirty fuels in areas surrounding one of the world's most polluted cities is set to spur sales at India's natural-gas retailers.

Renewable Energy

Japan-Based Toda to Sell Millions in Green Bonds for Wind Farm

Toda Corp., a Japanese construction company, plans to sell 10 billion yen ($88 million) of green bonds to build a floating wind farm.

Renewable Energy

Vietnam Seen as Frontier for Solar, But Not at Expense of Coal

Solar water heaters and rooftop panels are nothing new in Vietnam, but only recently has there been a glimmer of light suggesting the government will bring solar power into the national electric grid.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Fri 10/6/2017 8:10:06 PM
Subject: EPA Administrator Visits with Arizona Governor Doug Ducey

CONTACT: press@epa.gov

EPA Administrator Visits with Arizona Governor Doug Ducey

Pruitt Officially Approves Arizona Regional Haze State Implementation Plan

PHOENIX (October 6, 2017): Environmental Protection Agency (EPA) Administrator Scott Pruitt visited with Arizona Governor Doug Ducey today where he officially approved an Arizona Regional Haze State Implementation Plan (SIP) and a withdrawal of Federal Implementation Plan (FIP) for Coronado Generation Station ("Coronado"). This action approves a source-specific revision to the Arizona Regional Haze SIP for Coronado and withdraws from a FIP promulgated by the EPA in 2012 for Coronado, a facility located in eastern Arizona and owned and operated by the Salt River Project Agricultural Improvement District (SRP).

"Governor Ducey and the Arizona Department of Environmental Quality have delivered a thorough plan that aims to improve visibility and reduce emissions that cause regional haze," **said Administrator Pruitt**. "Our goal at EPA is not to use a one-size-fits-all approach to addressing state environmental problems, but to empower our state partners to make their own plans to address their individual environmental needs."

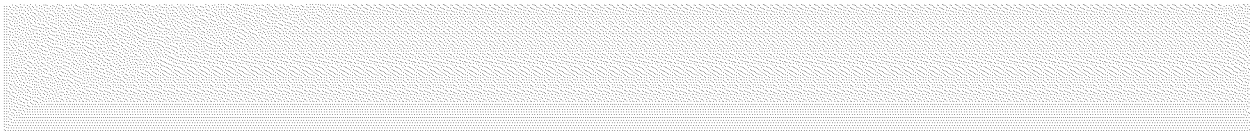
"Arizonans should chart their own destiny, rather than being forced to comply with one-size-fits-all policies from the federal government," **said Governor Ducey.** "What a welcome change to have EPA Administrator Pruitt who understands these decisions are best made at the state level and that taxpayer dollars can be saved by shifting decisions out of Washington, D.C."

Administrator Pruitt began his visit meeting with Governor Doug Ducey to discuss replacing the Obama-era FIP. Following their meeting, Administrator Pruitt and Governor Ducey held a roundtable with Arizona industry leaders where they discussed the FIP replacement, National Manufacturing Day, streamlining regulatory burdens and permitting, the Agency's proposal to rescind the 2015 "Waters of the United States" rule, and the Agency's review of the Clean Power Plan in light of President Trump's executive order.

EPA Administrator Scott Pruitt and Arizona Governor Doug Ducey

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From: InsideEPA/climate
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Subject: Today on Climate Beat

June 7, 2017

Today on Climate Beat . . .

. . . we went to court, where environmentalists challenging approval of a coal mining plan argue that the repeal of the White House Council on Environmental Quality's greenhouse gas guidance for National Environmental Policy Act reviews does not absolve the government from needing to consider GHGs in such assessments.

In other litigation news, a federal appellate court is requesting EPA quickly file a brief defending its administrative stay of several requirements of the Obama-era oil and gas methane standards after several environmental groups urged the court to block the pause – a first legal test of a Trump action to roll back or revise GHG regulations.

In regulatory updates, a top EPA air official pledged that there is "more to come" from the agency's air office, noting that the administration has kicked off high-profile reviews of several major GHG regulations for power plants, oil and gas drilling and landfills.

And our daily news roundup looked at whether proposed budget cuts to EPA's GHG reporting program would make it difficult to discern whether Trump's climate policy rollbacks are causing U.S. emissions to flatline or rise.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Fri 6/9/2017 5:03:39 PM
Subject: Playbook Power Briefing, presented by Samsung: TRUMP'S LAWYER threatens to file a complaint against Comey -- POTUS news conference at 2:45 p.m. -- DAN SCAVINO violated Hatch Act -- OSSOFF up 7 in new poll

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Today's Playbook Power Briefing presented by Samsung
06/09/2017 01:00 PM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

THE LATEST ON COMEY -- "Trump's lawyer to file complaint against Comey over memos," by CNN's Joe Johns and Dan Merica: "President Donald Trump's outside attorney plans to file a complaint against former FBI Director James Comey with the Justice Department Inspector General and the Senate judiciary committee, two sources with knowledge of the situation told CNN. The complaint will focus on Comey's testimony that he gave a friend the content of memos about his conversations with Trump and asked the friend to then give that information to a reporter. Comey said Friday that he gave the friend -- later identified as Daniel Richman, a longtime Comey confidante and Columbia University professor -- the information after Trump tweeted that he may have tapes of his conversations with the fired FBI director. ...

"It is unclear when Trump's attorney, Marc Kasowitz, will file the complaints, but the source said they are actively exploring their options. The Justice Department, however, has limited jurisdiction over former employees. They can investigate but the remedy in the event of finding wrongdoing would be to make a note in Comey's file should he ever seek to be employed by the DOJ again." http://cnn.it/2t2nyqY

NOTE: Trumpworld has threatened his opponents before and not followed through. Remember when Trump threatened a lawsuit against the New York Times and Sen. Ted Cruz (R-Texas)? That didn't happen.

TRUMP did not address Comey at a speech today at the Department of Transportation. He will have a joint press conference with Romanian President Klaus Iohannis at 2:45 p.m.

GROWING THE TEAM -- "Mueller Enlists Top Criminal Law Expert for Russia Probe," by The National Law Journal's Tony Mauro: "Special counsel Robert Mueller has recruited the Justice Department's top criminal law expert to help with his investigation of ties between the Trump presidential campaign and Russian officials.

"Deputy solicitor general Michael Dreeben, who has argued more than 100 cases

before the U.S. Supreme Court and oversees the Justice Department's criminal appellate docket, will be assisting Mueller on a part-time basis, according to sources familiar with the arrangement. While helping Mueller, Dreeben will continue in his role in the solicitor general's office, with other lawyers in the office pitching in to help him with upcoming criminal cases." http://bit.ly/2t2aRwo

U.K. ELECTION UPDATE -- "May vows to stay on as PM with Northern Irish allies: Tory leader gets permission from queen to hang on as prime minister after losing her majority in parliament," by POLITICO Europe's Annabelle Dickson: "Theresa May will stay on as prime minister with her Conservatives - who lost their majority in Thursday's election - getting parliamentary support from Northern Ireland's Democratic Unionist Party (DUP), she said on Friday. ... The terms of a deal with the DUP, which was founded by hard-line Unionist Ian Paisley and returned 10 MPs Thursday, are not yet clear, but they will likely push for a soft border between Northern Ireland and the Republic of Ireland after Brexit." http://politi.co/2t2MVcn

SUNDAY SHOW UPDATE -- Preet Bharara will be on ABC's "This Week" for his first television interview since he was fired from his U.S. attorney position.

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FEC FINE TIME -- "BINGO! It's a costly game for the Michigan Democratic Party," by the Detroit Free Press' Kathleen Gray: "Games of chance have always been risky, but they also just got very costly for the Michigan Democratic Party. The party has agreed to pay a hefty $500,000 civil fine to the [FEC] - one of the largest penalties ever levied by that office - after an internal investigation of its bingo operation, which was used for political fund-raising, found numerous examples of shoddy record keeping, contributions that exceeded limits and campaign finance reporting inaccuracies." http://on.freep.com/2t2gP0k

HMM... -- "Michael Cohen Pitched Investors For A Powerful Ukrainian Oligarch's Company," by BuzzFeed News' Anthony Cormier, Chris McDaniel, John Templon and Tanya Kozyreva: "Before he became President Donald Trump's personal lawyer, Michael Cohen worked on behalf of a company controlled by another wealthy and well-connected man: Viktor Topolov, a politician whose associates are members of the Russian and Ukrainian underworld.

"The leader of Ukraine's coal ministry and a personal friend of that country's president, he had been a board member at a state-run bank, the top executive at a construction company and the president of a professional football club. But beyond his official titles, Topolov has also been investigated twice for money laundering and embezzlement, and the FBI has said his associates are 'well known' members of the

Russian mafia. Back in 2006, he co-owned an ethanol company with his long-time business partner, Alex Oronov. The two men wanted to build a factory in Ukraine, so Oronov tapped his son-in-law, Bryan Cohen, along with his brother, Michael Cohen, to pitch the deal to American investors from Morgan Stanley. Both Cohen brothers today insist they knew nothing about Topolov when they tried to raise money for his company." http://bzfd.it/2t31rR7

GETTING IN TROUBLE -- @KenVogel: "Trump WH aide @DanScavino 'violated the Hatch Act' by calling for defeat of @justinamash from then-WH-linked twitter feed, @us_osc concludes" ***The letter*** http://bit.ly/2t2IX37

ON THE HILL -- "Grassley rips Trump administration for blowing off certain oversight requests," by Burgess Everett: "The Trump administration's policy of ignoring the oversight requests of Democrats and rank-and-file members has earned it a powerful enemy: Senate Judiciary Committee Chairman Chuck Grassley. In a letter to President Donald Trump, the veteran Iowa Republican senator urged Trump to reverse a policy instituted by the White House and the Department of Justice's Office of Legal Counsel to only answer oversight requests from committee chairmen, all of whom are Republicans because of GOP control of Congress. Though Grassley said that the Obama administration did sometimes ignore him, he said the formalization of a policy of ignoring the minority party 'doesn't drain the swamp, Mr. President. It floods the swamp.'" http://politi.co/2t2zFnN ... ***The letter*** http://bit.ly/2t2MJcQ

DISTURBING -- "Not A Random Attack: New Details Emerge From Investigation Of Slain NPR Journalists," by NPR's Robert Little: "NPR journalists David Gilkey and Zabihullah Tamanna died a year ago this week, ambushed on a remote road in southern Afghanistan while on a reporting assignment traveling with the Afghan National Army. Since their deaths, NPR has been investigating what happened, and today we are sharing new information about what we learned. It's a very different story from what we originally understood.

"The two men were not the random victims of bad timing in a dangerous place, as initial reports indicated. Rather, the journalists' convoy was specifically targeted by attackers who had been tipped off to the presence of Americans in Afghanistan's Helmand province. Gilkey, an experienced photojournalist, and Tamanna, an Afghan reporter NPR hired to work with him, were sitting together in a Humvee when they were attacked." http://n.pr/2s4GU1c

WHAT THE NRCC IS READING -- "AJC poll: Ossoff opens lead over Handel in Georgia's 6th," by The Atlanta Journal-Constitution's Greg Bluestein: "An Atlanta Journal-Constitution poll released Friday shows Democrat Jon Ossoff has a 7-point edge over Republican Karen Handel in the nationally watched race to represent Georgia's 6th Congressional District."

"The poll of likely voters has Ossoff leading Handel by a margin of 51 percent to 44 percent ahead of the June 20 runoff. About 5 percent of voters are undecided. The

margin of error is 4 percentage points. ... He's capturing about 13 percent of Republican voters and 50 percent of independents - a crucial voting bloc that leans to the right in the state. It shows almost no crossover on the flip side; only 3 percent of Democrats say they're backing Handel. Ossoff gets support from 44 percent of white voters, a big number for a Democrat in Georgia." http://on-ajc.com/2rlXgMG

AFTERNOON READ -- "Twelve seconds of gunfire: In tiny Townville, S.C., first-graders are haunted by what they survived -- and lost -- on a school playground," by WaPo's John Woodrow Cox. ***Heartbreaking, but important, read*** http://wapo.st/2s4K5pH

DOUBLE DUTY -- After helping lead the Comey hearing Thursday, Sen. Mark Warner (D-Va.), attended a fundraiser for fellow Virginia Sen. Tim Kaine at Warner's home in Old Town. **SPOTTED:** Sen. Amy Klobuchar (D-Minn.), Mario Marino, Russ Ramsey, Jack Davies and Kay Kendall, Raul and Jean-Marie Fernandez, Ambassador Howard Gutman and Michelle Loewinger, Ray and Shaista Lahood, Mike Henry, and many more.

PINZON FAREWELL -- Colombian Ambassador Juan Carlos Pinzon, who is running for president in the country, was honored at a farewell event at the State Department Thursday afternoon. Acting chief of protocol Rosemarie Pauli hosted the event. **SPOTTED:** Secretary of Homeland Security, John Kelly, Joshua Bolten, Mike Rogers, Luis Moreno, Ambassadors from Peru and Italy, Admiral Kurt Tidd, Michelle Kosinski, John Boehner and Coach Kathy Kemper.

OUT AND ABOUT -- Starz hosted a premiere party for season four of its show "Power" at the Newseum last night. *Pics* http://bit.ly/2t1Xegr ... http://bit.ly/2t2l5gc ... *Trailer* http://bit.ly/2r36KPT **SPOTTED:** Reps. Hakeem Jeffries (D-N.Y.) -- who represents the district where the show is filmed, Yvette Clarke (D-N.Y.), Lacy Clay (D-Miss.), Brenda Lawrence (D-Mich.), Lisa Rochester Blunt (D-Del.), Frederica Wilson (D-Fla.), Tony Cardenas (D-Calif.), Andre Carson (D-Ind.) and Donald Payne Jr. (D-N.J.), Delegate Stacey Plaskett (D-Virgin Islands), FCC Commissioner Mignon Clyburn, Washington Wizards' John Wall, cast members of The Real Housewives of Potomac, rapper 50 Cent, Omari Hardwick, Naturi Naughton, Lala Anthony, Joseph Sikora, Lela Loren, Larenz Tate, Starz CEO Chris Albrecht, Jas Sajjan and Taylor Jachman.

-- National Geographic, Bloomberg Philanthropies and **D.C. Mayor Muriel Bowser** hosted a screening of the documentary From the Ashes last night at National Geographic's HQ. The film premieres on June 25. **SPOTTED:** Katherine Oliver, Gary Knell, Courtney Monroe, Chris Albert, Kathleen Sheekey, Ryan Williams, Robin Goldman, Michael Bonfiglio, Carl Pope, Misty O'Quinn, Tommy Wells, Allison O'Brien, Kelly McMahon, Tammy Haddad, Kelley McCormick, Lindsay Drewel, Meredith Webster, Macy Luck, Chris Albert, Lee Cochran, Dylan Brown, Elizabeth Pleeter, Ali Rubin, Adrienne Elrod, Nancy Cutler, Maia Johnson, Alex Hornbrook, Sidney Beaumont, Michael Bonfiglio, Caitlin Ledacki, Chris Ortman, Dou Landry and Mary Jennings. *Trailer* http://bit.ly/2t28c5K

SPOTTED: Jennifer Swanson, Jonathan Prince, Jon Lovett, Ronan Farrow and Marc Adelman in Stockholm at the Brilliant Minds Symposium today.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 9/12/2017 9:43:12 AM
Subject: Morning Energy: Democrats hold fire on climate amid hurricane devastation — Pruitt, Ross to meet with Trump today — Upton pushes Enbridge for immediate repairs

By Anthony Adragna | 09/12/2017 05:41 AM EDT

ALL QUIET ON THE CLIMATE FRONT: Even as the double whammy of Hurricanes Harvey and Irma offers the U.S. an up-front glimpse of the types of devastation the world faces due to a warming climate, Democrats are largely holding their fire on Republicans, Pro's Emily Holden and Elana Schor report . Instead, they appear to be heeding the warnings of several of President Donald Trump's Cabinet officials that discussing climate change with large swaths of land still underwater would be insensitive. "The response to Hurricanes Harvey and Irma thus far has been more muted, likely in part because of a desire to keep the focus on immediate disaster relief," said Trevor Houser, former energy adviser to Hillary Clinton's presidential campaign.

Democrats say there will be opportunities to explore the linkage between extreme weather and manmade climate change moving forward. "We have a lot of time to make that point, and I think we also have a lot of legislative opportunities as we look at reauthorizing flood insurance and funding the disaster relief," Sen. Sheldon Whitehouse , one of staunchest climate hawks, said. Environmental advocates have hit Trump's inaction on climate change online, but have shied away from criticizing Democrats. "The truth is, I'd settle for politicians not talking about climate at all, and instead actually doing something," Bill McKibben, founder of 350.org, said.

Tone shift at the White House? Tom Bossert, Trump's homeland security adviser, told reporters Monday that the cause of both devastating hurricanes is "outside of my ability to analyze" but he acknowledged a need to bolster flood and coastal defenses threatened by rising seas and powerful storms. "We continue to take seriously the climate change, not the cause of it, but the things that we observe," he said. "What President Trump remains committed to is making sure that federal dollars aren't used to build things that will be in harm's way later or that won't be hardened against the future predictable floods that we see." While those words may offer hope to some, ME would note Trump has erased climate considerations from government processes, nixed flood standards for federal projects, withdrawn the U.S. from the Paris climate change agreement, pulled back a regulation to limit carbon dioxide from power plants and halted funding to help poor nations adapt to new weather extremes.

More money needed? Asked if the administration would put more money into agencies like FEMA and EPA, Bossert expressed openness to requesting additional funds — "We'll put money in as money is needed to address the need," he said — but added "right now we have plenty of resources to get through this."

Irma could've been even worse: Even as millions lost power during Hurricane Irma, the head of the state's largest utility said outages could've been even worse if Florida Power & Light Co. had not spent $3 billion to improve the energy grid, POLITICO Florida's Bruce Ritchie reports. "With this kind of storm what I can tell you is, we would be facing a much longer restoration" without the work, FPL President and CEO Eric Silagy said Monday.

Nelson wants Perry's help: The federal government should establish a fuel reserve in Florida to help prevent the fuel shortages that occurred during the response to Irma, Sen. Bill Nelson wrote in a Monday letter to Energy Secretary Rick Perry. "A Florida gasoline supply reserve would ensure that residents and first responders have access to an emergency supply of fuel, and help prevent the shortages that may have kept some from evacuating and may hinder recovery efforts going forward," Florida's senior senator wrote. DOE created the Northeast Gasoline Supply Reserve in 2014 following similar issues during Hurricane Sandy, he noted.

Checking in on Texas: EPA reported late Monday that 35 of the 2,238 drinking water systems affected by Harvey remain shut down, while 35 of the 1,219 wastewater treatment plants in affected countries also remain inoperable. The agency further said it had "directed potential responsible parties or has independently started collecting samples at the 43 Superfund sites to further confirm any impacts from the storm" and said additional assessments continue at two sites — San Jacinto Waste Pits and U.S. Oil Recovery. In addition, Reuters reported federal officials are cleaning up spills of oil and chemicals spilled from a dozen industrial facilities in the aftermath of Harvey.

Yikes: Water testing arranged by The New York Times from two Houston neighborhoods showed alarmingly high levels of bacteria and toxins. Tests from the Briarhills Parkway in the Houston Energy Corridor showed levels of E. coli at levels four times of what's considered safe, while Clayton Homes public housing development downtown showed concentrations of E. Coli more than 135 times healthy levels, as well as elevated levels of lead, arsenic and other heavy metals. The EPA said Monday that 40 of 1,219 waste treatment plants affected by Harvey were not working.

SIREN! Trump meets this morning at 10 a.m. in the Oval Office with EPA Administrator Scott Pruitt and Commerce Secretary Wilbur Ross. EPA and the White House did not respond to further requests about what they'll be chatting about.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and NRDC's Ana Unruh Cohen was the first (of many) to identify Sam Rayburn as the longest-serving House speaker. For today: Which state has had eight lawmakers go on to serve as speaker? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

EPA LAUNCHES PROBE INTO ARKEMA INCIDENT: Officials at EPA have requested information from Arkema to help them ascertain whether the chemical company properly followed Clean Air Act safety regulations before Hurricane Harvey. EPA asked in its letter, obtained by ME Monday, for a response from the company within 10 calendar days of receipt. Among the information sought is what the company did before the storm to prepare for potential flooding and loss of electricity, as well as the quantities of chemicals stored on site. Several chemical containers at the Crosby, Texas, facility caught fire after the hurricane deluged it with water.

MINE PRUITT VISITED FURLOUGHS WORKERS: Consol Energy's Bailey Mine

complex, which EPA Administrator Scott Pruitt visited back in April as one of the first stops on his "Back to Basics" campaign, furloughed more than 300 workers Monday after Pennsylvania's Department of Environmental Protection failed to approve a permit modification in time, the Observer-Reporter reports . A company spokesman said it was the first time in the site's history that state environmental regulators failed to approve a permit in a "timely manner" to maintain operations.

THEY'RE BACCCCCCK: House lawmakers return for a day and a half of work, with a slate of 6:30 p.m. votes expected to include the Interior and EPA section of eight-title, spending package H.R. 3354 (115) under consideration.

SPORTSMEN'S PACKAGE PUSH BEGINS AGAIN: The House Natural Resources Federal Lands subpanel today considers a broad sportsmen's package, H.R. 3668 (115). It contains a controversial provision that would make it easier to obtain gun silencers, bars EPA from ever regulating lead ammunition under the Toxic Substances Control Act, and reauthorizes the North American Wetlands Conservation Act for five years at $50 million per year. The subpanel cancelled the initial hearing on the bill following the June congressional baseball shooting, which the measure's sponsor, Jeff Duncan (R-S.C.), witnessed.

If you go: The session kicks off at 10 a.m. in Longworth 1334. Ranking member Raul Grijalva and Rep. Mike Thompson will discuss the gun silencer provision during a press availability following the hearing.

Other hearings shelved: After Hurricane Irma delayed the House's return, the Energy and Commerce Energy Subcommittee canceled what was to have been a blockbuster hearing on the grid's reliability. Witnesses would have included FERC Chairman Neil Chatterjee (in what would have been his first appearance since confirmation), as well as Gerry Cauley, president of the North American Electric Reliability Corporation, and a DOE official. In addition, the House Science Committee postponed a full committee hearing on the electric grid's resilience that had also been slated for 10 a.m.

SENATE ENERGY LOOKS AT LABS: Senators on the Energy and Natural Resources Energy Subcommittee take a look at the contributions of DOE's national laboratories at a hearing beginning at 3 p.m. Sens. Cory Gardner and Joe Manchin deliver opening remarks, followed by testimony from representatives of West Virginia University, Argonne National Laboratory, Duke Energy and National Renewable Energy Laboratory. More here.

MAIL CALL! UPTON PUSHES ENBRIDGE FOR REPAIRS: Rep. Fred Upton, chairman of the Energy and Commerce Energy Subcommittee, sent a letter Monday urging Enbridge to "conduct repairs immediately" on its Line 5 pipeline after revelations of gaps in the line's protective coating. "The more recent disclosure of a loss of protective coating and the likelihood that human error was a factor raises serious concerns about Enbridge's compliance with federal pipeline safety laws," Upton wrote. "Rest assured I will remain hyper-vigilant and expect prompt response to my request."

MORE VOICES WEIGH IN ON SOLAR TARIFF CASE: Six right-leaning policy groups

will urge the International Trade Commission not to back a bid from solar manufacturers Suniva and SolarWorld USA to impose tariffs on imported solar products in a letter today, Pro Trade's Megan Cassella reports . The groups fear an affirmative ITC decision would double the cost of solar products in the U.S. and leave the country vulnerable to retaliation and challenges at the WTO. "Similar to steel in 2002, solar tariffs today would amount to nothing more than a crony capitalist giveaway to failing companies," they wrote.

GREENS CHALLENGE NEVADA LEASE SALES: The Sierra Club and the Center for Biological Diversity filed a lawsuit Monday challenging BLM's June sale of oil and gas leases in northern Nevada. The lawsuit argues the government failed to consider the possible consequences of drilling in the area, ranging from contamination of desert water sources to increased greenhouse gas emissions. The June 13 sale brought in just $38,560 from three parcels covering approximately 5,760 acres out of more than 95,000 acres offered.

NO MASS EXODUS AMONG THE FEDS: Just more than two percent of federal employees have left their positions since Trump became president, more than during presidents George W. Bush and Barack Obama's opening months but less dramatic than the mass departures feared, BuzzFeed reports. Among the highest departure rates were the departments of Energy (2.7 percent) and Interior (2.5 percent).

REPORT: ROOM FOR IMPROVEMENT FOR SOLAR DIVERSITY: A report out Monday from the Solar Foundation finds women represent just 28 percent of employees in the 260,000 person strong solar industry and people of color are a tiny share of the workforce. African-Americans hold just 7 percent of solar jobs, while Hispanic or Latino employees are 17 percent of the workforce and Asians are 9 percent. The study concludes "women and people of color face significant hurdles to achieving equal pay and positions in the solar industry."

MOVERS, SHAKERS: Adam Kolton has been named executive director of the Alaska Wilderness League, effective Oct. 10. He'll join from the National Wildlife Federation where he's currently vice president of federal advocacy.

SPOTTED: Gina McCarthy, sporting a rolling backpack, at the Dirty Habit bar near the EPA. She was drinking red wine and laughing jovially on Monday evening, per our tipster.

QUICK HITS

— Floridians battered by Irma maintain climate change is no 'big deal'. The Guardian.

— Trump administration halts pollution controls at Utah coal plants. AP.

— Suppliers warn EPA against regulatory rollback. Automotive News.

— Three Top Names Emerge As Likely Head Of Western EPA Office. Western Wire.

— Gasoline prices at pump are heading lower even as Florida struggles with supplies. CNBC.

— State better off without Enbridge oil pipeline, Dayton agency says. Minnesota Public Radio.

HAPPENING TODAY

9:00 a.m. — "The New Geopolitics of Natural Gas," Atlantic Council, 1030 15th Street NW, 12th Floor

10:00 a.m. — House Natural Resources Federal Lands Subcommittee holds legislative hearing on SHARE Act, 1334 Longworth

POSTPONED — "Powering America: Defining Reliability in a Transforming Electricity Industry," House Energy and Commerce Energy Subcommittee, Rayburn 2123

POSTPONED — "Resiliency: The Electric Grid's Only Hope," House Science, Space and Technology Committee, 2318 Rayburn

10:00 a.m. — The Center for Climate and Energy Solutions releases a new brief and hosts a webinar featuring business leaders on how and why companies are putting an internal price on carbon emissions, contact: press@c2es.org

2:30 p.m. — "Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act: Oversight of Fisheries Management Successes and Challenges," Senate Commerce Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee, Russell 253

3:00 p.m. — "Fostering Innovation: Contributions of the Department of Energy's National Laboratories," Senate Energy and Natural Resources Energy Subcommittee, Dirksen 366

4:00 p.m. — Full committee marks up various bills, House Natural Resources Committee, 1334 Longworth

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To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/09/democrats-hold-fire-on-climate-amid-hurricane-devastation-024541

Stories from POLITICO Pro

Democrats mum on climate as storm damage climbs Back

By Emily Holden and Elana Schor | 09/12/2017 05:05 AM EDT

Hurricanes Harvey and Irma have handed Democrats their most potent opportunity in half a decade to hammer Republicans on climate change — with the massive storms giving tens of millions of Americans an up-front glimpse of the types of devastation the world faces if the warming planet spawns a surge in extreme weather.

But instead, they're mostly keeping quiet.

Aside from a handful of outliers like Hawaiian Sen. Brian Schatz, leading Democratic politicians have been slow to use the double whammy from the tropics to denounce President Donald Trump, who has dismissed climate change as a "hoax."

That's a contrast from past storms like 2012's Hurricane Sandy, when Democratic New York Gov. Andrew Cuomo called the disaster a sign that "climate change is a reality." Even then-New York City Mayor Michael Bloomberg, an independent, cited the storm and climate change at the time among his reasons for endorsing Barack Obama's reelection as president.

This time, Democrats appear to be heeding the warnings of Trump appointees like EPA Administrator Scott Pruitt, who said last week that it's "very, very insensitive to the people in Florida" to talk about climate change now.

The wariness of appearing to seize on a disaster is "part of" the party's calculus behind keeping the climate politics to a minimum after the hurricanes, said the top Democrat on the Senate Environment and Public Works Committee, Tom Carper of Delaware.

"When we've done a good deal more work in terms of cleanup and getting folks' lives back to normal, I hope we do a deep dive into whether or not the warming in the Gulf of Mexico is really what's causing this," Carper added in an interview, vowing that a broader climate conversation is "coming soon."

Sen. Sheldon Whitehouse (D-R.I.), a climate hawk known for delivering more than 100 floor speeches on the issue, said he doesn't view the immediate aftermath of Harvey and Irma as heightening the sense of urgency to talk about global warming.

"We have a lot of time to make that point, and I think we also have a lot of legislative opportunities as we look at reauthorizing flood insurance and funding the disaster relief," Whitehouse said in a brief interview.

Sen. Chris Van Hollen (D-Md.) late Friday noted climate change's impact on extreme weather, citing the hurricanes as he unveiled a bill with Schatz and Sen. Cory Booker (D-N.J.) that would block Trump's cancellation of an order requiring federally funded infrastructure to take global warming into account. But Van Hollen underscored that the bill was already in the works before Harvey and Irma made their devastating landfalls.

"We actually feel like we have not been talking about these bills during this period of time" while Gulf Coast residents recover, Van Hollen told POLITICO, adding that his proposal is "designed to focus on how we rebuild. The idea is, when we invest federal dollars in infrastructure, we want it to be safe. So this is going to be a constructive part of the rebuilding conversation."

Trevor Houser, a former energy adviser to Hillary Clinton's presidential campaign, said

Democrats indeed may see dangers in latching onto the climate issue so soon after the twin disasters.

"The response to Hurricanes Harvey and Irma thus far has been more muted, likely in part because of a desire to keep the focus on immediate disaster relief," said Houser, who is now at the think tank Rhodium Group.

It's not a good idea to try to land a "punch to the gut of climate change deniers" while first responders are still "pulling bodies out of the water," said Jeff Schlegelmilch, deputy director of the National Center for Disaster Preparedness at Columbia University's Earth Institute.

But green groups haven't hesitated to take aim at Trump online, with the Natural Resources Defense Council criticizing his recent move to rescind climate standards for federal infrastructure and the League of Conservation Voters praising Miami's Republican Mayor Tomás Regalado for saying it is time to talk about climate change.

Bill McKibben, founder of the outspoken climate activist group 350.org, shied away from disparaging Democrats, though.

"The truth is, I'd settle for politicians not talking about climate at all, and instead actually doing something," he said via email. "We've reached the point where they expect a gold star for announcing they believe in science — that's not enough."

Climate advocates argue that now — when the issue is blaring from every TV screen — is the best time to call attention to scientists' abundant warnings that rising global temperatures may worsen extreme weather such as hurricanes, droughts or the wildfires now raging in California. Images of Irma's flooding are still topping national news coverage, and the air of crisis may continue next week depending on where Hurricane Jose decides to land.

In contrast, Republicans who deny that humans are causing rising temperatures have mostly put their public focus on responding to the immediate danger of the storms. While acknowledging the historic nature of the flooding in Houston and the record-breaking intensity of Hurricane Irma, the Trump administration has brushed off questions about climate change, focusing instead on the immediate recovery needs in Texas, Florida and hard-hit Caribbean territories like Puerto Rico.

Tom Bossert, Trump's homeland security adviser, told reporters during a White House briefing Monday that it was too early to say whether climate change worsened the hurricanes, but he acknowledged a need to bolster flood and coastal defenses threatened by rising seas and powerful storms.

"We continue to take seriously the climate change, not the cause of it, but the things that we observe," he said. "What President Trump remains committed to is making sure that federal dollars aren't used to build things that will be in harm's way later or that won't be hardened against the future predictable floods that we see."

Other administration officials have dodged climate change questions.

Pruitt told CNN that "to have any kind of focus on the cause and effect of the storm, versus helping people, or actually facing the effect of the storm, is misplaced." White House adviser Kellyanne Conway chastised CNN's Chris Cuomo for asking about the topic in the aftermath of Hurricane Harvey, saying, "We're trying to help the people whose lives are literally underwater, and you want to have a conversation about climate change." Energy Secretary Rick Perry similarly dismissed the issue, telling CBS that "everyone wants to run to the climate change debate, but that is very secondary at this particular time."

Lawmakers and the federal government will have to confront future risks as they send money for recovery, however. Congress is moving ahead with an initial $15 billion aid package for Texas and Louisiana, and scientists say addressing the role of a changing climate is crucial to using that money effectively.

"Climate change has to be a part of the conversation ... it's inaccurate to think you could have a conversation about the changing nature of risk without talking about greenhouse gases and burning fossil fuels," said Heidi Cullen, the chief scientist at the research group Climate Central, who studies how climate change affects extreme weather as part of the international science partnership called World Weather Attribution.

Scientists say man-made greenhouse gas emissions could make hurricanes more intense. Continued sea-level rise will also make storm surges higher and more dangerous. Both could complicate emergency response planning and investments to rebuild after the storms.

Despite Bossert's comments, Trump is actively erasing climate considerations from government processes, nixing flood standards for federal projects, withdrawing the U.S. from the Paris climate change agreement, pulling back a regulation to limit carbon dioxide from power plants, and halting funding to help poor nations adapt to new weather extremes.

In previous years, climate advocates and scientists could have relied on the Obama White House to amplify their message. Now, they've got cabinet members who doubt whether human activity is causing global temperatures to increase, seas to rise and coastal communities to face more risks from storm surge and flooding.

Congressional opponents of government efforts to address climate change aren't making any linkages between the two devastating storms, either.

"It's terrible to have Category 4 in the Gulf Coast of Texas and then a Category 5 in the Atlantic, but sometimes bad things happen," Rep. Joe Barton (R-Texas) said last week. "I guess we could pass a law saying you can't have hurricanes, but I'm not sure Mother Nature would listen to us."

Attributing extreme weather events to climate change is still an evolving area of research, although it has progressed quickly over the last few years. Scientists at the Geophysical Fluid Dynamics Laboratory, which works cooperatively with the National Oceanic and Atmospheric Administration, believe that by the end of the century, global warming will mean more intense

hurricanes that bring more rain. But they say it's too early to detect whether man-made greenhouse gas emissions have changed hurricane activity so far. That's because the extreme weather events are rare and difficult to model.

Michael Wehner, a senior staff scientist in the Computational Research Division at the Lawrence Berkeley National Laboratory, has studied how 15 hurricanes might have behaved under lower temperatures, and so far has determined that a one-degree Celsius increase — 1.8 degrees Fahrenheit — raises rainfall about 6 percent.

That would mean that Harvey, which dumped more than 50 inches of water on Houston, brought between 10 and 15 percent more rain because of climate change.

"The public should know, and policymakers should know, that any planning that you might have made based on the historical record is inadequate," Wehner said. "It's a different world. It's a warmer world, and storms behave differently."

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Center-right groups urge ITC against recommending tariffs in solar case Back

By Megan Cassella | 09/11/2017 03:53 PM EDT

The International Trade Commission should avoid recommending the use of tariffs to protect the U.S. solar industry in an ongoing trade remedy case, a coalition of right-leaning policy groups will say this week as a swirling debate over a pending ITC ruling has divided domestic industry.

The heads of six groups, including the R Street Institute, the American Legislative Exchange Council and the National Taxpayers Union, warned in a letter that will be sent to the ITC on Tuesday that an affirmative decision would double the cost of solar products in the country and leave the U.S. vulnerable to retaliation and challenges at the World Trade Organization.

If the ITC finds evidence that domestic industry has been hurt by imports, it should tailor its recommended relief to exempt imports from countries that the U.S. has free trade agreements with, the letter says.

The groups also leaned on recent history to bolster their argument, noting that the statute under which the case was filed, known as Section 201, is an "extreme remedy with a troubling recent history." Former President George W. Bush levied import restrictions similar to what Suniva and SolarWorld Americas are asking for in this case to protect the domestic steel industry in 2002, but those were ultimately withdrawn after the European Union challenged them at the WTO.

"Similar to steel in 2002, solar tariffs today would amount to nothing more than a crony capitalist giveaway to failing companies," the groups wrote in the letter, a copy of which was obtained by

POLITICO. "They would be paid for by crippling an otherwise growing domestic solar industry (one whose preferential federal tax treatment has been correspondingly phasing down) and higher prices for energy consumers."

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Wind Industry Tacks as Trump Shifts the Political Climate

Posted June 30, 2017, 10:12 A.M. ET

By Ari Natter

Three days after Energy Secretary Rick Perry directed his staff to find ways to give a boost to coal and nuclear power, the rival wind industry kicked its lobbying response into action.

The American Wind Energy Association would tap allies in Congress willing to weigh in with Perry and buy advertisements on "news channels closely followed by the Trump administration," according to a memo its leader sent to board members. During the Obama administration it had touted its role in addressing climate change, but now it would emphasize an economic message, something sure to resonate with President Donald Trump.

"The wind industry drives over 100,000 American jobs, more than coal, nuclear, or hydropower electricity generation," Chief Executive Officer Tom Kiernan wrote in the eight-page memo on April 17. The memo was provided to Bloomberg News by a competing lobbyist and confirmed by AWEA.

Once a darling of federal policy makers during the tenure of President Barack Obama, wind energy has been buffeted under Trump, who frequently complains that wind turbines kill eagles and aren't a reliable power source. In the administration's efforts to help coal miners, oil drillers and nuclear-plant operators, wind is the variable, subsidized power that is making life difficult for those so-called baseload electricity producers.

"I don't want to just hope the wind blows to light up your homes and your factory—as the birds fall to the ground," Trump said this month in Iowa, a state that gets more than a third of its electricity from wind power.

Republican Lobbyists

Kiernan has taken to fact-checking Trump's comments on Twitter. And the group has hired Republican lobbyists this year to help it gain a foothold in a very different Washington.

Last month, AWEA hired Amy Farrell, a former official in the administration of President George W. Bush and natural gas lobbyist, as its senior vice president for government and public affairs. It also hired William Myers, Bush's former Interior Department solicitor, as a lobbyist that same month.

The Energy Department study of the electric grid, however, poses the most tangible risk to wind power, which more than doubled in capacity during the Obama administration to more than 82,000 megawatts. A memo from Perry ordering the study posited that the reliability of the power grid was at risk, and listed factors such as regulations that could be forcing the "premature retirement of baseload power plants," which refers to mostly coal and nuclear facilities. While Perry didn't mention wind, he did discuss tax subsidies, which wind producers receive, and highlights a preference for on-site fuel, which wind doesn't have.

"Political driven policies, driven primarily by a hostility to coal, threatens the reliability and the stability of the greatest electrical grid in the world," Perry said this week. "Over the last few years, grid experts have expressed concern about the erosion of critical baseload resources, specifically how it is dispatched and compensated."

Publicly the wind industry says it's doing just fine under Trump.

Tom Vinson, vice president of federal regulatory affairs for the group, which counts subsidiaries of wind turbine makers such as Vestas Wind Systems A/S and Siemens AG on its board of directors, dismissed the memo as "old news" and said wind doesn't face overwhelming opposition as it supports the president's quest for "energy dominance." And it creates jobs, he added.

Perry, who had mostly praised coal, natural gas and nuclear power since becoming secretary, went out of his way to praise wind and solar this week.

"We are going to ensure that renewable energy finds its way to the grid and that the tremendous resources presented by the wind, the sun and hydro are efficiently captured and then delivered," he said.

When he was governor of Texas, Perry said in a blog post this week, that state took a lead in pursuing wind development, and it now stands as the top wind producing state in the U.S.

That shift in tone may, in part, represent that AWEA's efforts are paying dividends.

Soon after the the wind association started its lobbying campaign, wind-friendly lawmakers such as Sen. Charles Grassley (R-Iowa) sent letters with pointed questions about the study. Environmental groups filed Freedom of Information Act requests about the study and what prompted it. The industry group got in to brief administration officials on the benefits of the power source, Vinson said.

"We hope the Department of Energy will be taking this substantial body of existing research into account when they issue their study," Evan Vaughan, a spokesman for the trade group, said in an email.

And in another small victory for the industry, Trump announced June 28 that he would nominate Richard Glick, a Democratic Senate staff member and former wind lobbyist, to the Federal Energy Regulatory Commission.

While representatives of the wind industry continue to exude confidence, "I think privately they are a little concerned," said Paul Bledsoe, a former climate adviser in the Clinton administration. "It seems as if the administration is pursuing an ideological agenda against renewables based on political animus towards the Obama administration."

"They are anxious about some unexpected assault, but they are not quite sure what to prepare for," he added.

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Canada Floats New Environmental Review Rules for Pipelines

Posted June 30, 2017, 10:00 A.M. ET

By Josh Wingrove

Canada is proposing consolidating environmental reviews under a single agency while adding an approval step for proponents of pipelines and other major projects—in what it said is a bid to both strengthen and clarify environmental rules.

The proposal would add a requirement for an "early engagement" phase for projects that the government said would lead to "clear guidance" for industry on how a full assessment will proceed and how long it will take. The move is aimed at industry frustrations that Canada's existing environmental approval process is already a maze—unclear, time-consuming, legally fraught, and under the watch of multiple agencies.

The proposal, contained in a discussion paper published June 29, lays out a framework that comes after a review of environmental assessment rules; fisheries laws; and the National Energy Board, which oversees pipelines in the country with the world's third-largest proven oil reserves. A range of projects is subject to environmental assessments. The changes would affect only new ones, as Prime Minister Justin Trudeau's government said existing proposals such as TransCanada Corp.'s Energy East pipeline won't be sent back to square one.

The proposal raises the prospect of greater "cost recovery" from the oil and gas industry, while also focusing on ensuring a "single window" agency for federal environmental approvals and permitting while expanding the power of people to intervene in the process and making more data publicly available.

Court Challenges

Major energy projects in Canada have regularly run into a tangle of court challenges, evolving government policy, and environmental protests, raising doubts about their fate. Trudeau introduced interim rules early last year before approving a pair of pipelines while rejecting a third—which his predecessor approved before being blocked by the courts.

The discussion paper proposes expanding the review of projects to consider a broader range of factors, including economic benefit, which is presently considered in a final Cabinet decision on any major proposal. The new assessment system will consider "both positive and negative impacts of a project," the discussion paper said.

So far, the paper has won positive reviews from energy-industry groups. Canadian Energy Pipeline Association Chief Executive Officer Chris Bloomer said June 29 that while his organization is taking time to fully review the paper, it supports the principles laid out in the document and is "encouraged" by its content. Canadian Association of Petroleum Producers Executive Vice President Terry Abel said his group backs the proposal as well.

"They've done a really good job of identifying opportunities where there could be improvements, and it's reflective of the broad range of input they've heard," Abel said in an interview.

Cumulative Effect

The proposed system will pay greater attention to so-called cumulative effect, or the total impact over time of a single project, and others near it, on the environment. That measure in particular could ripple through regions with high levels of industrial development, such as Alberta's oil sands, the heart of the country's energy sector.

The federal government is proposing to expand the ability of opponents and proponents to weigh in on a project by eliminating a test of which participants were given "standing," by the NEB while also allocating more "participant funding," the document said. It also commits to a process that "advances the government's commitment" to the United Nations Declaration on the Rights of Indigenous Peoples, though stops short of fully committing to the declaration. The U.N. document places an emphasis on "free, prior, and informed consent" of indigenous peoples, though Trudeau's government argued that doesn't amount to a veto on energy projects.

The scale of environment assessments will be "aligned" with the scale of a project and its impacts, the discussion paper said. The report commits both to peer-reviewed science and incorporating indigenous knowledge in reviews. The proposal also pledged "greater participation of indigenous peoples on assessment boards and review panels and in regulatory processes."

The NEB regulator will remain in Calgary, but board members and hearing commissioners will no longer have to live there, the paper said.

The paper comes after a review launched a year ago. The measures are classified as proposals only. Final changes to the environmental assessment and regulatory system are due this fall.

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Rebirth of Canadian Oil Sands From Fire Stymied by Market Slump

Posted June 30, 2017, 10:14 A.M. ET

By Robert Tuttle

In the heart of Canada's biggest oil province, life is slowly returning to normal in Fort McMurray, Alberta. After a fire last year destroyed entire neighborhoods in the town and halted about a million barrels of daily production, green leaves are beginning to bud on charred trees and new construction is replacing homes that were burned to the ground.

But hopes for a complete rebirth are being undermined by a global oil slump. It's become less attractive to invest in the region, where tar-like reserves are among the most expensive and difficult in the world to extract. After 17 years of uninterrupted expansion around Fort McMurray -- which drove an 86 percent increase in the nation's output -- no new projects or expansions will go into operation next year, an analysis of company spending plans shows.

Producers including Royal Dutch Shell Plc and Koch Industries Inc. have shelved or put on hold billions of dollars of projects since crude fell from more than $100 a barrel in 2014 to as low as $26

last year. The economics of the business remained lousy in 2017. That's because sticky oil sands in Alberta have to be mined and then converted into liquid using a costly conversion process or loosened with steam and sucked out of wells. To justify expanding existing projects or starting new ones, crude needs to fetch at least $50.

"We will not see a pickup of significant work for two to three years," once existing expansions are completed in 2017, Jay Bueckert, regional director of the Christian Labor Association of Canada, a union representing oil-sands workers, said in an interview at his office in Fort McMurray.

The investment slowdown is a double blow for the town. It's still recovering from the May 2016 blaze that swept through neighborhoods such as Beacon Hill and Timberlea, destroying about 2,000 homes and forcing shutdowns of oil production for almost a month. The damage will wind up costing the government and insurers more than C$5 billion ($3.8 billion), according to the Conference Board of Canada.

As many as 5,000 people haven't returned, according to municipal population figures. While home sales were up in the first five months of the year, prices continued a decline that started after the oil-price slump began three years ago, according to the Fort McMurray Real Estate Board.

'People Left'

"A lot of people just sold and left," Sam Keane, a 27 year-old scaffolder from Ireland, said as he stood beside a rebuilt home he had just bought from a previous resident of a neighborhood that burned down.

As the community rebuilds, international companies are pulling back. Since March, Shell, ConocoPhillips and Marathon Oil Corp. have agreed to sell oil-sands assets to domestic producers Canadian Natural Resources Ltd. and Cenovus Energy Inc.Exxon Mobil Corp., majority owner of Imperial Oil Ltd., slashed billions from its Canadian reserves.

While prices have recovered from last year's low, they're down 21 percent this year to less than $45 a barrel. That's too cheap to justify most projects that require billions of dollars in up-front investment and years of development, said Kevin Birn, a director at IHS Energy in Calgary.

Fort McMurray has vast reserves. Only Saudi Arabia and Venezuela have bigger crude deposits. The town transformed from a remote trading outpost to an energy center in the late 1960s, when what is now Suncor Energy Inc. began extracting the viscous hydrocarbons from the soil under the dense boreal forests of remote Northern Alberta.

Early Growth

As crude prices surged after the turn of the millennium, concerns about oil scarcity drew more than C$200 billion of investment from the U.S., Asia and Europe. As money poured in, so did people from around the world seeking steady jobs and a higher standard of living. With the population growing 4 percent a year, the municipal government struggled to build infrastructure fast enough. Traffic jams lasting hours would tie up oil sands workers on the one road into the oil-sands mines to the north.

The boom ended abruptly in late 2014 with the surge in U.S. shale production that sent prices plunging. The number of oil-sands-related engineering and construction jobs will shrink by 9,300, or 30 percent, by 2023 from "already diminished employment in 2016," according to a report by BuildForce Canada, a trade organization.

"We always talk about diversification and it's something that's really hard to do when we are in the heart of the oil sands," said Alexis Foster, executive director of the Fort McMurray Chamber of Commerce.

Limited Expansion

In the past year, MEG Energy Corp., Cenovus and Canadian Natural announced plans to expand operations later in the decade. But those expansions are to thermal oil sands projects in an area located about two hours south of Fort McMurray. New projects near Fort McMurray, such as Suncor's newly proposed Lewis or Imperial Oil's Aspen, have yet to be sanctioned.

With investment in new oil sands winding down, Fort McMurray residents are left with jobs maintaining and repairing existing operations. Sustaining capital and maintenance work will rise "moderately" over the next decade and become an "increasingly important source of employment," according to BuildForce Canada.

As Fort McMurray contracts, expansions are occurring elsewhere in Canada. In the western Alberta town of Grande Prarie, drilling in the Montney shale formation was up an annual 80 percent early this year.

But Fort McMurray will remain the dominant oil town in Canada for now, Birn said. The provincial government said in its most recent budget that the reconstruction of the town after the fire and plans for increased oil production will add 1 percent to the gross domestic product this year.

There are signs of improvement: Unemployment is down from last year, Foster says construction work is expected to expand, and the median single-family home price in April rose from a year earlier.

Some people are moving back because they "saw opportunities to purchase," said Andrew Weir, president of the Fort McMurray Real Estate Board. They "don't feel like the sky is falling anymore," he said.

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South Korea to Study, Plan for Climate Impacts on Infrastructure

Posted June 30, 2017, 9:21 A.M. ET

By Elaine Ramirez

Eighteen South Korean public and private institutions have agreed to assess the effects of climate change on infrastructure and devise ways to prevent further damage.

Through a convention facilitated by South Korea's Ministry of Environment and Korea Adaptation Center for Climate Change, 13 public institutions and five companies—Kumho Buslines; Samsung Engineering; construction company Halla OMS; and logistics companies CJ Korea Express and Hyundai Glovis—will work with the government to evaluate and diagnose climate change-related risks to infrastructure to develop countermeasures, the Ministry of Environment said.

The project also will identify facilities that are vulnerable to the effects of climate change and help

public institutions set up adaptive measures to ensure national safety and to minimize economic losses, according to the environment ministry.

"This convention is particularly meaningful in that it promises voluntary efforts by public authorities and industries to provide a pre-emptive response to climate change risks," the Ministry of Environment said in a June 27 statement.

"Since we want to reduce CO2 emissions as a long-term goal, we think the plan of the ministry is proper, and we can focus on the goal not only for our company but also for Korea to help with the development of climate change improvement," Jin Hartmann, spokesman for Samsung Engineering, told Bloomberg BNA.

The ministry and the Korea Adaptation Center for Climate Change will provide risk assessment tools, including those to analyze the impacts on facilities of climate situations such as extreme temperatures and heavy rain. Companies will then prioritize items and devise countermeasures with mid- and long-term objectives and action plans to minimize climate impacts.

Jung Seon-hee, research specialist at the (KACCC), said, "In addition to promoting governmentwide measures to adapt to climate change, South Korea is promoting climate change adaptation via infrastructure institutions. However, [this initiative] is still in its infancy, so additional policy support and investment is needed to improve effectiveness."

Project planning started before Korean President Moon Jae-in took office last month, and is expected to be more actively pursued during his governance, she added.

Establishing Adaptive Measures

Damage caused by climate change-related natural disasters affect mostly social infrastructure such as power, railways, and roads, and have a great social and economic impact, the ministry said. The damage to public facilities in 2013, amounting to nearly 150 billion won ($131.4 million), made up 87 percent of all natural disaster impacts during that year, the ministry said. Restoration of public facilities such as roads, rivers and harbors cost 8.9 trillion won ($7.8 billion) between 2004 and 2013.

In response, the government in 2016 launched a reporting system for public institutions to evaluate and diagnose the climate change-related risks they faced.

The Ministry of Environment said it will help the public and private sectors scientifically predict and evaluate the risk factors of climate change and establish effective adaptive measures. The institution will then decide on voluntary climate change adaptation measures and incorporate them into management plans and strategies.

Sharing Know-How

Samsung Engineering has carried out business partnerships with large and midsize companies to share carbon management know-how and energy-saving methods with subcontractors, according to company spokesman Lee Ho-jae. In 2016, the company concluded an agreement with the Ministry of Environment to reduce dust emissions.

Unforeseen natural disasters caused by climate change could have a profound impact on Samsung's project performance, Lee said, adding that the company plans to explore ways to contribute to the climate change action plan in the overall process of plant construction.

"[Addressing] climate change requires a national approach. At the same time, voluntary effort from individual companies is needed," Lee told Bloomberg BNA. "We hope the recognition of climate change spreads throughout the industry and many companies can participate."

The government also will evaluate other public agencies' adaptation measures for climate change and determine how to reflect them nationwide.

The 13 public institutions participating in the agreement include expressway, port and airport authorities, and coal, gas and heating companies.

"We anticipate that it will become a new paradigm of management strategy … to grasp the effects of climate change on sales and tangible assets," said Kumho Buslines spokesman Oh Kil-joong.

South Korea Is Very, Very Interested in America's Natural Gas

Posted June 30, 2017, 10:32 A.M. ET

By Ryan Collins

One thing became clear on the fourth day of the White House's Energy Week: South Korea is really, really into U.S. natural gas.

In less than 24 hours, South Korea's energy companies had announced four partnerships with U.S. companies to explore opportunities in the U.S. natural gas business. Korea Gas Corp., the state-owned gas supplier, said it will look into potential investments in liquefied natural gas projects in Alaska, Texas and Louisiana. SK Group signed an agreement with General Electric Co. and Continental Resources Inc. to pursue shale gas developments.

It makes sense. South Korea is one of the world's biggest importers of LNG and has bought eight cargoes of U.S. gas from Cheniere Energy Inc.'s Sabine Pass terminal in Louisiana. While Sabine Pass is the only one sending shale gas abroad, dozens of terminals have been proposed along U.S. coasts to do the same. The exports have put the U.S. on a path to becoming a net gas exporter for the first time in decades.

President Donald Trump noted during a June 29 Energy Week event in Washington that South Korea leaders were visiting the White House. He said they would be "talking about them buying energy from the United States of America. I'm sure they would love to do it."

U.S. LNG may in fact play a big role in furthering South Korea's energy policies. After the election of Moon Jae-in as president in May, the country is looking to transition away from coal and nuclear power in favor of cleaner natural gas-fired electricity generation. And buying more U.S. fuel could allow the country to smooth geopolitical disputes over unbalanced trade, Korea Gas Chief Executive Officer Lee Seung-Hoon said Sunday at the Sabine Pass terminal, where the company celebrated the start of an LNG contract with Cheniere.

"All of these projects are looking to find more long-term offtake in order to get the financial support they need to move forward," said Anastacia Dialynas, analyst at Bloomberg New Energy Finance, in a phone interview June 29. South Korea "might even be pitting them against each other" by exploring several projects to "see who offers the best terms," she said.

The Port Arthur, Texas, LNG export terminal is being developed by Sempra Energy and Woodside Petroleum Ltd., and Energy Transfer Equity LLC and Royal Dutch Shell Plc are planning the Lake Charles, Louisiana, one. The Alaska LNG export project is being proposed by the state's Alaska Gasline Development Corp.

Spot LNG prices in Singapore traded at about $5.244 per million British thermal units Thursday, according to a Singapore Exchange Ltd. assessment. That's down from more than $14 in October 2014 as production capacity rises and oil prices have tumbled.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 6/6/2017 9:44:35 AM
Subject: Morning Energy: Four energy nominees get committee votes today — Chinese diplomat resigns over Paris pullout — Pruitt feared Paris might force domestic climate rules

By Anthony Adragna | 06/06/2017 05:42 AM EDT

With help from Esther Whieldon and Darius Dixon

NEW JOLT OF ENERGY (NOMINEES)! The Energy and Natural Resources Committee is set to advance four crucial energy nominees to the full Senate by midday today as Republican votes alone are sufficient to move them forward. Arguably the greatest fight may be over President Donald Trump's pick for the No. 2 slot at Interior, David Bernhardt. Expect Democrats to raise concerns about Bernhardt's industry ties, ethics waivers and his assertion at his confirmation hearing that the Interior will take its cues on climate change from Trump, who has called it a hoax perpetrated by the Chinese. A coalition of environmental groups sent a letter to committee leaders on Monday citing what they said were "serious legal and ethical questions" about his actions in 2008 with California water districts while serving as Interior's Solicitor and calling for an investigation before his confirmation (The League of Conservation Voters sent its own letter opposing Bernhardt's nomination).

Don't expect any Republicans to break from their party's support for Neil Chatterjee or Rob Powelson, Trump's picks for FERC commissioners, or Deputy Energy Secretary nominee Dan Brouillette. Sen. Ron Wyden has already announced his opposition to Chatterjee and Powelson, but they're likely to get at least some Democratic votes. Keep in mind however that anti-pipeline protesters showed up at their nomination hearing — when the nominees' families were present — so there's no reason to think there won't be a bit of a ruckus today. The panel's top Democrat, Sen. Maria Cantwell, wouldn't tip her hand when ME caught up with her Monday night, but did say she had unspecified "concerns" with some of the nominees.

If you go: The business meeting kicks off at 9:30 a.m. in Dirksen 366.

U.S. DIPLOMAT QUITS OVER PARIS: David Rank, the Beijing embassy's chargé d'affaires, resigned Monday in a move driven by Trump's call last week to withdraw from the Paris climate agreement, POLITICO's Nahal Toosi reports . Rank, who spent 27 years at the State Department, made the unusual move to inform colleagues of his decision in a public town hall. "Such a move shows the level of utter disdain for Trump and his policies by senior American diplomats," Brett Bruen, a retired State Department veteran who served as Director of Global Engagement in the Obama White House, told POLITICO. "They face the brunt of the blowback from our allies and have to contend with the advantages it offers our adversaries."

Another Cabinet member weighs in: Energy Secretary Rick Perry, speaking in Japan, said those seeking out Trump's view on climate change are "chasing a rabbit down a hole," but he vowed the U.S. would remain involved in international discussions, according to multiple reports. "Is the climate changing? Yes," Perry said. "Is man having an impact? Yes. How are we going to address it going forward? And the answer is, that's not going to change. The United

States is still going to be very engaged in that."

Meanwhile, new polling out Monday finds 59 percent of Americans oppose Trump's move to pull out of the landmark climate pact while just 28 percent back it, POLITICO's Madeline Conway reports. A majority, 55 percent, said they believe the decision hurts U.S. leadership in the world, while just 18 percent said it would help American leadership's standing.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and LCV's Tiernan Sittenfeld was first to identify Indiana as the state with hyper-restrictive Sunday laws on beer, wine and liquor. For today: There are three states that are entirely dry by default. (Counties must specifically authorize the sale of alcohol.) Which states are they? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

PRUITT WORRIED PARIS MIGHT COMPEL DOMESTIC REGULATIONS: EPA Administrator Scott Pruitt took to Breitbart Radio Monday to reiterate a key reason he pushed for Trump to withdraw from the Paris Agreement was fear that staying might trigger litigation seeking to compel new regulations under Section 115 of the Clean Air Act. "[Paris] could trigger lawsuits by environmental groups here, the environmental left suing the EPA and the United States government and saying, 'Hey, we agreed to 26 percent and 28 percent targets in this international agreement. Why aren't you taking steps to meet those targets?' and then to compel action," he said. A group of environmental attorneys outlined ways EPA could pursue such regulations in a January 2016 report.

Bashes health concerns: Pruitt criticized comments from many that withdrawing from the Paris accord would have disastrous health consequences, arguing there's a key difference between carbon dioxide and other criteria pollutants. He said it was time for a new discussion about the health impacts of carbon dioxide. "What the American people deserve is a true, legitimate, peer-reviewed, objective, transparent discussion about CO2," Pruitt said. "The American people need to have that type of honest, open discussion, and it's something that we hope to help provide as part of our leadership."

Returning to the Hill: For the first time since his confirmation, Pruitt returns to the Hill June 15 to testify about the Trump administration's proposed 31 percent cuts to EPA, Pro's Alex Guillén reports. The hearing before the House Appropriations Interior-EPA subcommittee will take place at 1 p.m. ME expects House Democrats to aggressively question Pruitt on a host of actions to unwind the Obama administration's rules.

CALIFORNIA BACKS CLIMATE COOPERATION WITH CHINA: Led by Gov. Jerry Brown, the government of California agreed today to work with China's Ministry of Science and Technology on deploying clean energy technologies and collaborating on emissions trading, Reuters reports. That comes after Brown signed an agreement with Jiangsu Province expanding their cooperation on climate change and another with Sichuan Province enhancing their work on clean energy efforts.

EPA TOUTS PROGRESS ON CHEMICALS BACKLOG: Citing effective prioritization and

process efficiencies, EPA now says it will eliminate a backlog of new chemicals awaiting review under the Toxic Substances Control Act by the end of July. "Reviewing new chemicals quickly will enable those deemed safe to enter the marketplace to support jobs and our economy," Pruitt said in a statement. The agency says it plans to provide weekly progress updates. Back in April, Pruitt said the backlog stood at about 1,000 chemicals when he took office but he pledged to hit regulatory deadlines outlined in the revamped TSCA law this year.

WHAT'S AFTER STUCK IN THE MUD? The White House is making a push this week toward privatizing air traffic control and promoting Trump's $1 trillion infrastructure plan, but tossing infrastructure onto the existing heap of huge legislative lifts runs the risk of stalling the president's entire agenda, POLITICO's Andrew Restuccia and Lauren Gardner report. "I believe a new president has about a year to get three to four big things done," said former Transportation Secretary Ray LaHood, a Republican who served under President Barack Obama. "And if they don't do it in that year, it's probably pretty much a lost opportunity."

SCHUMER BLAMES TRUMP FOR FEDERAL VACANCIES: Trump has slammed Democrats for "taking forever" to confirm his nominees to a litany of vacant federal positions, but Senate Minority Leader Chuck Schumer correctly noted that he hasn't nominated anyone to fill many of them. "President Trump ought to roll up his sleeves and get to work rather than pointing false fingers of blame," Schumer said in a statement. The White House has not formally nominated people to fill 441 of 559 key positions requiring Senate confirmation, according to the Partnership for Public Service.

NEVADA PASS BILL TO HIKE RENEWABLES: In its last day in session, the Nevada legislature on Monday sent Gov. Brian Sandoval a bill, A.B. 206, that would raise the state renewable portfolio standard to 40 percent by 2030 instead of 25 percent by 2025. The bill also eliminates the requirements setting out how much must come from solar projects and includes language allowing utilities to provide direct sales contracts to customers from renewable power projects.

MILITARY LEADERS SOUND ALARM ON ENERGY DISRUPTION: Successfully transitioning to an advanced energy economy will be decisive for U.S. competitiveness, diplomacy and national security for years to come, according to a report out this morning from the highest-ranking retired group of U.S. military officers. The CNA Military Advisory Board advises that a wide portfolio of advanced energy technologies will enhance geopolitical security and failure to lead in this space will compromise U.S. global influence and national security. The group will provide a closed-door briefing to administration defense and security officials on the report this week.

MORE NOMINEES WITH ENERGY TIES: Trump announced two picks for roles in the Overseas Private Investment Corporation, a foreign development fund, and both have significant energy ties. Ray Washburne, nominated to be president of the entity, was on the Trump's short list for energy secretary during the transition. David Bohigian, up to be executive vice president of OPIC, founded E2 Capital Partners, which pushed new financing models for energy efficiency projects, and championed international clean energy deployment efforts while serving as an assistant secretary of Commerce during the George W. Bush administration.

FOR PLANNING PURPOSES: Interior Secretary Ryan Zinke is scheduled to give a luncheon address today to a meeting of the Recreation Vehicle Industry Association in Washington.

STORAGE SECTOR CONTINUES UTILITY-SCALE BOOM: The U.S. added 234 megawatt-hours of energy storage in the first quarter of this year, the industry's biggest quarter yet, GTM Research and the Energy Storage Association said in a report out this morning. Most of that growth was boosted by a few large utility-scale projects in Arizona, Hawaii and California, including one to offset power supplies lost during the Aliso Canyon natural gas leak.

REPORT: EMPLOYEE SENT HARASSING MESSAGES: A Bureau of Indian Affairs employee sent inappropriate — and frequently sexual — text and Facebook messages to Colorado River Indian Tribes employees and tribal members, an Interior inspector general report found. The employee admitted sending the messages and that his conduct was "unprofessional and inappropriate," but the report doesn't say whether he faced additional disciplinary action.

MOVERS, SHAKERS: Ryan Serote has joined Salt River Project as senior manager of federal affairs in the utility's Washington office; he comes from the lobbying shop of National Rural Electric Cooperative Association.

Judith Browne Dianis, executive director of Advancement Project, a multi-racial civil rights organization, has joined the board of directors of Friends of the Earth. "The organization's staunch advocacy to protect our planet is vital in this moment when policymakers want to scrap environmental protections," she said in a statement.

John Deutch will join the Energy Policy Institute at the University of Chicago as a distinguished fellow for the fall quarter; previous jobs include a professorship with MIT and several positions at DOE, including undersecretary, during Jimmy Carter's presidency.

Pat Hart has joined the Edison Electric Institute as director of preparedness and outreach with its security and business continuity group; he was most recently senior adviser to DOE Deputy Secretary Liz Sherwood-Randall.

Tristan Daedalus (who has what had to be one of the most distinctive names of any congressional staffer) has joined the American Forest Foundation as director of policy. He was previously communications director for Rep. Matt Salmon (R-Ariz.) (h/t POLITICO Influence).

QUICK HITS

— In This Texas Coal Town, Worry About Climate, But Not The Paris Accord. KUT.

— EPA: Pruitt meant 'mining' jobs, not 'coal' jobs up 50,000 under Trump. SNL.

— Review of Auto Standards Raises Concerns From Former EPA Officials. Morning Consult.

— Qatar's dispute with Arab states puts LNG market on edge. Reuters.

— Hispanic Group With Ties To Soros' Open Society Targets Western Senators. Western Wire.

— The U.S. is relocating an entire town because of climate change. And this is just the beginning. Quartz.

HAPPENING TODAY

9:30 a.m. — Hearing to examine various nominations, Senate Energy and Natural Resources, 366 Dirksen

12:00 p.m. — "Achieving a High-Performance Built Environment: Findings and Recommendations from the Consultative Council," High Performing Building Coalition, 122 Cannon

4:00 p.m. — 314 Action to Hold Facebook Livestream Panel with Sen. Sheldon Whitehouse and More, panel here

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/four-energy-nominees-get-committee-votes-today-023157

Stories from POLITICO Pro

U.S. diplomat in Beijing resigns over Trump climate stance Back

By Nahal Toosi | 06/05/2017 06:55 PM EDT

A top U.S. diplomat in Beijing resigned on Monday, a move that a source said was driven by President Donald Trump's decision last week to withdraw from the Paris climate change agreement.

A State Department spokesperson confirmed that David Rank, the Beijing embassy's chargé d'affaires, had resigned, citing only "a personal decision."

But a former State Department official familiar with the situation confirmed reports that Rank's departure was related to Trump's decision to exit the Paris climate change agreement.

Rank, who also had postings in Afghanistan and Pakistan during his 27 years at the State Department, publicly informed his colleagues at the embassy about his departure, according to John Pomfret, an editor for the English-language China news aggregator SupChina and author of a book on U.S.-China relations.

"Rank called a town hall meeting @USEmbassyBJ to say he could not deliver a demarche to the

PRC govt over US withdrawal from @ParisAgreement," Pomfret tweeted.

Using a town hall to announce a resignation is unusual, said Brett Bruen, a retired State Department veteran who served as Director of Global Engagement in the Obama White House.

"I started as a diplomat under George W. Bush. Many in the Foreign Service had issues with the Iraq War," he told POLITICO. "A couple officers resigned over it. Yet, for those who stayed our views were always expressed in low whispers — not at a town hall. Such a move shows the level of utter disdain for Trump and his policies by senior American diplomats. They face the brunt of the blowback from our allies and have to contend with the advantages it offers our adversaries."

Trump announced last week he would pull the United States out of the Paris climate agreement, the 2015 pact signed by 195 countries and designed to combat the emissions of greenhouse gases and adapt to rising sea levels and temperatures. Trump said he would seek to renegotiate a more favorable deal for the U.S., though several European countries have already dismissed the notion of the reopening talks that led to the agreement.

Eric Wolff and Tara Palmeri contributed to this report.

To view online click here.

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Poll: 59 percent oppose Trump's decision to exit Paris agreement Back

By Madeline Conway | 06/05/2017 03:57 PM EDT

Fifty-nine percent of Americans oppose President Donald Trump's decision to exit the Paris climate agreement, according to a new Washington Post-ABC News poll.

Just 28 percent of people surveyed support Trump's decision to "withdraw from the main international agreement that tries to address climate change," as the poll, conducted from June 2-4, described the deal. While 13 percent said they have no opinion, 46 percent of respondents said they strongly oppose Trump's choice.

The White House has justified the decision to exit the 2015 pact, which more than 190 countries have signed, by claiming that it is a "bad deal" that puts the U.S. economy at a disadvantage and will cost American jobs.

Most people surveyed by the Post and ABC disagree: 47 percent of respondents said they expect Trump's decision to cost the U.S. jobs, while 39 percent said they expect it to create jobs. Overall, 42 percent of those surveyed said they expect exiting the agreement to hurt the U.S. economy, compared to 32 percent who think it will help it.

A majority, 55 percent, said they believe the decision hurts U.S. leadership in the world, while

just 18 percent said it would help American leadership's standing.

The survey had a sample of 527 adults and a margin of error of 1.4 percent.

To view online click here.

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Pruitt to testify June 15 on proposed cuts to EPA budget Back

By Alex Guillén | 06/05/2017 04:18 PM EDT

EPA Administrator Scott Pruitt will testify on the White House's controversial proposal to slash his agency's budget by 31 percent.

The hearing before the House Appropriations Interior-Environment subcommittee will take place Thursday, June 15 at 1 p.m. It is Pruitt's first time testifying since his Jan. 18 confirmation hearing. He will be joined by Holly Greaves, a landing team member who works on budget issues.

Appropriators have already indicated they will not cut away EPA's budget as severely as the White House's proposal, particularly on state grants and popular programs cleaning up the Great Lakes, the Chesapeake Bay and other regions.

WHAT'S NEXT: The subcommittee hearing is June 15 at 1 p.m.

To view online click here.

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Pruitt says EPA working to clear new chemical review backlog Back

By Alex Guillén | 04/07/2017 11:24 AM EDT

EPA Administrator Scott Pruitt said today that his agency's chemical safety office is working hard to clear a backlog of chemical reviews that manufacturers and companies must complete before they can sell products that contain new substances.

Pruitt said EPA's backlog had grown to about 1,000 chemicals when he took office in February, but there are now just 500 to 600 chemicals still awaiting review.

"Our chemical office is working very diligently to get those chemicals out and approved as soon as possible, or decisions made," Pruitt told state regulators in Washington for a meeting of the nonprofit Environmental Council of the States.

The agency traditionally would review hundreds or thousands of chemicals every year, but industry groups say EPA has seen a growing backlog of chemical reviews since Congress last summer reformed the Toxic Substances Control Act.

Before Congress updated TSCA, EPA had just 90 days to review new chemicals, which would be automatically approved unless EPA declared them too risky. Now, the agency can take more time and must make an "affirmative finding" that new chemicals are sufficiently safe before they can move to market.

Pruitt noted that the TSCA reform law included a number of regulatory deadlines this year that "are going to be met."

"We're already on task to do that," he said.

WHAT'S NEXT: EPA by June must finalize a series of implementation regulations under the reformed TSCA, including rules on how risk evaluations will be conducted and prioritized and a new fee structure for the industry.

To view online click here.

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Trump's infrastructure pitch adds to legislative pileup Back

By Andrew Restuccia and Lauren Gardner | 06/05/2017 07:19 PM EDT

Health care and tax reform legislation are on ice, Congress faces a time crunch to prepare a budget and avoid a debt crisis this summer, and the White House is under pressure from the Russia investigations. But President Donald Trump is trying to turn D.C.'s focus this week to two other mammoth pitches — privatizing air traffic control and promoting his $1 trillion infrastructure plan.

The problems: Capitol Hill aides say a broad infrastructure bill isn't going anywhere any time soon either. And the proposed air-safety overhaul failed to even make it to the House floor when GOP lawmakers proposed it a year ago.

Continuing to toss ambitious proposals into an already-stuffed legislative calendar poses a danger for Trump: If he and Congress can't regroup to focus on one priority at a time, they could end up seeing the president's three biggest policy objectives — tax reform, health care and infrastructure — stuck in the Capitol.

"I believe a new president has about a year to get three to four big things done," said former Transportation Secretary Ray LaHood, a Republican who served under President Barack Obama. "And if they don't do it in that year, it's probably pretty much a lost opportunity."

But White House aide Reed Cordish said the administration has every reason to expect its agenda to succeed on the Hill. "We absolutely do feel that the infrastructure package can be accomplished this year," he told reporters Monday. "We are working every day to that end."

Trump kicked off the infrastructure theme Monday morning with a formal endorsement of a controversial GOP proposal to privatize air traffic control, a transportation initiative that the White House is lumping into its infrastructure push.

Trump's separate $1 trillion infrastructure plan, which so far amounts to a six-page fact sheet tucked into his fiscal 2018 budget, involves spending $200 billion in federal money over the next decade to upgrade roads, bridges, tunnels, airports and other transportation networks, along with broadband, schools and hospitals, the administration has said. The rest of the money would come from other sources, including private financiers who could recoup their money by charging tolls and fees.

But lawmakers haven't made much progress in trying to turn those infrastructure ideas into legislation — and tax reform might need to happen first to provide the needed federal money. If so, "it could change the timeline quite a bit, depending," said California Republican Rep. Jeff Denham, who leads the House Transportation Committee's rail subcommittee.

The air traffic control proposal that took center stage Monday at the White House is much further along, having been batted around in past administrations since the 1980s and more recently championed by House Transportation Chairman Bill Shuster (R-Pa.). Shuster sponsored a bill on the topic last year and has already held one hearing on the issue this spring.

But Shuster's previous bill got a rough reception in Congress just a year ago, failing to even make it to the House floor after lawmakers of both parties attacked it. It's unclear whether its fortunes will change because of Monday's endorsement from Trump, who outlined broad legislative "principles" for a bill that would split air traffic control away from the FAA and place it under a private, nonprofit corporation governed by a board that includes the airline industry.

While the event in the East Room resembled a bill signing and included members of Congress, the principles still need to win congressional approval — which is far from a sure thing.

Shuster's ideas had one thing going for them, however: Because of all his previous work, the administration could rely on a nearly ready-made proposal for Monday's rollout. That's one reason it went first.

"Part is because Chairman Shuster did a very good job in pulling together a package," Trump infrastructure adviser D.J. Gribbin said Monday when describing why the administration kicked off its infrastructure focus with air traffic control. "It seemed like naturally low-hanging fruit from a policy perspective. It also serves as a great template for how we think about infrastructure."

Privatizing the FAA's air traffic control operations may be an issue near and dear to Trump, who

owns his own fleet of planes and helicopters and has complained for decades about the noise of jets flying over his mansion in Palm Beach, Fla. But it isn't exactly the kind of infrastructure improvement that Trump talked about during the presidential campaign, when he called for a nationwide push to fix aging roads, bridges and airports.

"We have bridges that are falling down. ... We have many, many bridges that are in danger of falling," Trump said in August. "We're going to have to rebuild our infrastructure. We have no choice."

Trump returned to the theme during his election-night victory speech in November, pledging that "we're going to rebuild our infrastructure — which will become, by the way, second to none — and we will put millions of our people to work as we rebuild it."

The idea seemed for a while to have bipartisan appeal. The $1 trillion price tag "sounded good to me," Senate Minority Leader Chuck Schumer told ABC News in December.

But Democrats have increasingly soured on Trump's plan as the details became clearer — including the fact that the federal government would provide only a fifth of the money, while the rest would come from states, cities, counties and private investors. Trump's proposed 2018 budget would provide just $5 billion for the infrastructure initiative, while imposing sharp cuts on various existing transportation programs.

"When the president ran, he said it was about America First and creating jobs in America. He talked about infrastructure. The average person thinks roads, bridges, school, broadband, water delivery systems," said Rep. Mark Pocan of Wisconsin, a critic of Trump's plan who joined fellow liberal Democrats offering their own infrastructure proposal. "A very small part of it is going to be traditional infrastructure. And a lot of it is going to be the selling out of our roads and bridges to the private sector."

Shuster's air traffic control proposal is faring little better so far. House Minority Leader Nancy Pelosi called it "a tired Republican plan that both sides of the aisle have rejected." Rep. Peter DeFazio of Oregon has staunchly opposed it from his perch as top Democrat on the House Transportation Committee. Meanwhile, tax-writers from both parties have been lukewarm to the idea, and senior Republican appropriators like former Chairman Hal Rogers (R-Ky.) and Rep. Mario Diaz-Balart (R-Fla.), who oversees DOT spending, have outright opposed it.

At the same time, Trump's infrastructure ideas have had to overcome initial skepticism from conservative budget hawks.

A White House official huddled with representatives from more than a dozen conservative groups last week in a bid to sell them on the $1 trillion infrastructure plan. And while conservatives are warming to the proposal, they also acknowledge that an infrastructure bill could take a backseat to must-pass legislation.

"Infrastructure doesn't have a deadline attached to it, which makes it easier to push back to next year," said one official from a leading conservative group who has talked to the White House

about the proposal. "The longer this goes, there's certainly an intersection with the midterm elections."

White House Director of Legislative Affairs Marc Short told reporters Monday night that Trump's team has made "a lot of progress" on the president's agenda, citing efforts to overturn Obama administration regulations, and said the administration will focus on health care and tax reform throughout the summer and fall. Short declined to give a specific timeline for when Congress would take up an infrastructure bill, but he said he hoped lawmakers will "tackle" it this calendar year.

Short dismissed concerns that Trump's indignant tweeting distracts from the administration's agenda. "He may not have a conventional style in doing that, but many of his efforts are extremely helpful to us in getting our legislative agenda accomplished," he said. He added later that there's "no doubt" that the Russia investigations distracts lawmakers from Trump's policy agenda, but he said he didn't know how much.

As with health care, Trump could also face sharp differences of opinion between the House and Senate on infrastructure. Senate Environment and Public Works Chairman John Barrasso (R-Wyo.) said last month that he is striking out on his own, working on legislation within his own committee — and with Democrats.

"We are going to work with the White House, but we're not going to wait," he said.

Meanwhile, the infrastructure push continues.

On Wednesday, Trump will travel to Ohio and Kentucky for a speech that will focus on waterways and rural infrastructure, followed by a Thursday meeting in the White House with mayors and governors and a Friday address at DOT.

White House officials have dubbed this week "infrastructure week," part of a series of policy-themed weeks that the administration is expected to roll out in the coming months, including one focused on energy planned for late June that could include a trip to Louisiana to visit a liquefied natural gas export facility, administration officials said. But if past is precedent, it's very possible Trump could change the subject again with a series of indignant tweets or an offhand comment during a rally.

On infrastructure, which requires a sizable pot of money from the federal government regardless of how much private financing the administration expects to leverage, any tough votes on scrounging up that funding — like a gas tax increase or a fee based on miles driven — would ideally happen before members find themselves in campaign season again, LaHood said.

If "Congress doesn't really begin to start talking about the funding alternatives by the August recess, I think a lot of time has been lost and I think we're right back behind the curve again in terms of getting anything done," LaHood said.

"The tough votes need to be taken this year," he said.

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Perry to visit Trump Tower today Back

By Darius Dixon and Alex Isenstadt | 12/12/2016 09:53 AM EDT

Former Texas Gov. Rick Perry is making a previously unannounced trip to Trump Tower today, POLITICO has confirmed.

Perry is a leading candidate for Energy secretary, along with Democratic Sen. Joe Manchin, who is meeting with President-elect Donald Trump today, and Ray Washburne.

CBS first reported Perry's visit this morning.

Also visiting Trump Tower today is Rep. Cathy McMorris Rodgers (R-Wash.), the expected pick to become Interior secretary.

To view online click here.

Back

Trump's Commerce transition team pick championed clean energy, climate change Back

By Esther Whieldon | 11/21/2016 03:54 PM EDT

David Bohigian, who was named to President-elect Donald Trump's Commerce Department transition team today, once led the nation's international clean energy deployment efforts and advocated for reducing global greenhouse gas emissions.

Bohigian, managing director of investment advisory group Pluribus Ventures, was assistant secretary of Commerce from 2005 to 2009 and helped promote the Asia Pacific Partnership on Clean Development and Climate, a joint effort of the U.S. and six other major Asia-Pacific countries. Member countries worked together to address barriers and aid deployment of clean energy technologies that reduce greenhouse gas emissions.

In a January 2008 interview with China Daily, Bohigian said, "If China and the U.S. are not working together, the problems will only get worse with air and water pollution, and climate change. Our companies have the ability to work together closely with your companies."

He also said in the interview that clean energy should attract bipartisan support. "Republicans and Democrats seek to develop cleaner energy, and energy that doesn't have the same carbon

footprint that we've had in the past. It's important that we show cooperation in trade and on clean energy," he said.

After leaving Commerce, Bohigian went on to found E2 Capital Partners, which promoted energy efficiency business models. He later spent three years at hedge fund Bridgewater Associates.

To view online click here.

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Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 7/26/2017 12:55:04 PM
Subject: July 26 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

July 26, 2017 - Number 142

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Automobile and Light Truck Corporate Average Fuel Economy Standards
AIR

Notice announces the intention of the National Highway Traffic Safety Administration to prepare an environmental impact statement for proposed corporate average fuel economy standards for model years 2022-2025 passenger automobiles and light trucks. NHTSA intends to issue a proposed rule that would specify attribute-based standards for passenger cars and light trucks for each model year with vehicle footprint as the attribute. It also would establish specific fuel economy targets based on vehicle footprint. A draft EIS will be made available concurrently with the proposed rule. Comments are due Aug. 25, 2017. Contact: Ken Katz; NHTSA, Office of International Vehicle, Fuel Economy, and Consumer Standards; 202-366-4936; Ken.Katz@dot.gov. Citations: 49 CFR 531, 533

82 FR 34740 (07/26/2017)

Regulatory Update

AIR
Review of Primary NAAQS for NO2
AIR

Proposed rule of the EPA would retain the current primary NAAQS for nitrogen dioxide (NO2) as protective of public health with an adequate margin of safety. The rule would retain the one-hour standard of 100 parts per billion (ppb), based on the three-year average of the 98th percentile of the annual distribution of daily maximum one-hour concentrations. It also would retain the annual standard of 53 ppb, based on average annual concentrations. The rule is being proposed following review of the standards, as required under the CAA and under a federal court order which requires a final determination by April 6, 2018. The proposed rule is based on the assessment of the evidence in the integrated science assessment (81 FR 4910; 01/28/2016), analyses and considerations in the policy assessment (82 FR 17947; 04/14/2017), and the advice and recommendations of the Clean Air Scientific Advisory Committee. Hearing requests are due

Aug. 2, 2017. Comments are due Sept. 25, 2017. Contact: Breanna Alman; EPA, Office of Air Quality Planning and Standards; 919-541-2351; alman.breanna@epa.gov. Citations: 40 CFR 50

82 FR 34792 (07/26/2017)

Regulatory Update

ENDANGERED SPECIES
Alaska/Marine Mammals Incidental Take
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the receipt of a request from the City and Borough of Sitka, Alaska, for authorization to take five species of marine mammals incidental to pile driving and removal activities at the Gary Paxton Industrial Park dock in Sawmill Cove, Alaska. The authorization would allow take in the form of Level A and B harassment of the humpback whale, killer whale, harbor porpoise, Stellar sea lion, and harbor seal for 16 days from Oct. 1 through Dec. 31, 2017. Comments are due Aug. 25, 2017. Contact: Jaclyn Daly; NMFS, Office of Protected Resources; 301-427-8401

82 FR 34632 (07/26/2017)

Regulatory Update

FOOD SAFETY
Food Additive Petition/Calcium, Vitamin D3 in Juice Products
FOOD SAFETY

Notice of the FDA announces the filing of a food additive petition by the Juice Products Association, of Washington, D.C., to replace the current recommended daily intake percentage values of calcium in fruit juices and fruit juice drinks for vitamin D3 with absolute values and to update the specifications for vitamin D3. The changes would allow manufacturers of fruit juices and fruit juice drinks that are fortified with calcium to maintain the absolute level of added calcium at 330 milligrams and 130 mg, respectively. The FDA has determined that a categorical exclusion applies and neither an environmental assessment nor an environmental impact statement is required. Contact: Judith Kidwell; FDA, Center for Food Safety and Applied Nutrition; 240-402-1071. Citations: 21 CFR 172.380

82 FR 34615 (07/26/2017)

Regulatory Update

FOOD SAFETY
Food Additive Petition/Zinc-L-Selenomethionine, Silicon Dioxide
FOOD SAFETY

Notice of the FDA announces the filing of a food additive petition by Zinpro Corp., of Eden Prairie, Minn., to provide for the safe use of zinc-L-selenomethionine as a nutritional source of selenium in complete feed for laying hens and for the safe use of silicon dioxide as an anticaking agent for use with zinc-L-selenomethionine as a feed component. If the FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. Contact: Chelsea Trull; FDA, Center for Veterinary Medicine; 240-402-6729;

Chelsea.trull@fda.hhs.gov. Citations: 21 CFR 573

82 FR 34615 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Application for Issuance of Securities, Assumption of Liabilities
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the submission of a continuing information collection request to the OMB regarding the application for authorization for the issuance of securities or the assumption of liabilities (FERC-523). The collection addresses requirements for public utilities or licensees to receive commission approval to issue securities or assume an obligation or liability as guarantor, endorser, surety, or otherwise for a security. Comments are due Aug. 25, 2017. Contact: Ellen Brown; FERC; 202-502-8663; DataClearance@FERC.gov. Citations: 18 CFR 34, 131.43, 131.50

82 FR 34653 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
California/LauncherOne Launches
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Aviation Administration, Office of Commercial Space Transportation, announces the availability of the final environmental assessment and finding of no significant impact for issuing a license to LauncherOne LLC, of New York, to launch the LauncherOne rocket at the Mojave Air and Space Port, in Kern County, Calif. The proposed launch system consists of the rocket and a Boeing 747 to conduct a maximum number of 115 launches from 2017-2021, to transport small satellites into a variety of low Earth orbits. Contact: Daniel Czelusniak; FAA; 202-267-5924; Daniel.Czelusniak@faa.gov

82 FR 34737 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Consumer Antiseptic Wash Products
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a guidance for industry related to the Sept. 6, 2016, consumer antiseptic wash final rule (81 FR 61106), which specified that 19 active ingredients used in over-the-counter products are not generally recognized as safe and effective and are misbranded. The guidance explains the scope of the rule, describes how and when manufacturers must comply with its provisions, and addresses the significance of triclosan and triclocarban. The guidance also identifies active ingredients that were deferred from the rule and the effectiveness and safety criteria for those ingredients. Comments may be submitted at any time. Contact: Pranvera Ikonomi; FDA, Center for Drug Evaluation and Research; 240-402-0272. Citations: 21 CFR 310.545

82 FR 34680 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
EPA Science Advisory Board Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA Science Advisory Board Office announces a meeting of the Chartered SAB to conduct quality reviews of the SAB peer review of three draft reports. The reports address the toxicological review of hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX); economy-wide modeling of the benefits and costs of environmental regulation; and the EPA's framework for assessing biogenic carbon dioxide emissions from stationary sources. The meeting also will include briefings on SAB projects and future topics from the EPA. The meeting is scheduled for Aug. 29-30, 2017, in Arlington, Va. Comments are due Aug. 21, 2017. Contact: Thomas Carpenter; EPA, Science Advisory Board; 202-564-4885; carpenter.thomas@epa.gov

82 FR 34663 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Generic Drug User Fee Amendments of 2012
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a final guidance for industry regarding the Generic Drug User Fee Amendments of 2012. The guidance provides answers to common questions from generic drug industry participants and others involved in the development and/or testing of generic drug products. The guidance includes three categories of questions and answers, including self-identification of facilities, the review of generic drug submissions, and inspections and compliance. The FDA finalized related guidance on fees on Nov. 18, 2016 (81 FR 81774). Comments may be submitted at any time. Contact: Sonia Kim; FDA, Center for Drug Evaluation and Research; 240-402-5118

82 FR 34679 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Greenhouse Gas Emissions/ Production and Transport of Sugar Beets
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of its analysis of greenhouse gas emissions associated with production and transport of sugar beets as a feedstock for biofuel production. The analysis addresses scenarios in which noncellulosic beet sugar is extracted for conversion to biofuel and the remaining beet pulp coproduct is used as animal feed. The analysis also addresses trade restrictions between the U.S. and other countries. The EPA anticipates that biofuels produced from sugar beets could qualify as renewable fuel or advanced biofuel under certain circumstances and invites comment on the analysis of beet pulp and its effect on agricultural markets. Comments are due Aug. 25, 2017. Contact: Christopher Ramig; EPA, Office of Transportation and Air Quality; 202-564-1372; ramig.christopher@epa.gov

82 FR 34656 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Patient Engagement Advisory Committee
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Center for Devices and Radiological Health Patient Engagement Advisory Committee. The committee provides advice and recommendations to the FDA on complex issues relating to medical devices, the regulation of devices, and their use by patients. The agenda includes discussion of patient input into medical device clinical trials. The meeting is scheduled for Oct. 11-12, 2017, in Gaithersburg, Md. Comments are due Sept. 20, 2017. Contact: Letise Williams; FDA, Center for Devices and Radiological Health; 301-796-8398; Letise.Williams@fda.hhs.gov

82 FR 34681 (07/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Tennessee Valley Authority Regional Energy Resource Council Charter Renewal
GENERAL ENVIRONMENT AND SAFETY

Notice of the Tennessee Valley Authority announces the renewal of the charter of the Regional Energy Resource Council for two years beginning Aug. 1, 2017. The council provides advice to the TVA on its energy-related resource activities, which include the construction and operation of fossil-fueled power plants, nuclear plants, hydroelectric dams, and renewable resources; the development and management of demand-side resources; the design, construction, and operation of power delivery systems; and the integration of all of these energy resources into plans for meeting future demands for electricity in the region. Contact: Barbie Perdue; TVA; 865-632-6113; baperdue@tva.gov

82 FR 34734 (07/26/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
U.S. Postal Service/Mailing Standards for Lithium Batteries
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the U.S. Postal Service announces revisions to Publication 52 regarding mailing standards for hazardous, restricted, and perishable materials, including lithium batteries. The revisions add new mailing standards for lithium batteries to align with the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the Pipeline and Hazardous Materials Safety Administration final rule (82 FR 15796; 03/30/2017) to maintain consistency with international standards concerning packing groups and air transport quantity limitations. The revisions will be published in the Postal Bulletin on Aug. 17, 2017, and mailers will have until Jan. 1, 2018, to comply. Contact: Michelle Lassiter; USPS; 202-268-2914

82 FR 34712 (07/26/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
California/Sycamore Superfund Removal Site
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces a proposed settlement agreement under CERCLA with 953 N Sycamore LLC, of Camden, Del., regarding the Sycamore Superfund Removal Site in Hollywood, Calif. The agreement requires Sycamore to perform a removal action to clean up soil and soil gas contaminated with chlorinated volatile organic compounds, including tetrachloroethylene, trichloroethylene, and cis-1,2-dichloroethylene, and aromatic VOCs, including benzene, toluene, and xylene, resulting from historical dry cleaning operations at the site. The agreement also requires Sycamore to pay the EPA's costs for oversight of the removal activities. Comments are due Aug. 25, 2017. Contact: Taly Jolish; EPA Region 9, Office of Regional Counsel; 415-972-3925; Jolish.Taly@epa.gov

82 FR 34655 (07/26/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Florida/Coronet Industries Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces a proposed settlement agreement under CERCLA with CEMEX Construction Materials Florida LLC, of West Palm Beach, Fla., and Hexion Inc., of Columbus, Ohio, regarding the Coronet Industries Superfund site in Plant City, Fla. The settlement addresses the recovery of costs for EPA response actions at the site. Comments are due Aug. 25, 2017. Contact: Paula Painter; EPA Region 4, Superfund Division; 404-562-8887; Painter.Paula@epa.gov

82 FR 34655 (07/26/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
International Standards on Transport of Dangerous Goods
HAZARDOUS WASTE MANAGEMENT

Notice of PHMSA requests comments on issues being considered during the 51st and 52nd sessions of the UN Subcommittee of Experts on the Transport of Dangerous Goods, to be held July 3-7 and Nov. 27-Dec. 6, 2017, in Geneva. The sessions will address explosives; listing, classification and packing; electric storage systems; transport of gases; global harmonization of transport of dangerous goods regulations with the model regulations and amendments to the model regulations; guiding principles for the model regulations; cooperation with the International Atomic Energy Agency; and issues relating to the Globally Harmonized System of Classification and Labeling of Chemicals. Comments are due Nov. 17, 2017. Contact: Steven Webb; PHMSA, Office of Hazardous Materials Safety; 202-366-8553

82 FR 34745 (07/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Certification and Qualification to Examine, Test, Operate Hoists in Mines
OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Mine Safety and Health Administration to seek OMB approval for a continuing information collection request concerning certification and qualification to examine, test, and operate hoists and perform other duties. The collection addresses requirements for coal mine operators to maintain a list of persons who are certified and/or qualified to perform duties such as conduct examinations for hazardous conditions, conduct tests for methane and oxygen deficiency, conduct tests of air flow, perform electrical work, repair energized surface high-voltage lines, and perform duties of hoisting engineer. The collection also addresses mine operator maintenance of an approved training plan to train and retrain qualified and certified persons to effectively perform tasks and the application for qualification or certification of a training plan for hoisting engineers in the absence of a state program (Form 5000-41). Comments are due Sept. 25, 2017. Contact: Sheila McConnell; MSHA, Office of Standards, Regulations, and Variances; 202-693-9440; MSHA.information.collections@dol.gov. Citations: 30 CFR 75, 77

82 FR 34698 (07/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Petitions for Modification of Mine Safety Standards
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the receipt of three petitions to modify the application of existing mandatory safety standards. Peabody Gateway North Mining LLC, of Coulterville, Ill. requests modification of standards to allow the use of nonpermissible electronic testing equipment in two locations at the Gateway North Mine in Randolph County, Ill. Marion County Coal Co., of Mertz, W.Va., requests modification of standards that require the operation and maintenance of barriers around surface directional drilled wells to allow for the use of a proposed alternative. Comments are due Aug. 25, 2017. Contact: Barbara Barron; MSHA, Office of Standards, Regulations, and Variances; 202-693-9447; barron.barbara@dol.gov. Citations: 30 CFR 75.500(d), 30 CFR 75.507-1(a), 30 CFR 75.1700

82 FR 34701 (07/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Petitions for Modification of Mine Safety Standards
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the receipt of two petitions to modify the application of existing mandatory safety standards. Texas Westmoreland Coal Co., of

Jewett, Texas, requests modification of the standard for use of a special procedure when the dragline boom/mast is raised or lowered during necessary repairs/dismantling. Martin Marietta Materials, of Des Moines, Iowa, requests modification of the existing standard to permit an alternative method of compliance to permit use of bottled water in refuge areas instead of waterlines. Comments are due Aug. 25, 2017. Contact: Barbara Barron; MSHA, Office of Standards, Regulations and Variances; 202-693-9447; barron.barbara@dol.gov. Citations: 30 CFR 57.11052 and 77.803

82 FR 34699 (07/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Pharmacy Compounding/Test Protocol for Closed System Transfer Devices
OCCUPATIONAL SAFETY AND HEALTH

Notice of the National Institute for Occupational Safety and Health announces an extension of the comment period for a Sept. 15, 2016, notice (81 FR 63482) regarding a draft universal performance test protocol for closed system drug-transfer devices used during pharmacy compounding and administration of hazardous drugs. The additional time is intended to allow companies to test the protocol with the proposed challenge agents. Comments now are due Feb. 28, 2018. Contact: Deborah Hirst; NIOSH, Division of Applied Research and Technology; 513-841-4141; DHirst@cdc.gov

82 FR 34674 (07/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Standard on Manlifts
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the submission of a continuing information collection request to the OMB regarding the standard on manlifts. The collection concerns requirements for manlifts to be inspected at least once every 30 days and for limit switches to be checked weekly. The collection also addresses requirements for certification records of inspection to be prepared and for employers to maintain certification records and make them available to OSHA compliance officers. Comments are due Aug. 25, 2017. Contact: Michael Smyth; OSHA; 202-693-4129; DOL_PRA_PUBLIC@dol.gov. Citations: 29 CFR 1910.68

82 FR 34697 (07/26/2017)

Regulatory Update

PESTICIDES
Pesticide Product Registrations/New Active Ingredients
PESTICIDES

Notice of the EPA announces the receipt of four applications to register pesticide products containing active ingredients not included in any currently registered products. The applications were submitted by FMC Corp., of Philadelphia, and include active ingredients intended for

various uses. Comments are due Aug. 25, 2017. Contact: Robert McNally; EPA, Office of Pesticide Programs; 703-305-7090; BPPDFRNotices@epa.gov

82 FR 34666 (07/26/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerance Petitions
PESTICIDES

Notice of the EPA announces the receipt of initial filings of petitions to establish new and amended tolerances and exemptions for residues of certain pesticides in or on various food commodities. The notice includes nine filings for new and amended tolerances and tolerance exemptions for inerts and noninerts. Comments are due Aug. 25, 2017. Contact: Robert McNally; EPA, Office of Pesticide Programs; 703-305-7090; BPPDFRNotices@epa.gov. Citations: 40 CFR 180

82 FR 34664 (07/26/2017)

Regulatory Update

TOXIC SUBSTANCES AND HAZARDOUS MATERIALS
NCEH/ATSDR Board of Scientific Counselors Meeting
TOXIC SUBSTANCES AND HAZARDOUS MATERIALS

Notice of the National Center for Environmental Health/Agency for Toxic Substances and Disease Registry (NCEH/ATSDR) announces a meeting of the Board of Scientific Counselors. The agenda addresses noise-induced hearing loss, the Flint Registry, program responses to the board's guidance and action items, the status of blood lead level reference value updates, and legislative requirements of the new Lead Exposure Poisoning Federal Advisory Committee. The agenda also includes updates concerning the amyotrophic lateral sclerosis, lead poisoning prevention, and environmental health tracking programs. In addition, the agenda includes updates from the center's director and from the NIH, the EPA, the National Institute for Occupational Safety and Health, and the Energy Department. The meeting is scheduled for Sept. 13-14, 2017, in Atlanta and via teleconference. Contact: Shirley Little; CDC, NCEH/ATSDR; 770-488-0577; sn17@cdc.gov

82 FR 34674 (07/26/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Projects Approved for Consumptive Water Uses
WATER

Notice of the Susquehanna River Basin Commission announces a list of projects approved for consumptive use of water during the period June 1-30, 2017. The notice addresses 13 projects approved for consumptive use, including uses related to unconventional natural gas and other hydrocarbon development. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net. Citations: 18 CFR 806.22

82 FR 34733 (07/26/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Projects Rescinded for Consumptive Uses of Water
WATER

Notice of the Susquehanna River Basin Commission lists the projects rescinded for the consumptive use of water during the period June 1-30, 2017. The list includes five projects at various locations in Pennsylvania. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net. Citations: 18 CFR 806.22

82 FR 34734 (07/26/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/18/2017 5:04:35 PM
Subject: BREAKING NEWS: Trump says he plans to 'let Obamacare fail'

President Donald Trump said Tuesday that he plans to "let Obamacare fail," saying Democrats would be willing to work with Republicans on replacing it after it crashes.

"I think we're probably in that position where we'll just let Obamacare fail. We're not gonna own it. I'm not gonna own it," Trump told reporters. "We'll let Obamacare fail and then Democrats are going to come to us."

Read more: http://politi.co/2veJ7q7

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 7/27/2017 3:33:29 PM
Subject: BREAKING NEWS: Joint Chiefs to troops: 'No modification' to transgender policy

There will be "no modifications" to the military's transgender policy as a result of President Donald Trump's tweets, the chairman of the joint chiefs said in a message to top military officers on Thursday.

Marine Gen. Joe Dunford wrote in the message to the chiefs of the services and senior enlisted leaders that the military will continue to "treat all of our personnel with respect."

"I know there are questions about yesterday's announcement on the transgender policy by the President," Dunford wrote in the message, a copy of which was provided to POLITICO. "There will be no modifications to the current policy until the President's direction has been received by the Secretary of Defense and the Secretary has issued implementation guidance."

"In the meantime, we will continue to treat all of our personnel with respect. As importantly, given the current fight and the challenges we face, we will all remain focused on accomplishing our assigned missions," he continued.

The president said Wednesday in a series of three tweets that transgender troops would no longer be allowed to serve in any capacity, sparking a number of questions about what that means for the thousands currently in uniform and whether it constitutes an official policy change.

Asked about an implementation plan, the Defense Department on Wednesday directed all questions to the White House.

The tweets sparked immediate blow back from lawmakers in both parties and advocacy groups who threatened legal action.

Read more: http://www.politico.com/story/2017/07/27/trump-transgender-military-ban-no-modification-241029

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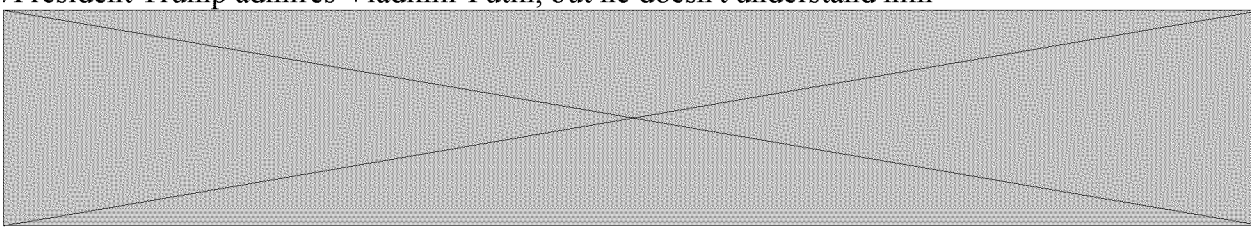
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Wed 7/12/2017 10:13:15 AM
Subject: AEI Today: President Trump admires Vladimir Putin, but he doesn't understand him

. President Trump admires Vladimir Putin, but he doesn't understand him



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

President Trump admires Vladimir Putin, but he doesn't understand him

Leon Aron | Politico

American presidents have been getting Russia wrong for years, but last Friday was different. President Trump made many mistakes during his summit with Vladimir Putin, beginning by saying it was an "honor" to meet with the Russian strongman. But the most disheartening takeaway is that, like predecessors Barack Obama and John Kerry, President Trump and his secretary of state fundamentally do not understand the man they're dealing with.

Reuters

The Fed is trying to remove the punch bowl. Easier said than done.

Desmond Lachman | The Hill

Last week's Federal Open Market Committee minutes leave little doubt the Fed is planning to start trying to unwind its massively bloated balance sheet soon. But it's doubtful the Fed will get far in these efforts, given the size of the market bubbles the Fed created when it expanded its balance sheet in the first place. The moral of the story is that the Fed should think twice before resorting again to highly unorthodox monetary policies as it has during the past eight years.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 10/6/2017 8:06:46 PM
Subject: Oct. 6 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Trump Seen Replacing Obama Power Plant Overhaul with a Tune Up

Posted October 06, 2017, 01:47 P.M. ET

By Jennifer A. Dlouhy

President Barack Obama's signature plan to reduce carbon dioxide emissions from electrical generation took years to develop and touched every aspect of power production and use, from smokestacks to home insulation.

The Trump administration is moving to scrap that plan and has signaled that any alternative it might adopt would take a much less expansive approach, possibly just telling utilities to operate their plants more efficiently.

That's a strategy environmentalists say is almost certain to fall short of what's needed.

The benefit of the Clean Power Plan "is that it enabled states to create programs and enabled companies to find a reduction strategy that was the most efficient and made the most sense for their own content," said Kathryn Zyla, deputy director of the Georgetown Climate Center. "And that flexibility was really important for the states and companies."

President Donald Trump promised to rip up the Obama-era Clean Power Plan, which mandated that states change their overall power mix, displacing coal-fired electricity with that from wind, solar and natural gas. The EPA is about to make it official, arguing the prior administration violated the Clean Air Act by requiring those broad changes to the electricity sector, according to a draft obtained by Bloomberg.

Possible Replacements

Later, the agency will also ask the public to weigh in on a possible replacements. The administration will ask whether the EPA can or should develop a replacement rule—and, if so, what actions can be mandated at individual power plants.

Such changes—such as adding automation or replacing worn turbine seals—would yield at most a 6 percent gain in efficiency, along with a corresponding fall in greenhouse gas emissions, according to earlier modeling by the Environmental Protection Agency and other analysts. That compares to the 32 percent drop in emissions by 2030 under Obama's Clean Power Plan.

"In these existing plants, there's only so many places to look for savings," said John Larsen, a director of the Rhodium Group, a research firm. "There's only so many opportunities within a big spinning machine like that."

EPA Administrator Scott Pruitt outlined such an "inside-the-fence-line" approach in 2014, when he served as Oklahoma's attorney general. Under his blueprint, states would set emissions standards after a detailed unit-by-unit analysis, looking at what reductions are possible given "the engineering limits of each facility."

Inside-the-Fence Options

The EPA has not decided whether it will promulgate a new rule at all. In a forthcoming advanced notice of proposed rulemaking, the EPA will ask "what inside-the-fence-line options are legal, feasible and appropriate," according to a document obtained by Bloomberg.

Increased efficiency at a coal plant—known as heat-rate improvement—translates into fewer carbon dioxide emissions per unit of electric power generated.

Under Obama, the EPA envisioned utilities would make some straightforward efficiency improvements at coal-fired power plants as the first step to comply with the Clean Power Plan. But that was expected to coincide with bigger, broader changes—such as using more cleaner-burning natural gas, adding more renewable power projects and simply encouraging customers to do a better job turning down their thermostats and turning off their lights.

Obama's EPA didn't ask utilities to wring every ounce of efficiency they could out of coal-fired power plants because they saw the other options as cheaper. A plant-specific approach "would be grossly insufficient to address the public health and environmental impacts from CO2 emissions," Obama's EPA said.

That approach might yield modest emissions reductions and, in a perverse twist, might event have the opposite effect. If utilities make coal plants more efficient -- thereby driving down operating costs they also make them more competitive with natural gas and renewables, "so they might run more and pollute more," said Conrad Schneider, advocacy director for the Clean Air Task Force.

In a competitive market, any improvement in emissions produced for each unit of energy could be overwhelmed by an increase in electrical output.

"A very minor heat rate improvement program would very likely result in increased emissions," Schneider said. "It might be worse than nothing."

Power companies want to get as much electricity as possible from every pound of coal, so they already have an incentive to keep efficiency high, said Jeff Holmstead, a former assistant EPA administrator now at Bracewell LLP. But an EPA regulation known as "new source review" has discouraged some from making those changes, for fear of triggering other pollution-control requirements, he said.

Modest Impact

"If EPA's replacement rule allows companies to improve efficiency without triggering new source review, it would make a real difference in terms of reducing carbon-dioxide emissions," Holmstead said.

A plant-specific approach doesn't have to mean modest impact.

"If you're thinking about what can be done at the power plants by themselves, you don't stop at efficiency tune-ups," said David Doniger, director of the Natural Resources Defense Council's climate and clean air program. "You look at things like switching to natural gas or installing carbon capture and storage."

Requirements that facilities use carbon capture technology or swap in natural gas for coal could actually come close to hitting the same goals as in Obama's Clean Power Plan—if not go even further, Schneider said. They just would cost more.

Some utilities, including Houston-based Calpine Corp., PG&E Corp. and Dominion Resources Inc., backed the Obama-era approach. And they are still pushing the Trump administration to be creative now.

"The Clean Power Plan achieved a thoughtful, balanced approach that gave companies and states considerable flexibility on how best to pursue that goal," said Melissa Lavinson, vice president of federal affairs and policy for PG&E's Pacific Gas and Electric utility. "We look forward to working with the administration to devise an alternative plan for decarbonizing the U.S. economy through regulations that recognize the changing dynamics of the electric power sector, including new sources of low-carbon energy."

—With assistance from Mark Chediak.

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Trump Quietly Stalls Safeguards for Dozens of Endangered Species

Posted October 06, 2017, 8:13 A.M. ET

By Alan Levin

The Trump administration has quietly withdrawn dozens of pending actions to protect endangered species ranging from the green sea turtle to plants in the Florida Everglades, something conservationists say may violate federal law requiring the government to act.

The pending rules were mostly withdrawn in March and April. But environmental groups and others didn't know about the action because the administration only noted it in passing in a broader posting from the White House on the status of regulations.

The U.S. Fish and Wildlife Service, which oversees U.S. policy on plants and animals in danger of extinction, withdrew a total of at least 42 pending regulatory actions pertaining to endangered species, many of which detailed how to protect animals or plants already deemed to be in peril, according to Office of Management and Budget data compiled by Bloomberg. The actions pertain to such species as the yellow-billed cuckoo and Miami tiger beetle, along with bats, salamanders and fish.

The Center for Biological Diversity, which has filed multiple lawsuits against the government seeking stronger protections for endangered species, wasn't aware the rules were withdrawn until asked about it by Bloomberg, said Noah Greenwald, who directs the group's efforts on the issue.

"They are required by law to issue these," Greenwald said. "If they are taking them off the schedule, they are in violation of the law and they are also putting species at risk of extinction. I think it's totally unacceptable."

The Fish and Wildlife Service took the action because it "reflects our anticipated workflow at this time," according to an emailed statement from its parent agency, the Department of Interior. The department is assessing possible additional actions on the endangered species list, according to the statement.

"Withdrawing a rule simply means the agency is focusing its resources on other priorities for the coming 12-month period," it said in the statement.

In comments last July, OMB Director Mick Mulvaney characterized the more than 400 pending rules withdrawn by the administration as the beginning of President Donald Trump's effort to cut regulations, which he views as a burden on business that slows hiring and imposes economic costs on the nation. He said they were part of a pool "that we got rid of."

Separately, the Fish and Wildlife Service drew criticism from environmental groups earlier this week when it declined to list 25 species, including the Pacific walrus, as endangered.

The withdrawn endangered species regulations, along with hundreds of other pending rules at other agencies, were included in the OMB's so-called Unified Agenda, the twice-a-year listing of all pending regulatory actions released in July. The Fish and Wildlife Service didn't issue a press release on its decision or notify groups that had an interest in the issues.

Such notice isn't required if work is halted on a pending regulation, the agency said.

Shelving the actions on endangered species is a reversal of the agency's plans for the year. In a "workplan" posted on its website, the Fish and Wildlife Service said it would complete many of the pending regulations it halted.

Intensely Controversial

Rules to protect endangered species have been controversial, frequently plagued by delays and subject to litigation. Pro-development groups, including oil drillers and home builders, have charged that the Endangered Species Act unnecessarily puts a stranglehold on economic development.

Wyoming Sen. John Barrasso (R), who chairs the Senate Environment and Public Works Committee, is shepherding legislation to overhaul the act. "I think the Endangered Species Act has really been hijacked in ways that doesn't focus on the species," Barrasso said.

One of the withdrawn rules, which would have protected two rare garter snakes in Arizona, illustrates what's at stake and the potential legal pitfalls for Fish and Wildlife Service.

In 2014, the agency found that the snakes were endangered. U.S. law requires that a second regulatory action be taken within one year that identifies the areas that are home to the species so it

can be protected, it said in the Federal Register.

But the habitat area was never completed under the previous administration of President Barack Obama. Now, with the pending rule being withdrawn, it will be delayed for at least another year.

In its workplan, the agency said it had planned to finalize 20 such habitats this year. They include protections for endangered sea turtles, bats, salamanders and fish. Sixteen of them were withdrawn this year, the records show.

"It is troubling to see the administration withdrawing scores of regulations that are required by law with little to no justification," said Amit Narang, regulatory policy advocate for the consumer advocacy group Public Citizen. "It adds to a pattern we're seeing of this administration taking legally dubious actions in order to fast-track deregulation."

—With assistance from Ari Natter.

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Luminant Coal Plant to Close Despite EPA Easing Haze Rule

Posted October 06, 2017, 12:15 P.M. ET

By Nushin Huq

A Luminant coal-fired power plant in Texas will retire even though the EPA eased emissions rules for it and seven other coal plants in the state. Luminant, a subsidiary of Vistra Energy, will retire its Monticello plant in January 2018, the company said Oct. 6. The announcement came a week after the Environmental Protection Agency issued its final rules to address haze pollution in Texas. The rules allow the plants to participate in a new intrastate pollution trading program rather than install costly emission controls.

In the end, continued falling wholesale electricity prices forced the company to retire the plant, the company said.

"The decision to retire the plant was based on economics, not pending or current federal regulation," Allan Koenig, a Vistra Energy spokesman, told Bloomberg BNA via email.

The company spent a year in a structured process to identify improvement opportunities across its plants and mines, Koenig said. The company tried several measures over the last few years to sustain the plant's life.

But as wholesale power prices have continued to decline, the economics of the plant no longer make it a viable option, Koenig said.

Notice Triggers Review

Once Monticello retires, about 1,800 megawatts of power will be taken offline, Luminant said in a statement.

As part of the retirement process, Luminant filed a notice with the Electric Reliability Council of Texas, the state's electric grid operator.

The notice triggers a reliability review. If ERCOT determines the units are not needed for reliability following a 60-day review, the company plans to stop plant operations on Jan. 4, 2018.

The company will decommission the plant in accordance with all federal and state regulations, the company said. It also will continue ongoing reclamation works at the plant's mines, which ceased active operations in the spring of 2016.

Luminant estimates that Monticello's retirement would impact about 200 employees.

Expensive Controls

The original federal proposal for the Texas Regional Haze Rule, issued in the final days of the Obama administration, would require Texas power plants to install new pollution controls in order to improve visibility in nearby national parks, including the Big Bend and Guadalupe Mountains national parks. Luminant Generation Co. LLC projected the proposal would require utilities to spend more than $3 billion on emissions controls.

Luminant as well as other utilities and the state of Texas sued the EPA over the rule. The state argued that the requirement to install the costly sulfur dioxide controls would force the plants to retire and affect power reliability in the state. The U.S. Court of Appeals for the Fifth Circuit stayed the rule (Texas v. EPA, 5th Cir., no. 16-60118, 12/19/16).

In addition to Monticello, other Luminant plants affected by the rule are Big Brown, Martin Lake and Sandow. The other coal-fired power plants under the rule are owned by Xcel Energy, Dynegy, and NRG.

On Sept. 30, the EPA signed a final rule that allowed the eight plants to join an air pollution trading program instead of installing expensive sulfur dioxide controls.

Market Pressure

EPA's more flexible regulations may not be enough to save coal plants from retirement. Market pressure from renewables still will likely force some Texas plants to shutter, according to Rob Whaley, an analyst with the consulting firm Wood Mackenzie who focuses on ERCOT.

"The ERCOT market, with all the wind generation coming on, is really suppressing prices and making it really hard for these baseload units to make money," Whaley told Bloomberg BNA in an interview before EPA's final rules were issued.

Wind generation accounted for nearly 23 percent of ERCOT's power generation in the first quarter of 2017. That level marked the highest quarterly wind penetration in ERCOT's history and highlighted the market challenges facing the coal industry in Texas.

With less costly rules, some of the Luminant plants may be economical, but some may still have to retire, Whaley said.

'Unstoppable Shift'

The retirement of Monticello is evidence of an "unstoppable shift away from dirty coal plants and toward clean energy," the Sierra Club said in a statement.

"Clean energy like wind and solar is rapidly replacing uneconomical, dirty coal plants across the country as America transitions to a clean energy economy," Bruce Nilles, director of Sierra Club's Beyond Coal Campaign, said in a statement.

The group said Monticello is the 11th coal plant retired in 2017 and the 10th since President Donald Trump took office.

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P. Bloomberg BNA is an affiliate of Bloomberg L.P.

Storm-Hit Puerto Rico Tweets Offer @Elon to Prove Battery Tech

Posted October 06, 2017, 8:14 A.M. ET

By Perry Williams and Dana Hull

The government of storm-battered Puerto Rico has taken to Twitter to engage Tesla Inc.'s Elon Musk to show off his company's battery technology.

"Let's talk," Governor Ricardo Rossello tweeted at Musk. "Do you want to show the world the power and scalability of your #TeslaTechnologies? PR could be that flagship project."

This isn't the first time Musk has been approached via social media to demonstrate Tesla's power-storage tech. Earlier this year, a bet wagered via Twitter resulted in Musk promising to install the world's biggest battery project within 100 days or it's free. He said Sept. 29 in South Australia that the project is on-track to beat its own deadline.

"I fully support this!," Glorimar Ripoll, Puerto Rico's chief innovation officer, wrote on Twitter. "Let's build the Puerto Rico we all want through innovation #letstalk."

Tesla said last week that it's sending Puerto Rico hundreds of its Powerwall battery systems, which can be paired with solar panels. The U.S. solar industry is also about to airlift rooftop panels and batteries in an effort to help the island territory, where more than 90 percent of homes and businesses remain without electricity after Hurricane Maria destroyed the grid.

"The Tesla team has done this for many smaller islands around the world, but there is no scalability limit, so it can be done for Puerto Rico too," Musk wrote in a post before Rossello's tweet.

—With assistance from Steven T. Dennis and Brian Eckhouse.

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Solar's Courting Puerto Rico, and the Ravaged Island Is All Ears

Posted October 06, 2017, 9:09 A.M. ET

By Mark Chediak and Brian Eckhouse

The U.S. solar industry is about to airlift rooftop panels and batteries to Puerto Rico, where more

than 90 percent of homes and businesses remain without electricity after Hurricane Maria destroyed the grid. The first plane full of supplies is set to leave this week.

It's primarily a humanitarian effort, according to the Solar Energy Industries Association. But it's also a chance for the industry to showcase what it can offer that conventional power plants and grids can't: an energy source capable of weathering natural disasters. And Puerto Rico Governor Ricardo Rossello, leader of an island wrecked by back-to-back storms, is all ears.

After Elon Musk suggested on Twitter Oct. 5 that Tesla Inc. could rebuild Puerto Rico's electricity system with solar panels and batteries, Rossello responded: "Let's talk."

Renewable-energy advocates have wasted no time in promoting solar and batteries as a solution for regions wrecked by hurricanes Irma and Maria. Tesla Inc. said it would send hundreds of battery systems to Puerto Rico that could be paired with rooftop panels.

Edward Fenster, chairman of solar-panel provider Sunrun Inc. said it's also looking to help in restoration efforts. The storms knocked out power to millions of utility customers who depend largely on fossil-fuel plants and long-distance transmission lines for service. Some in Puerto Rico may be in the dark for as long as a year as the grid's repaired.

"We build solar panels to withstand 150-mile-an-hour winds—if the roof stays on your house, the solar panels stay on your roof," Sunrun's Fenster said in an interview at Bloomberg's San Francisco office Oct. 5. "And batteries are real-life safety equipment. From a broad perspective, solar and storage can strengthen grids everywhere."

Solar's proposition is proving an attractive choice for an island facing the daunting task of rebuilding a system from the ground up. It could take six months to a year before power is restored across the entire island, the U.S. Army Corps of Engineers in Puerto Rico said, citing initial forecasts.

"What's the smartest way to rebuild?" asked Abigail Ross Hopper, president of the Solar Energy Industries Association. "Do you recreate the infrastructure that existed and could be devastated in a storm, or do you balance a resilient system like solar plus storage that can better weather storms?"

Energy Storage

The supplies U.S. solar companies are sending to help with the hurricane response is a testament to how crucial energy storage has become to their business. Solar customers are looking for affordable ways to keep the lights on even when the sun's not shining—and lithium-ion battery pack prices fell 73 percent from 2010 to 2016, based on Bloomberg New Energy Finance estimates.

While such a combination may look increasingly appealing for regions like the Caribbean islands hit hard by the hurricanes, "the question is whether you can do it affordably," said Ethan Zindler, an analyst with Bloomberg New Energy Finance in Washington.

According to the Rocky Mountain Institute, a nonprofit group that promotes clean energy, it would cost roughly $250 million to build about 90 megawatts of solar and storage across a chain of Caribbean islands. That's enough to power an estimated 15,000 U.S. homes. While it may be sufficient for islands like the Turks and Caicos, more than a million households live in storm-battered and debt-ridden Puerto Rico alone.

Aid to Rebuild

"Certainly there's an opportunity here, with the potential for positives in Puerto Rico probably much larger than the potential total revenue," Zindler said. "There are sales potentially to be had," he said, but that assumes Puerto Rico gets the aid it needs to rebuild.

Meanwhile, the solar association has packed more than $1 million of donated gear onto airplanes. It's working with disaster-relief groups and other trade organizations to get the equipment where it's needed and to help raise money for the recovery efforts.

"We're trying to connect people with each other," said Hopper, the trade group's president. "Our customers have products that can make a huge difference in people's lives."

--With assistance from Ezra Fieser.

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FERC's Powelson Walks Back Comments About Perry's Pricing Rule

Posted October 06, 2017, 01:56 P.M. ET

By Catherine Traywick

Robert Powelson, the newest member of the agency that oversees U.S. power markets, Oct. 6 walked back a day-old threat to quit before supporting U.S. Energy Secretary Rick Perry's proposal to shore up nuclear plants.

Powelson, speaking at an industry event Oct. 5, said that he would quit before supporting a Federal Energy Regulatory Commission rule that would "blow up" markets.

"When that happens, we're done. I'm done; I don't need this job," he said.

The next day, Powelson reiterated support for competitive markets at the same time he eased back on the threat.

"I think everyone who knows me and who has worked with me fully understands my steadfast commitment to competitive markets," he said in an email. "In the context of the DOE request, I made it very clear that we are reviewing it and will take the necessary time to look at some of the issues facing baseload resources in the markets."

Perry last week directed the agency to craft regulation enabling certain coal and nuclear plants to recover their costs, a move that critics have cautioned could upend markets.

On Oct. 6, Powelson said that FERC should look to the work of PJM Interconnection LLC, the largest U.S. grid operator, as the commission evaluates Perry's proposal. PJM has asked the agency to change the way it sets prices and recognize the contributions of baseload plants, such as coal and nuclear. PJM's plan would be much narrower in scope than Perry's.

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Canada Aligns Small Engine Emissions Rules with U.S.

Posted October 06, 2017, 11:29 A.M. ET

By Peter Menyasz

Canada wants to make it easier for lawnmower and other small engine manufacturers to sell their products in the U.S. so it's giving the industry an extra year to meet new air pollution requirements.

Delaying the new pollution standards for small engines until the 2019 model year will allow manufacturers such as Ariens Co., Husqvarna AB, MTD Products Inc., Briggs and Stratton Corp., and Toro Co. to bring their products into compliance with the new requirements, Environment and Climate Change Canada said Oct. 4. The standards were originally planned to take effect for model year 2018 engines.

Other changes to the requirements, which manufacturers had sought, align Canada's labeling requirements with those in the U.S.

"The rule looks to provide a clear path for manufacturers to concurrently sell products in the U.S. and Canada under an EPA certification," Kris Kiser, president and chief executive officer of the Outdoor Power Equipment Institute, which represents more than 100 power equipment, engine and utility vehicle manufacturers, told Bloomberg BNA in an email. Kiser said Canada's regulations should serve as a model for other countries considering similar requirements.

Lawn and Garden Products

The new standards apply to lawn and garden products such as hedge trimmers, lawn mowers, leaf blowers, and snow blowers as well as to small generators, chainsaws, and generators.

When fully implemented, the rules are expected to reduce pollutant emissions from small engines by 58,000 metric tons of volatile organic compounds and 20,000 metric tons of nitrogen oxides between 2019 and 2032, the department said.

Benefits are expected to total C$153 million to 253 million ($122 million to 201 million) over that period, while costs are expected to total C$91 million ($72 million), including increased engine and testing costs and government compliance promotion and enforcement activities, it said.

While many of the 1.5 million to 2 million small gas engines that enter Canada each year already meet U.S. requirements, further aligning the two countries' regulations will prevent less expensive engines with higher pollution emissions from entering Canada, Environment and Climate Change Canada said.

Companies' Burning of Spilled Oil, Composting Sewage Now OK in Brazil

Posted October 06, 2017, 12:01 P.M. ET

By Michael Kepp

Companies will be allowed to do controlled burns of significant oil slicks far offshore if other methods of cleaning them up have failed under one of two resolutions by Brazil's National Environmental Council (CONAMA) now in effect.

The other resolution will allow sewage treatment operators to convert residual sludge into compost.

Neither activity had been permitted before because the council, a public-private, policy-making body headed by the Environment Ministry, had not regulated them.

The resolution on controlled burning (No. 482) only allows the technique if chemical dispersants that break up oil from oceanic spills and the use of skimmers to collect contained oil from slicks prove ineffective.

Controlled burning is also only allowed when the spill is "nationally significant," requiring the use of a national contingency plan to clean it up; has "expressive volumes" of oil equivalent of at least 1,600 cubic meters (422.7 gallons) per day continue to be spilled; or has the potential to migrate to environmentally-sensitive areas.

No burning will be allowed if the slick is within a nautical mile (1.15 miles) from the coast or nearby islands or three nautical miles from coral reefs. Companies responsible for the spill are required to notify state officials and stop the burning if evidence shows that the resulting smoke could affect coastal areas.

Burning the Midnight Oil

Robson Jose Calixto de Lima, environmental analyst at Brazil's Environment Ministry, told Bloomberg BNA Aug. 30 the resolution comes in response to the 2010 Macondo spill in the Gulf of Mexico and is an effort to modernize Brazil's oil spill cleanup techniques and make them more efficient.

The BP-operated Macondo well exploded in April 2010, killing 11 workers and spewing an estimated 4.9 million barrels of oil into the Gulf of Mexico.

Daniel Ribeiro, the emergency response manager for Shell Brasil, which operates two offshore oil production platforms in Brazil, told Bloomberg BNA Aug. 31 that the resolution provides an important new tool for cleaning up spills.

"It's a tool that is most effective when big concentrations of oil have been spilled and when the weather is calm, making the slick easier to ignite. At Macondo, controlled burning was responsible for 5 percent of the oil cleaned up," he said.

Brazil's state oil company Petrobras told Bloomberg BNA in a Sept. 1 statement that the technique was a good option "for responding, in exceptional cases, to major offshore oil spills far from the coast" but would not be the preferred solution. Rather, it would be considered on a case-by-case basis.

Composting to Save Money

The other CONAMA resolution (No. 481) allows sewage sludge, a byproduct of wastewater treatment—to be turned into compost. The decomposed organic matter can be recycled as fertilizer and a soil additive.

The resolution bars composting sludge that is the byproduct of waste from health facilities, airports, ports, or companies whose treated organic waste is classified as dangerous.

"This CONAMA resolution is important because being able to turn sewage sludge into compost will

allow water-and-waste treatment companies to reduce costs because they no longer have to pay for disposing sludge in landfills," Carlos Bocuhy, a member of CONAMA and president of the Brazilian Institute for Environmental Protection, an environmental group that focuses on industrial pollution, told Bloomberg BNA Aug. 31. He lamented, however, that the resolution doesn't deal with how to treat and eliminate pharmaceutical waste, which could pose a health risk, in the process of turning sludge into compost.

The composting resolution and the oil slick burn-off resolution, both approved by CONAMA Aug. 23, took effect when published in the government's daily registry, on Oct. 4, and Oct. 6 respectively.

Faster, Fewer Environmental Reviews Coming Under New Czech Law

Posted October 06, 2017, 01:24 P.M. ET

By Jan Stojaspal

Developers in the Czech Republic can expect faster reviews of how their projects could affect the environment under changes to the country's environmental assessment law that take effect Nov. 1, a senior environment ministry official said.

The current two-tiered environmental impact assessment (EIA) process was shortened, giving interested parties only one chance, not two, to comment and object. This will cut about six weeks off the usual six months developers have to wait for an EIA, Evzen Dolezal, director of environmental impact assessment and integrated prevention at the Czech Ministry of the Environment, told Bloomberg BNA in an Oct. 3 interview.

A number of project proposals will also benefit from changes to how they are categorized for different types of environmental reviews, he added.

For example, facilities for the production of cement and lime and facilities for the processing of magnesite with annual outputs exceeding 15,000 tons will no longer require a full-fledged EIA—unless a screening procedure determines it to be necessary, according to Dolezal.

Fewer Projects Need Review

Also, projects that fall below certain screening thresholds—and there are around 2,000 of them per year—will only require review if they are planned for specially protected areas.

Dolezal expects the number of these projects to decline by as many as 1,700. And he expects a "10 percent to 20 percent" decline in the number of projects requiring a full EIA or a screening procedure.

"An ideal outcome will be an environmental assessment process that is simpler and shorter," Dolezal said. "And the process will be only applied when necessary, to projects that can have a potential impact" on the environment.

The amendment was signed into law by the Czech president Sept. 12, and, Dolezal said, does not favor any particular sector or industry.

It incorporates the 2014 revisions to a European Directive (2011/92/EU) on the assessment of the effects of certain public and private projects on the environment. The revisions, for example, require

EU member countries to expand their focus to include the potential impact of projects on biodiversity or climate change.

But most of the changes, including efforts to speed up and streamline assessment procedures, are based on local experience with the Czech environmental assessment law, which has been in effect since 2002 and which in many cases has gone above and beyond European environmental protection rules, according to Dolezal.

Possible Turning Point

Tomas Kaderabek, director of Prague-based Developer Association, told Bloomberg BNA Oct. 4, the amended EIA Act was a possible turning point for how development projects are treated by the state administration.

"The most valuable thing, from my perspective, is that the state administration finally reached the point where it realized that it is no longer viable to increase restrictions, but that the opposite is required," he said. "This is the first moment when someone says things have gone too far."

But Petr Kincl, managing associate, PwC Legal in Prague, remained skeptical.

"The amendment brings no revolution," he told Bloomberg BNA in an Oct. 5 email. "It is above all an administrative correction of mistakes made during previous implementations of European regulations or amendments to these regulations."

He said he did not think the changes would have much impact for Czech investors. "In general, investors would find more helpful improvements in the quality and speed of work of public officials, so that their opinions/assessments/decisions are defensible and difficult to contest by those who try to scuttle their investment projects for whatever reason," he added.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/9/2017 7:14:41 PM
Subject: BREAKING NEWS: McConnell calls on Moore to step aside if report on relations with teenagers is true

Senate Majority Leader Mitch McConnell (R-Ky.) called on the party's nominee for Senate in Alabama, Roy Moore, to withdraw from the race if a new report that he pursued teenage girls in his 30's is true.

"If these allegations are true, he must step aside."

The Washington Post published the story about Moore on Thursday.

Read more here: http://politi.co/2AtZBgF

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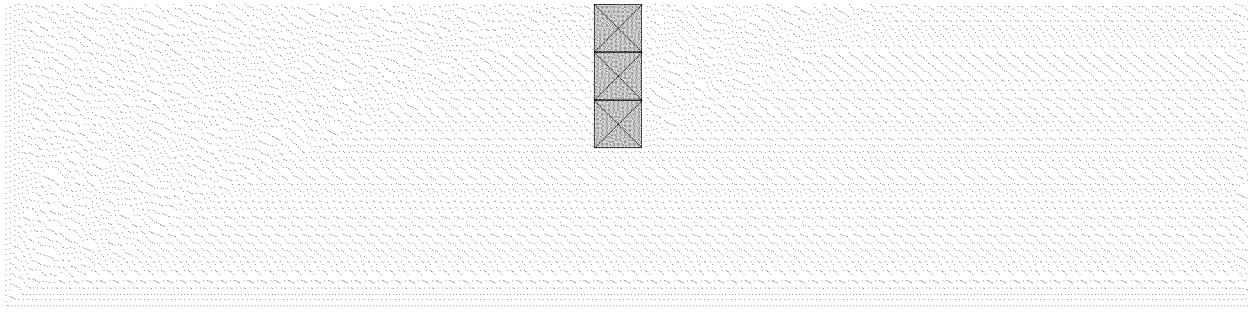
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Media
Sent: Tue 9/12/2017 9:40:53 AM
Subject: Morning Media: Fox News' new lineup? -- Breitbart TV, part duex -- Feds investigating Russian media

By Alex Weprin | 09/12/2017 05:39 AM EDT

FOX NEWS' NEW LINEUP? Tucker Carlson, Sean Hannity, Laura Ingraham. According to CNN's Brian Stelter and Hadas Gold, that will be Fox News Channel's new prime-time lineup, assuming Ingraham closes her deal to join the cable news channel. The new prime-time lineup will see "The Five" shift back to its old time slot at 5 p.m., with the "Fox News Specialists" canceled in the wake of Eric Bolling's departure. It will also be a homecoming of sorts for Sean Hannity, who held court at 9 p.m. for most of his career at Fox News, moving to 10 p.m. in 2013 to make room for Megyn Kelly. Assuming the deal gets done, Ingraham - who had been rumored to be a candidate for White House press secretary for President Donald Trump - will now move to what is arguably a more powerful perch: prime time on the president's preferred cable news channel. Ingraham, of course, has appeared regularly on Fox News, and would often fill in for Bill O'Reilly on his program.

-A new lineup won't be the only new thing coming to Fox News. Per NewscastStudio, the channel's on-air graphics are getting a major refresh, including a new, "flat" look for the logo. That might not sound like a big deal, but in the world of cable news, changes to the on-air product are made sparingly, lest viewers be turned off by the tweaks. In this case, it sounds as though Fox wanted to minimize distractions from moving pieces in the lower third.

Good morning and welcome to Morning Media. I always want to improve Morning Media and make it more useful to you, so please send me tips, ideas and feedback! I'm on Twitter @alexweprin and on email at alexweprin@gmail.com. Morning Media is produced with help from **Cristiano Lima (clima@politico.com / @ludacristiano)**. **Archives**. **Subscribe.**

BREITBART TV, PART DUEX: Another week, another story about Breitbart's long-rumored expansion into television. This BuzzFeed News story about Breitbart and Steve Bannon's media ambitions has some news in it (an expanded presence on SiriusXM, a book deal), but it also touches on the conservative website's TV plans.

"A separate source close to Bannon said Bannon has talked with Christopher Ruddy, a Trump friend and the CEO of Newsmax Media, about bringing him on to work on a TV effort. The Sinclair Broadcast Group, a conservative-leaning television company with a growing presence in local markets around the country, also reached out to Bannon about possibly producing content for their networks, the source said. While Bannon's team has discussed whether a TV network or 'TV-lite' online streaming approach would be a good fit, one ally said Sinclair owns a cable channel which it could hypothetically convert for Bannon, making it the easiest option for a delivery system."

-I wrote in Morning Media a couple of weeks ago about the rumored Sinclair tie-up, and why a whole new cable news channel would have steep challenges. Those challenges still apply

to Newsmax just as much as Sinclair. The cost of launching a TV channel is prohibitive, and Sinclair can't just "flip" a channel it owns like Tennis Channel into a cable news channel without repercussions from cable providers.

-That being said, a Breitbart streaming service would cost far less than a dedicated cable news channel, and could get off the ground much faster. Likewise, it would be relatively simple to produce a few Breitbart-branded programs for Newsmax or Sinclair, though Newsmax's limited cable distribution means that they would be unlikely to draw anything close to Fox News or CNN numbers. Likewise, while Sinclair owns hundreds of local TV stations across the country, affiliation agreements limit the amount of programming they can run, and the most popular hours for watching TV (prime time, morning news hours) are taken by national network programs.

-Related: Despite Press Secretary Sarah Huckabee Sanders' comments on Monday, it sounds like Bannon still talks fairly regularly to President Trump. Your silly conspiracy of the day: Some conservative outlets are claiming that CBS News fooled around with the coloring during Bannon's "60 Minutes" interview to make him look less flattering. CBS News says it is nonsense.

FEDS INVESTIGATING RUSSIAN MEDIA: Two Russian-owned media outlets, cable news channel RT and the Russian news agency Sputnik, are under investigation by the federal government under the Foreign Agents Registration Act. According to Yahoo News' Michael Isikoff and Hunter Walker, Sputnik's former white House correspondent handed over a thumb drive with thousands of internal documents and emails. He was questioned by FBI agents about how Sputnik decided what stories it would cover, and the approach it would take. In a separate story, Walker and Isikoff note that RT revealed in a note on its website that the Department of Justice had reached out about registering under FARA. Legislation has been proposed in congress that would broaden FARA's scope.

-RT editor in chief Margarita Simonyan, in the note, said "The war the US establishment wages with our journalists is dedicated to all the starry-eyed idealists who still believe in freedom of speech. Those who invented it, have buried it," adding that the proposed legislation could impact U.S. news outlets that operate in Russia. "I wonder how US media outlets, which have no problems while working in Moscow, and that are not required to register as foreign agents, will treat this initiative."

THE HILL'S STEEP CLIMB: The Hill, which started its life as a newspaper covering politics and policy, has big ambitions. According to Bloomberg , it wants to start selling ads "to a bigger, broader group of consumer advertisers" as it seeks scale as a digital publisher. And what better place to start than with original video series? Specifically, Bloomberg reports that The Hill wants to add an original comedy show sometime in 2018, as well as a morning talk show a la MSNBC's "Morning Joe," and political opinion programming. It's a bold, expensive move, and it will mean that The Hill will compete more directly with upstarts like Vox Media and BuzzFeed as they chase scale. As Bloomberg notes, many of The Hill's competitors (which, I should note, include POLITICO) have grown their businesses by launching targeting premium news services focusing on specific policy areas, leaving scale to more general interest news organizations.

HURRICANE IRMA'S SNAPCHAT IMPACT: During a 24-hour period over the weekend, more than 250,000 Hurricane Irma-related submissions from Snapchat users were sent to the platform's news team to be considered in its "stories" about the disaster, according to data shared with POLITICO by Snap. That is particularly notable given that just a week before, Snap saw an average of around 100,000 submissions per day during Hurricane Harvey in Texas. For comparison, a year ago, during the Louisiana floods, Snap saw 96,000 submissions in total. As the platform continues to grow, and its stories platform continues to gain traction, more and more users, both professionals and regular people, are sending their videos to the platform's editors for consideration. At the same time, Snap is getting more coverage from traditional platforms like TV, with its "Snap Map" feature in particular being highlighted by outlets like NBC's "Today" show.

ANOTHER FAKE NEWS HEADACHE: Facebook may have another problem to deal with as it continues its fight against false news. According to my colleague Jason Schwartz , a Yale study suggests that its fact-checking efforts are not having much of an impact in how people perceive fake news stories, and in some cases may be making people more likely to believe false stories. "[T]he sheer volume of misinformation that floods the social media network makes it impossible for the fact-checking groups Facebook has partnered with-like Politifact, FactCheck.org and Snopes.com-to address every story. The existence of flags on some-but not all-false stories made Trump supporters and young people more likely to believe any story that was not flagged, according to the study published Monday by psychologists David Rand and Gordon Pennycook."

-Remember that $100,000 that entities tied to Russia spent on Facebook ads? Some of it was spent to promote anti-immigrant rallies on U.S. soil, per The Daily Beast.

SOUNDBITE: "One reason I hesitate giving career advice to young journalists is by the time you have any success, whatever route you took to it is gone." -New York Times TV critic James Poniewozik.

REVOLVING DOOR:

-Taylor Antrim is now executive editor of Vogue. He was previously senior editor and then articles editor.

-Kimberly Dozier is becoming executive editor of The Cipher Brief. Dozier previously served as a reporter for the AP, CBS News and The Daily Beast.

-Scott Wilson will cover "the West and especially California" for The Washington Post. He had been national editor. You may remember Wilson from this story last week.

-Lenore Moritz has been named VP of publicity for Time Inc's video and TV division. She previously worked at Viacom and NBCUniversal.

-Jordan Frasier, who had been a producer for "Meet the Press" and a 2016 NBC news campaign

embed, is joining The Washington Post as a video journalist covering national politics.

-Christine Glancey has been named deputy editor for newsroom standards at Dow Jones. She was most recently managing editor for news operations and talent at The Wall Street Journal.

-Miguel Hernan, Charles Lang, Heather Lynch and M. Marit Rehavi have been named data journalism advisers for ProPublica. More information here.

EXTRAS:

-"60 Minutes" executive producer publishes an excerpt from his new book about the program in Vanity Fair. A side note: if you are fascinated by TV news, you will really enjoy the book. Lots of interesting details about the program and its origins, as well as its impact on TV news and journalism in general.

-Cheddar hires a general counsel as it seeks a European expansion.

-Could The San Francisco Chronicle show a path forward for struggling newspapers?

-Here's Jack Shafer on why we can't look away when a disaster like Harvey or Irma hits.

-The Washington Post's Erik Wemple writes about a POLITICO meeting focusing on how reporters should use social media.

-There's another streaming TV bundle coming. This one's called Philo, and it is specifically avoiding expensive sports channels for the time being. Discovery, Viacom, AMC and Scripps are on board though, and it will have a price point of $20 per month.

-Vulture's Joe Adalian has a great Q&A with MSNBC's Joy Reid.

-Real estate brokers will no longer have to pay to have listings featured in the NYTimes.com real estate section.

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/09/12/fox-news-new-lineup-breitbart-tv-part-duex-feds-investigating-russian-media-001346

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Subject: June 30 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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Confidential Business Data Compounds Some Chemical Cleanups

Posted June 30, 2017, 10:15 A.M. ET

By Pat Rizzuto

Federal agencies are working to help state health and environmental regulators better understand which of a particular class of chemicals are contaminating groundwater supplies and other natural resources.

They want to figure out how to prevent future contamination from what are known as poly- and perfluorinated chemicals. These refer to compounds that make other chemicals—or the materials they coat—heat, stick and stain resistant.

One challenge: the precise chemistry of some of these substances is considered confidential business information, making it difficult to come up with a mitigation strategy, Linda Birnbaum, director of the National Institute of Environmental Health Sciences and the National Toxicology Program, said during a June 29 meeting of NTP's Board of Scientific Counselors.

Some of these substances are toxic, can persist in the environment for long periods of time, and can even potentially accumulate in various organisms that come into contact with them, according to information from the Organization for Economic Cooperation and Development.

Perfluorinated chemicals are used in a variety of household products, ranging from non-stick cookware to stain-resistant carpets, according to the National Institute of Environmental Health Sciences.

Contamination is a costly issue for the U.S. military due to the use of a foam containing perfluorinated chemicals to fight petroleum fires. The Air Force needs to inspect nearly 200 bases for potential contamination, while the Navy estimates it could face billions in cleanup costs.

3,000 Chemicals

The most recognized perfluorinated chemicals, perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), are no longer made in the U.S. However, similar substitutes for both chemicals are being made, according to Birnbaum.

Scientists have detected some 3,000 variations of poly- and perfluorinated chemicals in drinking water, she said.

For example, the North Carolina Department of Environmental Quality is working with the state's Department of Health and Human Services to investigate the Chemours Co.'s discharge of GenX, a PFOA substitute, into the lower Cape Fear River.

These agencies and those in other states face challenges in figuring out the best way to address the substitutes because confidential business information protections prevent agencies from knowing exactly what chemicals they are dealing with, Birnbaum said.

Seemingly small changes to a substance's chemistry can alter the technique for removing them from drinking water, according to Birnbaum.

For example, she said, long-chain molecules, such as PFOA and PFOS, can be removed from drinking water with carbon filters, but many shorter chained substitutes can't.

The National Institute of Environmental Health Sciences, and the National Toxicology Program will analyze a subset of the poly- and perfluorinated chemicals to help scientists and agencies understand what's getting into the environment, Birnbaum said. The precise number of chemicals that will be analyzed has yet to be determined, she told Bloomberg BNA by email.

The NIEHS and National Toxicology Program are working with other agencies to address concerns about these types of chemicals, Birnbaum told the advisory board.

Base Closure Implications

For example, the Air Force already has stopped using a perfluorinated-based petroleum fire fighting foam, Aqueous Film Forming Foam, for training exercises, according to information that military branch provided Bloomberg BNA.

The Air Force no longer uses the foam unless it is warranted by an emergency or is in a contained environment certified by a civil engineer's environmental representative at the base where the chemical would be used, an Air Force spokeswoman told Bloomberg BNA June 29.

The Air Force has spent $152.5 million investigating and mitigating sites for PFOS and PFOA contamination, according to a fact sheet it updated on June 20. Further site inspections are needed at 190 bases, the fact sheet said.

Navy Defense Base Closure and Realignment, or BRAC, officials have said the cleanup of PFOS and PFOA at both active and closed installations could cost billions of dollars, according to a Government Accountability Office report released in January.

Wind Industry Tacks as Trump Shifts the Political Climate

Posted June 30, 2017, 10:12 A.M. ET

By Ari Natter

Three days after Energy Secretary Rick Perry directed his staff to find ways to give a boost to coal and nuclear power, the rival wind industry kicked its lobbying response into action.

The American Wind Energy Association would tap allies in Congress willing to weigh in with Perry and buy advertisements on "news channels closely followed by the Trump administration," according to a memo its leader sent to board members. During the Obama administration it had touted its role in addressing climate change, but now it would emphasize an economic message, something sure to resonate with President Donald Trump.

"The wind industry drives over 100,000 American jobs, more than coal, nuclear, or hydropower electricity generation," Chief Executive Officer Tom Kiernan wrote in the eight-page memo on April 17. The memo was provided to Bloomberg News by a competing lobbyist and confirmed by AWEA.

Once a darling of federal policy makers during the tenure of President Barack Obama, wind energy has been buffeted under Trump, who frequently complains that wind turbines kill eagles and aren't a reliable power source. In the administration's efforts to help coal miners, oil drillers and nuclear-plant operators, wind is the variable, subsidized power that is making life difficult for those so-called baseload electricity producers.

"I don't want to just hope the wind blows to light up your homes and your factory—as the birds fall to the ground," Trump said this month in Iowa, a state that gets more than a third of its electricity from wind power.

Republican Lobbyists

Kiernan has taken to fact-checking Trump's comments on Twitter. And the group has hired Republican lobbyists this year to help it gain a foothold in a very different Washington.

Last month, AWEA hired Amy Farrell, a former official in the administration of President George W. Bush and natural gas lobbyist, as its senior vice president for government and public affairs. It also hired William Myers, Bush's former Interior Department solicitor, as a lobbyist that same month.

The Energy Department study of the electric grid, however, poses the most tangible risk to wind power, which more than doubled in capacity during the Obama administration to more than 82,000 megawatts. A memo from Perry ordering the study posited that the reliability of the power grid was at risk, and listed factors such as regulations that could be forcing the "premature retirement of baseload power plants," which refers to mostly coal and nuclear facilities. While Perry didn't mention wind, he did discuss tax subsidies, which wind producers receive, and highlights a preference for on-site fuel, which wind doesn't have.

"Political driven policies, driven primarily by a hostility to coal, threatens the reliability and the stability of the greatest electrical grid in the world," Perry said this week. "Over the last few years, grid experts have expressed concern about the erosion of critical baseload resources, specifically how it is dispatched and compensated."

Publicly the wind industry says it's doing just fine under Trump.

Tom Vinson, vice president of federal regulatory affairs for the group, which counts subsidiaries of wind turbine makers such as Vestas Wind Systems A/S and Siemens AG on its board of directors, dismissed the memo as "old news" and said wind doesn't face overwhelming opposition as it

supports the president's quest for "energy dominance." And it creates jobs, he added.

Perry, who had mostly praised coal, natural gas and nuclear power since becoming secretary, went out of his way to praise wind and solar this week.

"We are going to ensure that renewable energy finds its way to the grid and that the tremendous resources presented by the wind, the sun and hydro are efficiently captured and then delivered," he said.

When he was governor of Texas, Perry said in a blog post this week, that state took a lead in pursuing wind development, and it now stands as the top wind producing state in the U.S.

That shift in tone may, in part, represent that AWEA's efforts are paying dividends.

Soon after the the wind association started its lobbying campaign, wind-friendly lawmakers such as Sen. Charles Grassley (R-Iowa) sent letters with pointed questions about the study. Environmental groups filed Freedom of Information Act requests about the study and what prompted it. The industry group got in to brief administration officials on the benefits of the power source, Vinson said.

"We hope the Department of Energy will be taking this substantial body of existing research into account when they issue their study," Evan Vaughan, a spokesman for the trade group, said in an email.

And in another small victory for the industry, Trump announced June 28 that he would nominate Richard Glick, a Democratic Senate staff member and former wind lobbyist, to the Federal Energy Regulatory Commission.

While representatives of the wind industry continue to exude confidence, "I think privately they are a little concerned," said Paul Bledsoe, a former climate adviser in the Clinton administration. "It seems as if the administration is pursuing an ideological agenda against renewables based on political animus towards the Obama administration."

"They are anxious about some unexpected assault, but they are not quite sure what to prepare for," he added.

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German Court Ruling for Daimler Bucks Trend Against Diesel

Posted June 30, 2017, 01:57 P.M. ET

By Jabeen Bhatti

German auto giant Daimler didn't misrepresent the effectiveness of pollution control technology in one of its Mercedes diesel vehicles, the Regional Court of Stuttgart ruled June 29.

Berlin-based environmental nonprofit Deutsche Umwelthilfe (DUH) alleged in its Februrary 2016 lawsuit that Daimler overstated emissions efficiency on its Mercedes C-Class BlueTEC 220 CDi model in advertisements. According to the organization, the standard exhaust purification system on the car didn't reduce nitrogen oxide emissions by up to 90 percent when compared to diesel

engines not outfitted with the software.

But the court dismissed that claim, ruling in favor of Daimler's argument that context of the advertisement was a comparison between diesel vehicles in its own fleet, rather than all diesel vehicles on the market.

DUH officials told Bloomberg BNA they will consider an appeal of the decision once the court officially releases it, which was not available as of June 30.

Test Results

In its claim, DUH cited an independent study conducted by the nonprofit Netherlands Organization for Applied Scientific Research (TNO) to dispute Daimler's efficiency claim.

TNO laboratory tests verified figures the automaker cited in its advertisements. But road tests TNO conducted during days when temperatures ranged between 7 and 10 degrees Celsius (45 to 50 degrees Fahrenheit) yielded nitrogen oxide emissions that were about 28 times higher than the acceptable limit of 0.08 grams per kilometer for Euro 6 class vehicles, according DUH. The Euro 6 standard is currently the most stringent emissions class for new vehicles in Europe.

Still, the court found no grounds for ruling Daimler and its subsidiary Mercedes misrepresented the efficacy of its technology because both the government-funded and private laboratory tests affirmed the advertisement's claim, as well as the context of the claim—a Mercedes-to-Mercedes comparison, rather than a comparison between Mercedes' vehicles and all other diesel engine vehicles, Juergen Resch, chief executive officer of Deutsche Umwelthilfe, told Bloomberg BNA.

"We completely reject that reasoning," he said. "Daimler is making itself very small," he added, referring to the defendant's argument.

A Daimler spokeswoman told Bloomberg BNA that "we welcome the fact that the court confirmed our legal position."

Diesel Drop

The court's ruling bucks the anti-diesel trend currently shaking the auto industry in Germany.

In March, the Bavarian High Administrative Court upheld a 2012 decision instructing authorities in Munich to begin drafting plans to institute a partial driving ban on diesel vehicles due to a DUH suit. Meanwhile in Duesseldorf, regional courts ordered city officials to begin drafting similar regulations in September 2016. In Stuttgart, partial driving bans of diesel engines will begin taking effect in 2018 following a lawsuit by DUH.

Despite DUH's recent loss in its efforts against Daimler, the impact of the numerous cases is making the car industry and consumers nervous, according to Ferdinand Dudenhoeffer, director of the Center for Automotive Research at the University of Duisberg-Essen.

"This current case of Deutsche Umwelthilfe against Daimler is just one mosaic stone in the greater diesel-gate trend," Dudenhoeffer told Bloomberg BNA, referring to the emissions-cheating scandal involving Volkswagen that began in 2015.

Diesel engine vehicles comprise one-third of all private vehicles on German roads, but their market

share could easily drop if the courts continue to issue anti-diesel rulings, Dudenhoeffer said.

"Because of these cases, there's a lot of insecurity among consumers to buy new diesel vehicles," he said.

Rebirth of Canadian Oil Sands From Fire Stymied by Market Slump

Posted June 30, 2017, 10:14 A.M. ET

By Robert Tuttle

In the heart of Canada's biggest oil province, life is slowly returning to normal in Fort McMurray, Alberta. After a fire last year destroyed entire neighborhoods in the town and halted about a million barrels of daily production, green leaves are beginning to bud on charred trees and new construction is replacing homes that were burned to the ground.

But hopes for a complete rebirth are being undermined by a global oil slump. It's become less attractive to invest in the region, where tar-like reserves are among the most expensive and difficult in the world to extract. After 17 years of uninterrupted expansion around Fort McMurray -- which drove an 86 percent increase in the nation's output -- no new projects or expansions will go into operation next year, an analysis of company spending plans shows.

Producers including Royal Dutch Shell Plc and Koch Industries Inc. have shelved or put on hold billions of dollars of projects since crude fell from more than $100 a barrel in 2014 to as low as $26 last year. The economics of the business remained lousy in 2017. That's because sticky oil sands in Alberta have to be mined and then converted into liquid using a costly conversion process or loosened with steam and sucked out of wells. To justify expanding existing projects or starting new ones, crude needs to fetch at least $50.

"We will not see a pickup of significant work for two to three years," once existing expansions are completed in 2017, Jay Bueckert, regional director of the Christian Labor Association of Canada, a union representing oil-sands workers, said in an interview at his office in Fort McMurray.

The investment slowdown is a double blow for the town. It's still recovering from the May 2016 blaze that swept through neighborhoods such as Beacon Hill and Timberlea, destroying about 2,000 homes and forcing shutdowns of oil production for almost a month. The damage will wind up costing the government and insurers more than C$5 billion ($3.8 billion), according to the Conference Board of Canada.

As many as 5,000 people haven't returned, according to municipal population figures. While home sales were up in the first five months of the year, prices continued a decline that started after the oil-price slump began three years ago, according to the Fort McMurray Real Estate Board.

'People Left'

"A lot of people just sold and left," Sam Keane, a 27 year-old scaffolder from Ireland, said as he stood beside a rebuilt home he had just bought from a previous resident of a neighborhood that burned down.

As the community rebuilds, international companies are pulling back. Since March, Shell, ConocoPhillips and Marathon Oil Corp. have agreed to sell oil-sands assets to domestic producers Canadian Natural Resources Ltd. and Cenovus Energy Inc.Exxon Mobil Corp., majority owner of

Imperial Oil Ltd., slashed billions from its Canadian reserves.

While prices have recovered from last year's low, they're down 21 percent this year to less than $45 a barrel. That's too cheap to justify most projects that require billions of dollars in up-front investment and years of development, said Kevin Birn, a director at IHS Energy in Calgary.

Fort McMurray has vast reserves. Only Saudi Arabia and Venezuela have bigger crude deposits. The town transformed from a remote trading outpost to an energy center in the late 1960s, when what is now Suncor Energy Inc. began extracting the viscous hydrocarbons from the soil under the dense boreal forests of remote Northern Alberta.

Early Growth

As crude prices surged after the turn of the millennium, concerns about oil scarcity drew more than C$200 billion of investment from the U.S., Asia and Europe. As money poured in, so did people from around the world seeking steady jobs and a higher standard of living. With the population growing 4 percent a year, the municipal government struggled to build infrastructure fast enough. Traffic jams lasting hours would tie up oil sands workers on the one road into the oil-sands mines to the north.

The boom ended abruptly in late 2014 with the surge in U.S. shale production that sent prices plunging. The number of oil-sands-related engineering and construction jobs will shrink by 9,300, or 30 percent, by 2023 from "already diminished employment in 2016," according to a report by BuildForce Canada, a trade organization.

"We always talk about diversification and it's something that's really hard to do when we are in the heart of the oil sands," said Alexis Foster, executive director of the Fort McMurray Chamber of Commerce.

Limited Expansion

In the past year, MEG Energy Corp., Cenovus and Canadian Natural announced plans to expand operations later in the decade. But those expansions are to thermal oil sands projects in an area located about two hours south of Fort McMurray. New projects near Fort McMurray, such as Suncor's newly proposed Lewis or Imperial Oil's Aspen, have yet to be sanctioned.

With investment in new oil sands winding down, Fort McMurray residents are left with jobs maintaining and repairing existing operations. Sustaining capital and maintenance work will rise "moderately" over the next decade and become an "increasingly important source of employment," according to BuildForce Canada.

As Fort McMurray contracts, expansions are occurring elsewhere in Canada. In the western Alberta town of Grande Prarie, drilling in the Montney shale formation was up an annual 80 percent early this year.

But Fort McMurray will remain the dominant oil town in Canada for now, Birn said. The provincial government said in its most recent budget that the reconstruction of the town after the fire and plans for increased oil production will add 1 percent to the gross domestic product this year.

There are signs of improvement: Unemployment is down from last year, Foster says construction work is expected to expand, and the median single-family home price in April rose from a year earlier.

Some people are moving back because they "saw opportunities to purchase," said Andrew Weir, president of the Fort McMurray Real Estate Board. They "don't feel like the sky is falling anymore," he said.

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Canada Floats New Environmental Review Rules for Pipelines

Posted June 30, 2017, 10:00 A.M. ET

By Josh Wingrove

Canada is proposing consolidating environmental reviews under a single agency while adding an approval step for proponents of pipelines and other major projects—in what it said is a bid to both strengthen and clarify environmental rules.

The proposal would add a requirement for an "early engagement" phase for projects that the government said would lead to "clear guidance" for industry on how a full assessment will proceed and how long it will take. The move is aimed at industry frustrations that Canada's existing environmental approval process is already a maze—unclear, time-consuming, legally fraught, and under the watch of multiple agencies.

The proposal, contained in a discussion paper published June 29, lays out a framework that comes after a review of environmental assessment rules; fisheries laws; and the National Energy Board, which oversees pipelines in the country with the world's third-largest proven oil reserves. A range of projects is subject to environmental assessments. The changes would affect only new ones, as Prime Minister Justin Trudeau's government said existing proposals such as TransCanada Corp.'s Energy East pipeline won't be sent back to square one.

The proposal raises the prospect of greater "cost recovery" from the oil and gas industry, while also focusing on ensuring a "single window" agency for federal environmental approvals and permitting while expanding the power of people to intervene in the process and making more data publicly available.

Court Challenges

Major energy projects in Canada have regularly run into a tangle of court challenges, evolving government policy, and environmental protests, raising doubts about their fate. Trudeau introduced interim rules early last year before approving a pair of pipelines while rejecting a third—which his predecessor approved before being blocked by the courts.

The discussion paper proposes expanding the review of projects to consider a broader range of factors, including economic benefit, which is presently considered in a final Cabinet decision on any major proposal. The new assessment system will consider "both positive and negative impacts of a project," the discussion paper said.

So far, the paper has won positive reviews from energy-industry groups. Canadian Energy Pipeline Association Chief Executive Officer Chris Bloomer said June 29 that while his organization is taking time to fully review the paper, it supports the principles laid out in the document and is "encouraged" by its content. Canadian Association of Petroleum Producers Executive Vice President Terry Abel said his group backs the proposal as well.

"They've done a really good job of identifying opportunities where there could be improvements, and it's reflective of the broad range of input they've heard," Abel said in an interview.

Cumulative Effect

The proposed system will pay greater attention to so-called cumulative effect, or the total impact over time of a single project, and others near it, on the environment. That measure in particular could ripple through regions with high levels of industrial development, such as Alberta's oil sands, the heart of the country's energy sector.

The federal government is proposing to expand the ability of opponents and proponents to weigh in on a project by eliminating a test of which participants were given "standing," by the NEB while also allocating more "participant funding," the document said. It also commits to a process that "advances the government's commitment" to the United Nations Declaration on the Rights of Indigenous Peoples, though stops short of fully committing to the declaration. The U.N. document places an emphasis on "free, prior, and informed consent" of indigenous peoples, though Trudeau's government argued that doesn't amount to a veto on energy projects.

The scale of environment assessments will be "aligned" with the scale of a project and its impacts, the discussion paper said. The report commits both to peer-reviewed science and incorporating indigenous knowledge in reviews. The proposal also pledged "greater participation of indigenous peoples on assessment boards and review panels and in regulatory processes."

The NEB regulator will remain in Calgary, but board members and hearing commissioners will no longer have to live there, the paper said.

The paper comes after a review launched a year ago. The measures are classified as proposals only. Final changes to the environmental assessment and regulatory system are due this fall.

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South Korea to Study, Plan for Climate Impacts on Infrastructure

Posted June 30, 2017, 9:21 A.M. ET

By Elaine Ramirez

Eighteen South Korean public and private institutions have agreed to assess the effects of climate change on infrastructure and devise ways to prevent further damage.

Through a convention facilitated by South Korea's Ministry of Environment and Korea Adaptation Center for Climate Change, 13 public institutions and five companies—Kumho Buslines; Samsung Engineering; construction company Halla OMS; and logistics companies CJ Korea Express and Hyundai Glovis—will work with the government to evaluate and diagnose climate change-related risks to infrastructure to develop countermeasures, the Ministry of Environment said.

The project also will identify facilities that are vulnerable to the effects of climate change and help public institutions set up adaptive measures to ensure national safety and to minimize economic losses, according to the environment ministry.

"This convention is particularly meaningful in that it promises voluntary efforts by public authorities and industries to provide a pre-emptive response to climate change risks," the Ministry of Environment said in a June 27 statement.

"Since we want to reduce CO2 emissions as a long-term goal, we think the plan of the ministry is proper, and we can focus on the goal not only for our company but also for Korea to help with the development of climate change improvement," Jin Hartmann, spokesman for Samsung Engineering, told Bloomberg BNA.

The ministry and the Korea Adaptation Center for Climate Change will provide risk assessment tools, including those to analyze the impacts on facilities of climate situations such as extreme temperatures and heavy rain. Companies will then prioritize items and devise countermeasures with mid- and long-term objectives and action plans to minimize climate impacts.

Jung Seon-hee, research specialist at the (KACCC), said, "In addition to promoting governmentwide measures to adapt to climate change, South Korea is promoting climate change adaptation via infrastructure institutions. However, [this initiative] is still in its infancy, so additional policy support and investment is needed to improve effectiveness."

Project planning started before Korean President Moon Jae-in took office last month, and is expected to be more actively pursued during his governance, she added.

Establishing Adaptive Measures

Damage caused by climate change-related natural disasters affect mostly social infrastructure such as power, railways, and roads, and have a great social and economic impact, the ministry said. The damage to public facilities in 2013, amounting to nearly 150 billion won ($131.4 million), made up 87 percent of all natural disaster impacts during that year, the ministry said. Restoration of public facilities such as roads, rivers and harbors cost 8.9 trillion won ($7.8 billion) between 2004 and 2013.

In response, the government in 2016 launched a reporting system for public institutions to evaluate and diagnose the climate change-related risks they faced.

The Ministry of Environment said it will help the public and private sectors scientifically predict and evaluate the risk factors of climate change and establish effective adaptive measures. The institution will then decide on voluntary climate change adaptation measures and incorporate them into management plans and strategies.

Sharing Know-How

Samsung Engineering has carried out business partnerships with large and midsize companies to share carbon management know-how and energy-saving methods with subcontractors, according to company spokesman Lee Ho-jae. In 2016, the company concluded an agreement with the Ministry of Environment to reduce dust emissions.

Unforeseen natural disasters caused by climate change could have a profound impact on Samsung's project performance, Lee said, adding that the company plans to explore ways to contribute to the climate change action plan in the overall process of plant construction.

"[Addressing] climate change requires a national approach. At the same time, voluntary effort from individual companies is needed," Lee told Bloomberg BNA. "We hope the recognition of climate

change spreads throughout the industry and many companies can participate."

The government also will evaluate other public agencies' adaptation measures for climate change and determine how to reflect them nationwide.

The 13 public institutions participating in the agreement include expressway, port and airport authorities, and coal, gas and heating companies.

"We anticipate that it will become a new paradigm of management strategy … to grasp the effects of climate change on sales and tangible assets," said Kumho Buslines spokesman Oh Kil-joong.

South Korea Is Very, Very Interested in America's Natural Gas

Posted June 30, 2017, 10:32 A.M. ET

By Ryan Collins

One thing became clear on the fourth day of the White House's Energy Week: South Korea is really, really into U.S. natural gas.

In less than 24 hours, South Korea's energy companies had announced four partnerships with U.S. companies to explore opportunities in the U.S. natural gas business. Korea Gas Corp., the state-owned gas supplier, said it will look into potential investments in liquefied natural gas projects in Alaska, Texas and Louisiana. SK Group signed an agreement with General Electric Co. and Continental Resources Inc. to pursue shale gas developments.

It makes sense. South Korea is one of the world's biggest importers of LNG and has bought eight cargoes of U.S. gas from Cheniere Energy Inc.'s Sabine Pass terminal in Louisiana. While Sabine Pass is the only one sending shale gas abroad, dozens of terminals have been proposed along U.S. coasts to do the same. The exports have put the U.S. on a path to becoming a net gas exporter for the first time in decades.

President Donald Trump noted during a June 29 Energy Week event in Washington that South Korea leaders were visiting the White House. He said they would be "talking about them buying energy from the United States of America. I'm sure they would love to do it."

U.S. LNG may in fact play a big role in furthering South Korea's energy policies. After the election of Moon Jae-in as president in May, the country is looking to transition away from coal and nuclear power in favor of cleaner natural gas-fired electricity generation. And buying more U.S. fuel could allow the country to smooth geopolitical disputes over unbalanced trade, Korea Gas Chief Executive Officer Lee Seung-Hoon said Sunday at the Sabine Pass terminal, where the company celebrated the start of an LNG contract with Cheniere.

"All of these projects are looking to find more long-term offtake in order to get the financial support they need to move forward," said Anastacia Dialynas, analyst at Bloomberg New Energy Finance, in a phone interview June 29. South Korea "might even be pitting them against each other" by exploring several projects to "see who offers the best terms," she said.

The Port Arthur, Texas, LNG export terminal is being developed by Sempra Energy and Woodside Petroleum Ltd., and Energy Transfer Equity LLC and Royal Dutch Shell Plc are planning the Lake Charles, Louisiana, one. The Alaska LNG export project is being proposed by the state's Alaska

Gasline Development Corp.

Spot LNG prices in Singapore traded at about $5.244 per million British thermal units Thursday, according to a Singapore Exchange Ltd. assessment. That's down from more than $14 in October 2014 as production capacity rises and oil prices have tumbled.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Tue 6/6/2017 9:41:44 AM
Subject: Morning Media: Beginning of the Trump-era leak wars — HuffPost hiring spree — NYT copy-desk crusade

By Joe Pompeo | 06/06/2017 05:39 AM EDT

With Cristiano Lima and Alex Weprin

SORRY WE DISAPPEARED ON YOU YESTERDAY WITHOUT NOTICE - I had a bit of a toddler emergency over the weekend but everything's fine now. That said, I'm still playing catch up, so bear with me as I get back up to speed.

MOVE OVER, EDWARD SNOWDEN - Let's begin this one by emphasizing that the Obama administration was notorious for its aggressive leak prosecutions, and despite what the Trump crowd will tell you about the lovey-dovey relationship between journalists and the 44th president, there was actually a lot of animosity and ill-will as a result of this issue. But it's also no secret that Trump and his lieutenants are out for blood when it comes to leakers, which is why I wouldn't want to be Reality Leigh Winner right now.

From the DOJ's announcement last night: "A criminal complaint was filed in the Southern District of Georgia today charging Reality Leigh Winner, 25, a federal contractor from Augusta, Georgia, with removing classified material from a government facility and mailing it to a news outlet ... Winner was arrested by the FBI at her home on Saturday, June 3, and appeared in federal court in Augusta this afternoon. ... On or about May 9, Winner printed and improperly removed classified intelligence reporting, which contained classified national defense information from an intelligence community agency, and unlawfully retained it. Approximately a few days later, Winner unlawfully transmitted by mail the intelligence reporting to an online news outlet." Press release.

The "online news outlet" is The Intercept, which published the following story about an hour before the DOJ went public with its prosecution: "TOP-SECRET NSA REPORT DETAILS RUSSIAN HACKING EFFORT DAYS BEFORE 2016 ELECTION." Key detail: "The top-secret National Security Agency document, which was provided anonymously to The Intercept and independently authenticated...."

What led the feds to their prey: "The U.S. Government Agency examined the document shared by the News Outlet and determined the pages of the intelligence reporting appeared to be folded and/or creased, suggesting they had been printed and hand-carried out of a secured space. The U.S. Government Agency conducted an internal audit to determine who accessed the intelligence reporting since its publication. The U.S. Government Agency determined that six individuals printed this reporting. WINNER was one of these six individuals. A further audit of the six individuals' desk computers revealed that WINNER had e-mail contact with the News Outlet. The audit did not reveal that any of the other individuals had e-mail contact with the News Outlet." That's from the criminal complaint affidavit, which you can read in full here. This is going to get ugly.

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

MUST READS:

-- "Losing Gloria: After their mother was deported to Mexico, the Marin siblings faced an impossible choice: Stay or go." [The California Sunday Magazine]

-- "Border Bodies: The grim mysteries of Southern California" [The Desert Sun]

-- "The Mysterious Kidnapping of an American Ambassador Still Haunts the State Department" [Washingtonian]

-- "Inside the Cut-Throat World of Toddler Bike Racing" [Outside] ***Ed. Note: No relation to the above-mentioned toddler emergency.*

MEGYN KELLY MUST BE PRETTY HAPPY WITH HER NBC DEBUT RATINGS - 6.1 million viewers overall and 1.2 million in the important 25-54 demographic tuned in for June 4 maiden voyage of "Sunday Night With Megyn Kelly." NBC was crowing that the Putin-equipped premiere nearly beat CBS in total viewers -- "60 Minutes" counter-programmed with a re-air of its 2015 Putin interview with Charlie Rose -- and that Kelly's numbers "were a huge jump compared to how the network typically performs in the slot." Now the pressure will be on for the former Fox News star to keep it up, particular once she is up against a new edition of "60 Minutes," and not a rerun.

A NUMBER MSNBC HASN'T SEEN IN AWHILE - Michael Grynbaum in today's New York Times : "The last time that MSNBC was No. 1 in prime-time cable news, Bill Clinton was president, Madonna led the Billboard charts and "Friends" still ran new episodes on TV. Seventeen years and a few rebrandings later, the network is back on top -- buoyed by a surge of interest in news and the channel's stable of reliably liberal anchors, like Rachel Maddow, who have found their groove amid a time of intense anxiety for the political left. The MSNBC resurgence -- in May, it beat its rivals for the highest prime-time viewership on weeknights in the critical 25-to-54 age demographic, up an astounding 118 percent from a year earlier -- is part of a newly shifting landscape in television news, and within the channel itself."

REVOLVING DOOR: NOTABLE NEW HUFFPOST HIRES - Congrats to Morning Media pal Hillary Frey on being named director of editorial strategy, a "newly-created role" in which she will oversee strategic and special projects," according to a memo yesterday from EIC Lydia Polgreen. Hillary -- who taught me a thing or two about good writing and reporting when she was one of my editors at The New York Observer years ago -- has already been working with HuffPost in a consulting capacity for the past few months, so expect her to be a key figure in Polgreen's ongoing revamp of the 12-year-old web-news behemoth. Also, Jennifer Kho is joining as managing editor from Guardian US; Shelley Venus is joining from Mic as head of newsroom video; and Kate Rodemann has left her post as Texas Monthly's editorial director to become an

editor for Highline, HuffPost's destination for long-form storytelling.

Elsewhere...

-- **Eric Bolling has re-upped at Fox News**, where he will remain co-host of "The Fox News Specialists" at 5 p.m. on weekdays and the host of "Cashin' In" on Saturday mornings. He also will continue to host the network's annual New Year's Eve programming.

-- **Two notable AP departures:** Venezuela correspondent Hannah Dreier is leaving to cover immigration for ProPublica, and Washington-based reporter Eileen Sullivan is leaving to join The New York Times, where she will reunite with her Pulitzer Prize co-recipients Matt Apuzzo and Adam Goldman.

-- **Also at The New York Times:** Nellie Bowles, a prominent tech reporter currently with HBO's "Vice New Tonight," is joining Bizday to cover tech and digital culture out of San Francisco. And on the business side, "Guy Griggs will join the company as head of revenue for the social influencer marketing agency HelloSociety and the experiential design agency Fake Love, both acquired by The Times Company in 2016."

-- **Here's who took buyouts in McClatchy's D.C. bureau**, according to our Playbook colleagues.

CRUSADE TO SAVE THE NYT COPY DESK - The union that represents Times journalists isn't staying quiet about the Times Company's decision to target copy editors in its latest buyout offering. In a very au courant op-ed issued yesterday, Grant Glickson, president of the News Guild of New York and a Times veteran himself, made the case for keeping the Times' long-standing copy desk intact as opposed to a planned restructuring: "[W]hen readers hear the inevitable cries of 'fake news,' how do they know what to believe? It comes down to accuracy, to a news organization's track record of getting even the smallest details right. When typos and misspellings jump off a page, readers are more likely to wonder what else is wrong. So why would the New York Times want to join the sorry parade of other American newsrooms that have cut out the last, best line of defense against errors?"

The Times' position is that it will still have a more rigorous editing apparatus than most other global news organizations even after eliminating dozens of copy editors and so-called "backfield" editors, some of the most behind-the-scenes jobs in the 1,300-person newsroom. It also says the cost-savings will enable the Times to hire an additional 100 journalists.

On that note, the following email went out internally yesterday: "As we revamp the way we edit our report and transition to the 'strong desk' model, the newsroom is seeking editors in four areas: news and feature desks around the newsroom, the Express Team, and the News Print and Features Print Hubs. On news and feature desks and on the Express Team, editors will need a broad range of skills that will enable them to own a story from beginning to end - to conceptualize a story and story form, edit through all necessary drafts, copy edit all the elements to digital publication readiness and ensure the widest possible audience." One Times source sniffed to Morning Media: "The requirements for the editors are now, 'be an editor and a copy

editor too.' Will they get paid more?"

SOUND BITES:

-- "Guy with 'Infowars dot com- CNN is ISIS!' sign asked why the Paris deal was bad: 'I personally haven't looked into it. I just trust Trump'" [Tom Namako]

-- "Good reporting needs to be able to distinguish between Trump's Bannonist base (20-25% of the country) and all Trump voters (46%)." [Nate Silver]

-- "Breitbart is a hard gig. You can be fired for both being too racist and not racist enough. The Goldilocks level of racism is hard to hit." [Jeet Heer]

-- "Last question, where is Sean?" [April Ryan]

ALL EYES ON COMEY - Thursday may just bring new meaning to the phrase "must-watch TV." Per Variety : "ABC and CBS will break into their daytime programming on Thursday to cover James Comey's appearance before the Senate Intelligence Committee. ABC's George Stephanopoulos will anchor the network's coverage, while 'CBS This Morning' co-hosts Norah O'Donnell, Gayle King and Charlie Rose will anchor coverage for that network. Rose, King and O'Donnell will be joined in New York by 'Face the Nation' anchor and chief Washington correspondent John Dickerson and chief legal correspondent Jan Crawford. The former FBI Director's testimony is set to begin at 10 a.m. ET. NBC News has yet to confirm whether or not they will carry the hearing live."

Fox News/Fox Broadcast also announced their live coverage plans yesterday: "Co-anchored by FNC's Bill Hemmer and Shannon Bream, coverage will begin at 9AM/ET and contributions will be made by a panel including FNC's chief political anchor Bret Baier, FOX News Sunday's Chris Wallace and The Five co-host Dana Perino. Additionally, FNC will be commercial-free when the hearing begins at 10AM/ET. FNC's Shepard Smith will anchor coverage for FOX Broadcast." No official word yet from CNN, but if their Comey countdown clock is any indication, we'd say there's a 100 percent chance you'll be able to watch the testimony live there as well.

SOUNDTRACK: Ciccone Youth, "Into the Groove(y)"

EXTRAS:

-- Breitbart writer Katie McHugh was fired after a series of incendiary tweets about the London terror attacks. [CNN]

-- Sen. Al Franken has cancelled on Bill Maher over the host's n-word controversy. [HuffPost]

-- Jon Ossoff, the Democratic candidate locked in a battle for Georgia's 6th District House seat, has declined to participate in a debate on CNN. [AJC]

-- Hearst's latest newspaper acquisition. [Market Watch]

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Wed 7/12/2017 9:58:25 AM
Subject: Morning Media: Voters trust of the media vs. Trump -- The Don Jr. emails -- Donna Brazile announces campaign memoir

By Hadas Gold | 07/12/2017 05:56 AM EDT

With Cristiano Lima and Alex Weprin

EXCLUSIVE POLL - VOTERS (BARELY) TRUST MAJOR MEDIA OUTLETS MORE THAN TRUMP via POLITICO's polling guru Steven Shepard: Following President Donald Trump's cascade of insults and mock-violent memes attacking CNN and MSNBC, this week's POLITICO/Morning Consult poll asked voters how credible they consider information they get from various media outlets - and from the president himself.

The main takeaway? By a narrow margin, voters have more trust in major media outlets than they do in Trump. Just 22 percent say information from Trump is "very credible," while the media outlets all rate higher. And the 33 percent who say Trump isn't credible at all is higher than for any of the networks or newspapers. But the news still isn't good for the news media. Significant percentages of voters - mostly Republicans - think many outlets are either not too credible or not credible at all.

Here's the rundown:

The White House: 21% very // 31% somewhat // 18% not too // 19% not at all

President Donald Trump: 22% very // 24% somewhat // 13% not too // 33% not at all

CNN: 26% very credible // 28% somewhat credible // 14% not too credible // 23% not credible at all

Fox News: 24% very // 31% somewhat // 18% not too // 19% not at all

MSNBC: 23% very // 31% somewhat // 15% not too // 19% not at all

Washington Post: 24% very // 32% somewhat // 14% not too // 15% not at all

New York Times: 26% very // 31% somewhat // 14% not too // 16% not at all

Wall Street Journal: 26% very // 36% somewhat // 14% not too // 11% not at all

ABC News: 28% very // 34% somewhat // 15% not too // 12% not at all

NBC News: 27% very // 34% somewhat // 16% not too // 13% not at all

CBS News: 27% very // 35% somewhat // 15% not too // 12% not at all

PBS: 29% very // 34% somewhat // 13% not too // 9% not at all

-- *Toplines: http://politi.co/2uO3Ukh | Crosstabs: http://politi.co/2sMRKXd*

THE DON JR. EMAILS: Another day, another apparent bombshell -- this time preempted by the subject himself.

New York Times deputy managing editor Matt Purdy told the Huffington Post that Times asked Trump Jr. to respond by 11 a.m. on Tuesday to e-mails they had obtained about the meeting between Trump's eldest son and a Russian lawyer they had been reporting on for days.

Trump Jr. decided to preempt the Times story and at the appointed hour he tweeted out his own statement and the email chain with music producer Rob Goldstone, who clearly indicates that he is arranging a meeting with a "Russian government attorney" about "very high level and sensitive information" that is "part of Russia and its government's support for Mr. Trump."

At 11:06 a.m. the Times sent a breaking news alert with their story.

Though the story was covered by the rightwing media, some dismissed it as another "nothing burger" or mirrored Trump Jr.'s claim he was being transparent. CNN's Oliver Darcy has a run down here including one Breitbart editor suggesting the emails prove "straight up collusion".

As though to prove how "nothing" the story was, Fox News' Sean Hannity, whom Donald Trump Jr. went to for his one interview on Tuesday, told fellow host Martha MacCallum before hand that "I never run out of questions. I ran out of questions tonight."

The New York post took a different approach, "Dumb. Dumb. Dumb," they called Trump Jr. in an editorial, which The Drudge Report linked to as it's main splash with the headline "Russian Roulette."

Meanwhile at the White House the president is "fuming" at the coverage, my colleagues Tara Palmeri and Josh Dawsey report, as the White House has taken a backseat to shaping the coverage since Trump Jr. is not a White House employee and represented by his own lawyer.

Good morning and welcome to Morning Media! Send me your news tips and tricks: **hgold@politico.com** / **@Hadas_Gold**. **Morning Media** is edited by **Alex Weprin** (**@alexweprin** / **aweprin@politico.com**) and produced with writing/reporting help from **Cristiano Lima**. (**clima@politico.com** / **@ludacristiano**). **Archives**. **Subscribe.**

JOE SCARBOROUGH SAYS HE'S DONE WITH THE GOP, the MSNBC host and former Republican congressman announced Tuesday night on Stephen Colbert's "The Late Show." When I saw this making the rounds last night I actually thought for a moment 'Wait, he didn't already do that?' Long time coming, it seems.

"You have to ask yourself what exactly is the Republican party willing to do? How far are they

willing to go how much of this country or values are they willing to sell out," Scarborough told Colbert. "I am a Republican but I'm not going to be a Republican anymore. I've got to become an Independent."

Scarborough and co-host (and fiance) Mika Brzezinski seem to be on a mini-publicity tour of late. Coming off of Colbert last night, they'll be at the National Archives in D.C. tonight for a Harvard Kennedy School Institute of Politics event (Joe and Mika are visiting fellows). And Page Six just reported Brzezinski has landed a three-book deal with Weinstein Books.

SOUNDBITE: "Reminder: These disclosures are not happening out of any action of good will. They're happening because investigative reporters are digging." [Matt Viser]

DONNA BRAZILE RELEASING 'CAMPAIGN THRILLER' MEMOIR 'HACKS': Donna Brazile is hardly shying away from her criticism of the Trump administration. On the contrary, the former DNC chief and CNN and ABC News contributor will mark the one-year anniversary of the president's electoral victory over Hillary Clinton with the release of her book, "Hacks: The Inside Story of the Break-ins and Breakdowns that Put Donald Trump in the White House," POLITICO's Edward-Isaac Dovere reports . According to publisher Hachette the book promises a book that is "equal parts campaign thriller, memoir, and roadmap for the future." In her book deal announcement, Brazile warns of history repeating itself if we don't learn the lessons of the 2016 election: "Our nation is under unprecedented assault, and if we don't get the facts out, it will happen again - and worse than you can imagine."

INTERCEPT TO SUPPORT PROSECUTED LEAKER'S DEFENSE: The Intercept says it will provide financial support for Reality Winner, the former NSA contractor whose leak of intelligence to the online publication has led to an arrest and pending charges from the Trump administration. In an announcement posted Tuesday, editor-in-chief Betsy Reed stressed the outlet's opposition to "the use of the Espionage Act against government whistleblowers." She added: "The Intercept's parent company, First Look Media, has taken steps to provide independent support for the legal defense of Reality Winner, the NSA contract employee who was recently arrested in the first instance of the Trump administration using the 100-year-old Espionage Act to prosecute an alleged journalistic source."

REVOLVING DOOR:

-- ICYMI Jason Schwartz is joining our team as a media writer! He comes to us from ESPN.com and ESPN Magazine where he is a senior editor. Before that he was a senior editor at Boston magazine (you may remember his great deep dive into Curt Schilling and his failed video game venture). We are so excited to have Jason and can't wait for his contributions to Morning Media!

-- Veteran NYT staff writer Fernanda Santos has taken a buyout, she announced on social media Tuesday, though she vowed to continue reporting out of Arizona on issues like immigration and "pursuing my definition of success." The paper has recently met resistance in its push to consolidate the newsroom, offering buyouts to copy editors and other staffers.

-- Ryan Lucas will join NPR as a justice reporter, after two years covering the intelligence beat and the investigation into the Trump campaign's Russia ties for CQ. He starts Aug. 14.

-- David Von Drehle is rejoining the Washington Post as an opinion columnist, the paper announced Tuesday. Von Drehle, who previously was the Post's New York City bureau chief, comes over from Time Magazine where he served as an editor-at-large, authoring over 50 cover stories for the publication.

-- The Weekly Standard is bolstering its opinion and books and arts sections, announcing the hires of Barton Swaim and Adam Keiper as its new respective editors. A regular Washington Post contributing columnist, Swaim will oversee the Standard's editorial production,while Keiper joins after serving as an editor The New Atlantis journal for over a decade.

TIL: Don Lemon really loves coconut and argan oil.

KEEP AN EYE OUT FOR: Credibility attacks on the reporters who broke the Trump Jr. stories. According to the Washington Post, a "handful of Republican operatives close to the White House... have begun what could be an extensive campaign to try to discredit some of the journalists who have been reporting on the matter." These operatives plan to research reporter's previous work and exploit "any mistakes or perceived biases" and then "demand corrections, trumpet errors on social media and feed them to conservative outlets, such as Fox News."

-- Flashback to last week in Breitbart: "Allies of the president outside the White House have assembled informal units to review everything the fake news media has ever written-and will write-about the White House, fact-checking everything media-wide."

EXTRAS:

-- Dow Jones sets a target of 40 percent women in executive ranks [TalkingBizNews]

-- How artificial intelligence is changing media economics. [NYC Media Lab]

-- Time Inc. is debating whether to change its corporate name. Among the finalists? "Life," an homage to the classic magazine title. [WSJ]

-- Sheldon Adelson: Playing to win with the media in Las Vegas [Moment]

-- Some Twitter users that have been blocked by Trump are suing, arguing that his account is a public forum and that he cannot block people. [NY Times]

-- Here's a profile of Fox News correspondent Jennifer Griffin and NPR's Greg Myre. They also happen to be married, going on 25 years. [CJR]

--- Conservative cable channel Newsmax continues to get more distribution. It is now available on DirecTV and Uverse. [Newsmax]

-- An investment group led by a former Chicago alderman and a coalition of labor unions has secured enough money to buy the Chicago Sun-Times. [Chicago Sun-Times]

ELSEWHERE, PERHAPS:

-- America is close to hosting its first Olympics since 2002 [NPR]

-- Google has helped finance hundreds of academics to defend against regulatory challenges of its market dominance [Wall Street Journal]

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/15/2017 8:02:47 PM
Subject: June 15 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

EPA to Seek Legislative Fixes In Place of Regulations, Pruitt Says

Posted June 15, 2017, 02:44 P.M. ET

By Brian Dabbs

The EPA will proactively reach out to seek legislative fixes to environmental laws that avoid lengthy litigation akin to the Clean Power Plan and the Clean Water Rule, Administrator Scott Pruitt told lawmakers June 15.

That strategy aims to curb agency "overreach" while providing certainty to companies, Pruitt said.

"When you disrespect rule of law, and what that fundamentally means, is when you take statutes passed by Congress and act in a way that's not authorized, it creates uncertainty," Pruitt told lawmakers. "If you have not spoken to an issue, if you have not given authority to the agency, we're not to reimagine it. We're not going to create it. We're going to let you know when those deficiencies arise."

The two high-profile regulations have been wading through legal limbo in recent years, and the Environmental Protection Agency is now reconsidering the Clean Power Plan rule. That regulation, arguably the trademark of the Obama administration's environmental legacy, would require decreased carbon dioxide emissions on the fleet of existing power plants.

EPA rules have had a "devastating impact" on coal-producing communities, Rep. Hal Rogers (R-Ky.) told Pruitt. Rogers has recently complained of the Trump administration's plan to zero out the Appalachian Regional Commission, an economic development program that is receiving $152 million this fiscal year through the Energy Department's appropriations account.

Senate Committee Advances Nuclear Regulator Nominee Svinicki

Posted June 15, 2017, 10:54 A.M. ET

By Rebecca Kern

The Nuclear Regulatory Commission is a step closer to retaining its quorum as the Senate Environment and Public Works Committee advanced the nomination of current NRC Chairman Kristine Svinicki for a third term at the agency.

The committee voted unanimously by voice vote to favorably report Svinicki's nomination for another five-year term on the commission. Chairman John Barrasso (R-Wyo.) told Bloomberg BNA after the June 15 business meeting that he and others are working with Senate leadership to get a floor vote on Svinicki before July 1.

Svinicki's current term is set to expire on June 30, after which she will no longer be allowed to serve and the NRC will not have a quorum.

In addition to Svinicki, a Republican, the committee considered two other Republicans nominated by the Trump administration: Annie Caputo, a long-time energy policy adviser for the committee, and David Wright, a former chairman of the South Carolina Public Service Commission. The committee has not yet scheduled votes on those nominations.

The NRC is an independent agency that licenses and regulates the country's nuclear reactors. Its five commissioners serve staggered five-year terms, with three seats belonging to the political party in power in the White House. It currently has three commissioners: Svinicki, whom President Donald Trump named as chairman in January; Stephen Burns (I), the previous chairman in the Obama administration; and Jeff Baran (D).

Nuclear Waste Bill Set to Change After Subcommittee Markup

Posted June 15, 2017, 01:25 P.M. ET

By Rachel Leven and Rebecca Kern

A House subcommittee June 15 approved, along party lines, a draft bill to reboot efforts to make Yucca Mountain the nation's permanent repository for nuclear waste and a bill (H.R. 806) that would push back deadlines for Obama-era ozone standards.

Additionally, draft legislation that would reauthorize the EPA's brownfields program for the first time since 2006 was approved unanimously by the House Energy and Commerce's Subcommittee on Environment. That program aims to clean up and repurpose contaminated industrial and commercial sites.

Rep. John Shimkus (R-Ill.), the subcommittee's chairman, previously told Bloomberg BNA that he hopes the House will pass the three bills, along with a drinking water reauthorization bill, by August.

At the markup, Democrats expressed concern that the administration didn't testify on the bills.

"We do not know how the agencies that would implement these programs would interpret the language in these bills," full committee ranking member Rep. Frank Pallone (D-N.J.) said at the start of the markup. "We are being asked to vote on legislation without the opportunity to fully understand its effects and potential unintended consequences."

The Environmental Protection Agency and the Energy Department didn't immediately respond to Bloomberg BNA's messages asking why they didn't testify and whether they support these bills. A spokesman for the Nuclear Regulatory Commission said the committee didn't request that the agency testify at the hearing on the nuclear waste draft bill in April and that it has no stance on the draft bill.

The two draft bills will next be introduced and all will be sent to the full committee, a committee spokesman told Bloomberg BNA in an email. There could be changes from the draft bills discussed at the markup to the bills that are formally introduced, the spokesman said.

Trump's Budget Puts Climate Research Program on Thin Ice

Posted June 15, 2017, 12:18 P.M. ET

By Catherine Douglas Moran

The U.S. could fall behind on mitigating expensive and irreversible damage from climate change domestically as a result of the White House's proposed cuts to an interagency research program's budget. Funding worries for the domestic climate and climate-related research program come at a time of uncertainty about the Trump administration's priorities for climate change as it slashes funding for that work across the government. President Donald Trump has pledged that the U.S. will exit the Paris Agreement and has proposed a fiscal year 2018 budget that would discontinue more than $100 million in funding for several climate change research and partnership programs.

Margaret Leinen, director of the Scripps Institution of Oceanography at the University of California San Diego who previously served on the National Science and Technology Council's environment committee that guides the U.S. Global Change Research Program, told Bloomberg BNA that if major cuts are made to the program, the decreased funding will not stop or alter the course of climate research. But she said it may affect the country's reputation internationally and reduce the amount of domestic research.

"Other countries are not going to do the work on impact in the U.S. for us," she said. "No one else is going to do that research for us, so that's really what's at risk when we cut the U.S. climate research."

Comprised of nearly a dozen agencies and departments, Congress created the program in 1990 under the Global Change Research Act (Pub. Law No. 101-606) to better understand human-caused and natural climate changes and to develop mitigation and adaptation policies. Every three years Congress requires the submission of a strategic plan outlining goals and priorities for the next 10 years, and no less than every four years Congress and the president receive a national scientific assessment on the research program's findings.

Funding Fluctuations

The largest contributors to the program include NASA, the Energy Department, the National Oceanic and Atmospheric Administration, and the National Science Foundation.

Some of the agencies submit requests for the research program as a part of their budgets. Others calculate their contribution to the program from allotted research grants. The program's annual report that explains and breaks down the budget request is expected in a few months.

Here are the known agency funding requests for Global Change Research Program for fiscal 2018, according to the agencies:

• National Science Foundation: $264 million—a decrease of $66 million from its actual fiscal 2016 amount

• Smithsonian: $8 million—largely steady from fiscal 2014 to fiscal 2018 request

• Energy Department: $84.2 million—a decrease of $144.7 million from its fiscal 2017 enacted appropriation

• EPA: Global Change Research listed as a proposed eliminated sub-program along with other science programs

"I think it's really important that people understand that there are real risks, and the risks are not just for polar bears or for coral reefs," Leinen said. "They are for us and our economy and what our livelihood is like."

Leinen said the collaboration between the agencies is only as good as the budgets provided. The research program has tried to recover from funding dips by accepting proposals from scientists who were turned away at other agencies, but one agency will not assess the impacts of climate and environmental change for another agency's mission, she said.

Congress Could Rescue Funding

While Congress and the administration set the priorities for climate change research, Congress probably won't eliminate or "massively" cut funding for the program in the upcoming fiscal year, Leinen said.

"Each administration comes in seeing the problem of climate change with their own lens and may have different priorities," Leinen said. "I think that one of the things that was quite, quite clear in the 2017 deliberations was that Congress did protect, Congress did acknowledge the importance of climate change research and made sure that it was funded to the best of their ability."

Overall, funding for Global Change Research Program grew 30.2 percent from fiscal 2000 to the fiscal 2017 request, peaking in 2003, according to the American Association for the Advancement of Science. After declining during President George W. Bush's administration, the program was revitalized in fiscal 2009 when the American Recovery and Reinvestment Act provided an additional $641 million.

Anthony Janetos, a Boston University biologist and next chairman of the National Academies of Science advisory committee for the U.S. Global Change Research Program, told Bloomberg BNA that there is "nothing concrete to put our fingers on" financially for fiscal 2018, until the multiple appropriations committees that handle the agency budgets piece together the funding.

"Even small changes can make a difference in what gets done," he said. "The accumulation of the kind of scientific knowledge is best served by budgets that don't radically change from year to year."

Agency Overlap and Collaboration

Two Republican committee aides familiar with the research program's reports told Bloomberg BNA that it will probably not face funding problems. However, one of the aides said the cuts might be justified by potential duplication of climate modeling and other resources at the agencies.

"Is this funding cut in one place? Is there an offset somewhere else where the federal government is already doing research into that topic?" the aide said. "The federal government doesn't need to be spending money on any sort of competing research."

One of the reasons that Congress created the research program was to reduce the redundancy between agencies, John Furlow, the deputy director for humanitarian assistance and international

development at Columbia University's International Research Institute for Climate and Society, told Bloomberg BNA. He was a USAID representative to the climate change research program.

"There might be a little bit of redundancy, but I think there's more complementarity," he said. "If you cut something that NASA is doing, it might make it more difficult for NOAA to do its piece. So I mean just as a very coarse example, if NASA doesn't launch satellites, NOAA can't stick instruments on those satellites."

He said he is concerned about the uncertainty for climate funding and what that will mean for the program's future if the budgets for the EPA, NOAA, and National Science Foundation plummet.

If the climate research program's funding is slashed, Furlow said public outreach, website maintenance, and production of reports for Congress may be constrained.

"It probably would not be the end of the world but just reduce the amount of outreach that GCRP can provide," Furlow said. "I don't know what happens if the funding were to become so constrained that they couldn't pass the smell test of meeting the requirements of that law."

Political Controversies

This is not the first time that the Global Change Research Program has faced funding cuts and encountered concerns about potential political influence on its science.

One of the majority committee aides said the reports were used to further the agenda of the Obama administration by narrowly focusing on human-caused climate change instead of global change.

"I think we could agree that the politics has influenced the work of GCRP over the years," the aide said. "I think the conclusions of the National Climate Assessment are used to support climate policies specifically of the last administration and that's its job, that's its goal, that's its duty. Support the president."

Leinen said she thinks politics influence the funding, but not the science.

"Although there can be political push, there are so many other forces that I don't think the science gets steered," she said. "Does the politics get steered by the science? Sometimes."

—With assistance from Dean Scott.

EU Environment Agency Warns of 'Profound and Rapid' Arctic Changes

Posted June 15, 2017, 01:15 P.M. ET

By Stephen Gardner

The European Union should do more to relieve the pressures on the Arctic ecosystem or risk a breakdown of "the Arctic's role in global climate regulation," the European Environment Agency said June 15.

Specific measures for the 28-nation EU bloc to take could include initiatives to limit marine litter and black carbon, designation of more nature conservation areas in the European Arctic, phasing out the use of diesel generators in the Arctic in favor of renewable power, and designating low

environmental impact shipping corridors, the agency said in a report.

The EU should also do more within international forums to promote protection of the Arctic environment and to ensure that economic exploitation of the Arctic's resources does not damage the region's ecosystems, the report said.

The current slowdown of investment in resource extraction in the Arctic, caused by low commodity prices, is a "window of opportunity" to introduce new more environmentally-friendly Arctic policies, the report added.

Global warming is leading to "profound and rapid changes" in the Arctic environment that could have worldwide consequences, the environment agency report said.

Of the eight countries with Arctic territory, Finland and Sweden are EU members, while Greenland is a territory of EU member Denmark.

Singapore's Carbon Tax May Be Felt Throughout Southeast Asia

Posted June 15, 2017, 5:31 A.M. ET

By Lien Hoang

When Singapore rolls out Southeast Asia's first carbon tax in 2019, the biggest impact may not be on carbon emissions at all—at least, not directly.

Instead, a government that threw itself behind digital currencies and self-driving cars could accelerate far-reaching research into efficiency technologies. The island-nation also could serve as a role model for its more carbon-intensive neighbors.

As a nation, Singapore's 5.6 million people are responsible for only one-tenth of 1 percent of the world's carbon emissions, according to data from the country's National Climate Change Secretariat. But Singaporeans rank in the top 30 for emissions per capita, more as individuals than the Swiss, British, or Chinese.

"We are in the unique position of being a city-state that has a large manufacturing sector. For example, we have a large chemicals industry on Jurong Island that has a significant carbon footprint," said Toh Wee Khiang, program director of the Energy Research Institute at Nanyang Technological University.

Manufacturing and construction emitted 25 percent of Singapore's carbon dioxide in 2014, compared with the global average of 20 percent, the World Bank reported.

Existential Crisis

Singapore also suffers from the air pollution caused by constant forest fires in Indonesia. And coastlines will be threatened if climate change continues to raise sea levels. The carbon tax will "incorporate the negative externalities" such as these threats into the cost of fossil fuels to help the nation deal with the environmental effects, Toh said.

The tax, which will range between S$10 and $20 ($7.30 to $14.58) per ton of greenhouse gas emissions, also will figure into the Paris Agreement. Earlier this month, President Donald Trump's

decision to pull the U.S. out of the climate change accord prompted Singapore to double down. The island-nation said it "staunchly supported" global climate change efforts such as the accord and the carbon tax will help the country meet its Paris pledge.

"This may also spur the creation of new opportunities in green growth industries such as clean energy," Singapore Finance Minister Heng Swee Keat said when announcing the tax in February. "Revenue from the carbon tax will help to fund measures by industries to reduce emissions."

From Apple to Exxon

Companies across the island are taking steps to shrink their carbon footprints—from Apple Inc.'s all-solar operations to Exxon Mobil Corp.'s overhead waste heat recovery.

The tax also could get more businesses interested in recovering energy so they can reuse it, according to Toh.

One beverage factory, for example, now harvests the heat from its boiling process, even as researchers at the National University of Singapore continue to study and refine the technology. Professors there want to salvage cold energy that's expended when liquefied natural gas is converted back into gas and use it to desalinate water.

The Sustainable Energy Association of Singapore also identified the petroleum, semiconductor, and metal sectors as other industries that are ripe for waste energy recovery.

"Businesses need to innovate their processes, products, and services to respond to the changing environment effectively," said Ian Hong, a partner specializing in sustainability at KPMG Singapore.

The transportation and construction sectors, in particular, will likely have to rethink their energy strategies in the wake of the carbon tax, according to Isabella Loh, chairman of the Singapore Environment Council.

"Singapore should aspire to be a global leader in the research and development of renewable technologies as this will boost our economy by creating jobs and attracting investments," Loh told Bloomberg BNA. "That's why the SEC is urging the government to consider channeling the revenue raised by the carbon tax into promoting this innovation."

Heng said in his speech the tax "will help to fund measures by industries to reduce emissions."

Carbon-Capture Politics

Although solar panels are part of the nation's overall energy strategy, Singapore acknowledges few prospects for renewables due to its limited land mass and natural resources. Instead, the microstate is focusing on improving the efficiency of the energy already available and to advance carbon capture, another technology that Toh expects will get more attention under the carbon tax.

"As long as our reliance on fossil fuels remains, CCS/U has potential to be an important part of our strategy to reduce CO2 emissions," the climate change secretariat said in a 42-page report on carbon capture, storage, and utilization.

Singapore could capture carbon from power plants before it enters the atmosphere and turn it into products such as methanol, formaldehyde, or even drugs or sand, for the construction sector. But

low demand for these products means the economics "are still not favorable," the report said.

What's more, if the tiny nation of Singapore wants to bury carbon in the ground, it will have to find some friends. "The absence of suitable storage sites in Singapore means foreign sites will have to be sought," the secretariat said. "International geopolitical and corporate negotiations will be necessary."

Rajiv Biswas, IHS Global Insight's chief economist for Asia, said after the carbon tax is rolled out, Singapore will become a "center of expertise" for emerging markets interested in green technology.

Toh agreed, saying the city-state could set an example for tackling greenhouse gases in urban areas, especially among heavy industries. The tax targets major polluters high up in the energy chain, such as power stations.

"If we can be a lead adopter of measures that can significantly reduce GHG emissions while maintaining economic competitiveness," Toh said, "it will have relevance overseas."

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Energy and Climate Report

To: Maisano, Frank[frank.maisano@bracewell.com]
From: Maisano, Frank
Sent: Mon 6/12/2017 5:52:25 PM
Subject: Jun 12 PRG Energy Update: Budgets, Ethanol, Events

Friends,

Another exciting weekend with a $450 million POWERBALL winner (not me), Pittsburgh winning the Stanley Cup for the second straight year and scoring a winner in the Belmont. While I had the Win/Place order reversed, I still won a $5 *Exacta* (which paid out $115) on Saturday as *Tapwrit* outdueled *Irish War Cry* to take the third jewel of the Triple Crown, following in the footsteps of his sire *Tapit*. Of course, my *trifecta* was snake-bitten by *Lookin At Lee* for the third straight race as this time I had him in the box and he faded badly (Yes, I left him out of the Derby/Preakness boxes and should have known this would happen). Anyway, at least I didn't lose money this week finishing slightly ahead. Finally, tonight, Golden State goes for the clincher tonight at home and golf's US Open starts on Thursday at Erin Hills in Wisconsin.

It is a very busy week in DC, starting tomorrow with the rescheduled confirmation hearing at Senate EPW for NRC Commissioners and EPA enforcement head Susan Bodine. They are expected to vote Thursday to move NRC Chair Kristine Svinicki to fast-track her approval before the June 30 expiration of her current term. We also expect a vote on FERC nominees soon as well (before July 4th recess). Senate Energy canceled its permitting hearing slated for tomorrow. On Wednesday, Senate EPW tackles the RVP ethanol issue (even as rumors continue that RVOs will soon be released by EPA) and Senate Commerce looks at automated vehicle technology and hurdles for testing and deployment in the US.

The budget process launches in earnest this week after a few hearings last week. This week there are 18 hearings highlighted by a visit by Scott Pruitt to House Interior/Enviro Approps on Thursday. Secretary of State Tillerson will appear at Senate Foreign Relations tomorrow and Ag Secretary Perdue is at Senate Ag tomorrow afternoon. Secretary Chao make two separate visits to the Senate and House Transportation committees.

Off the Hill, EEI gathers in Boston today through Wednesday for its annual conference, while BP launches its annual Energy Statistics review tomorrow and will discuss it in a couple of events on Thursday. For the future, Secretary Moniz returns to Press Club next Wednesday to discuss energy innovation (I'm hosting him for an NPC newsmaker event), Statoil's Annual Energy perspectives report is next week as well and EIA's annual Energy Conference is right around the corner, too.

I also thought you might find Amy Harder's latest Harder Line column interesting since it looks at the importance of accurate media coverage of climate change, a topic near and dear to many of all our discussions over the years and one she is taking up at today's Citizens Climate Lobby conference here in DC. And keep your eye peeled for the Business Council for Sustainable Energy weighing into energy/environment budget debate soon.

Finally, the FireFly Music Festival starts on Thursday in Delaware and carries through four days of music. This is my wife's favorite event, so when she heads out Thursday, my kids and I will be living large, eating as much great carry-out (KFC Buckets and Ledo Pizza are on the agenda) as possible, watching movies late into the night and listening to loud music in the House. Now that's livin'. Which reminds, on Friday, I'm hosting Newt Gingrich for a National Press Club event about his new book: *Understanding Trump.* It should be insightful, so please attend or pass on to your many colleagues covering the political angles…

Call with questions…

Best,

Frank Maisano

(202) 828-5864

c. (202) 997-5932

FRANKLY SPOKEN

"The successful development of new energy technologies – and the jobs they create – depends on effective partnerships between public and private sectors. A significant component of those partnerships is the proper alignment of investments along the technology development process. Leveraging its expertise, the private sector has invested billions of dollars to commercialize new energy investments. Critical to this process is the feedstock supplied by

federal investments, especially in the early-stage and high-risk research."

A Letter from 14 CEOs, including major Corporations like Southern, Air Liquide and DuPont, as well as Chamber CEO Tom Donahue, urging Congressional appropriators to support funding for energy innovation programs. The letter was sponsored by the Bipartisan Policy Center's American Energy Innovation Council.

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IN THE NEWS

CEOs Urge Congress to Protect Energy Innovation – Late last week, the Bipartisan Policy Center's American Energy Innovation Council sent a letter to Congress urging their support for the Advanced Research Projects Agency-Energy and research and development programs to ensure that the United States maintains its competitive edge. In a letter, 14 energy and economic heavy hitters, including Southern CEO Tom Fanning, Air Liquide CEO Mike Graff and Chamber of Commerce head Tom Donahue said early federal research helped develop hydraulic fracturing technologies as one example of why the private sector alone can't fund critical innovation in energy. Other signers include Lockheed's Norn Augustine, Exelon's Chris Crane, Shell's Bruce Culpepper, former Commerce official John Doerr, Pioneer's Tim Dove, PG&E's Anthony Early, Clean Line CEO Michael Skelly, former DuPont CEO Chad Holliday, NEI's Maria Korsnick, AGA's Dave McCurdy and David Holt of the Consumer Energy Alliance. I can send PDF if you need it.

New Research Initiative to Update, Improve Social Cost of Carbon – Resources for the Future (RFF) is launching a multi-year, multidisciplinary research initiative to improve the methodology used to calculate the social cost of carbon—an economic tool used to quantify both the benefits to society of reducing carbon dioxide emissions from the atmosphere and the harm to society from emitting more carbon dioxide. The social cost of carbon informs billions of dollars of policy and investment decisions in the United States and abroad—making it critical that estimates of the measure are transparent and based on the best available science and methodology. The following few examples highlight use of the social cost of carbon across several jurisdictions. Along these lines, RFF's new initiative will support and inform policy design choices and evaluations of actions that affect climate change by decisionmakers and analysts worldwide.

Platts Cap Crude to Look at Paris, Oil Exports – The current edition of Platts Capitol Crude will look at whether President Trump's decision to pull the US out of the Paris climate

agreement hurt national security. It also looks at whether US crude exports are actually benefitting US allies and if we should be selling off the Strategic Petroleum Reserve. Andrew Hollard, director of studies and a senior fellow at the American Security Project, answers these questions and more on this week's Capitol Crude.

Defense Energy Advisor Appointed – President Trump announced his intent to nominate Lucian Niemeyer late Friday to serve as assistant secretary of Defense for Energy, Installations and Environment. Niemeyer was previously a long-time staffer on the Senate Armed Services Committee where he ran the military installation portfolio and conducted oversight of federal energy and environmental programs.

Immelt to Step Down at GE – General Electric CEO Jeff Immelt is stepping down effective August 1, after 16 years of leading the company. He will be replaced by John Flannery, who currently heads the industrial giant's health care division.

ON THE SCHEDULE THIS WEEK

EEI Holds Annual Meeting – The Edison Electric Institute will launch its annual conference in Boston today through Wednesday at the Copley Marriott. Keynote speakers include NBC's Tom Brokaw, MIT Digital Economy Co-Director Andy McAfee, retired general Keith Alexander and former White House advisor and CNN analyst David Gergen. Southern CEO moderates a great breakout session tomorrow morning featuring DOE veteran Pat Hoffman, FERC's Joe McClelland and Oracle Chief Security Officer Mary Ann Davidson.

Climate Lobby Meetings, Hill Day Set – The Citizens Climate Lobby hold its 8th annual conference in Washington, DC on today and tomorrow at the Omni Shoreham. The keynote speaker will be Dr. Anthony Leiserowitz, Director of the Yale Program on Climate Change Communication. Most of tomorrow will be on Capitol Hill.

LNG CEO to Address Forum – The Atlantic Council will host a forum today at Noon looking at how unconventional oil and gas continues to reshape global energy markets. Tellurian LNG CEO Meg Gentle will speak. The conversation will focus on the outlook for US LNG, changes in the LNG market globally, and other trends and drivers.

Security Experts to Address Methanol Policy Forum – The Institute for the Analysis of Global Security (IAGS), the U.S. Energy Security Council (USESC) and the Methanol Institute will hold a Methanol Policy Forum tomorrow at the National Press Club. The Forum will include a special luncheon discussion: Energy Security through Fuel Choice, which features a conversation with the U.S. Energy Security Council experts like former National Security Advisor Robert C. McFarlane, former CIA Director James Woolsey, former President of Shell Oil Company John Hofmeister, former White House Counsel and Ambassador to the EU C. Boyden Gray and former Louisiana Senator and Senate Energy Bennett Johnston. Our friend Joe Cannon and other will speak on panels as well.

Senate Environment Host NRC Nominees, EPA Enforcement Official – After it was postponed last week over paperwork issues, the Senate Environment Committee will host a nomination hearing tomorrow at 10:00 a.m. on three NRC nominees and EPA enforcement chief Susan Bodine. The NRC nominees include current commissioner Kristin Svinicki and new appointees Annie Caputo, a former Exelon Corp. executive who now works for the EPW Committee and David Wright, a former South Carolina Public Service commissioner. Then on Thursday, the Committee will hold a business meeting to the nomination of current NRC Chair Kristine Svinicki, who needs to be reappointed by June 30th to continue her service.

CANCELED - Senate Energy Permitting Hearing – The Senate Energy and Natural Resources Committee has cancelled its hearing slated for tomorrow on the federal permitting processes. No word on reschedule yet.

House Ag to Look at Watershed Issues – The House Agriculture Committee's Conservation and Forestry Subcommittee holds a hearing tomorrow at 10:00 a.m. on small watershed infrastructure. The hearing will look at continuing the current mission, and building upon successes.

Forum to Look at Global Risks – Tomorrow at 1:00 p.m., the Stimson Center and Georgetown's Institute for the Study of Diplomacy will hold a strategic conversation analyzing the global risks presented to human security by environmental change, as well as the findings and recommendations from the recently released report - "New Challenges to Human Security: Environmental Change and Human Mobility." The event will be a discussion analyzing the global risks presented to human security by environmental change, as well as the findings and recommendations from the recently released report — *New Challenges to Human Security: Environmental Change and Human Mobility*

***Post* Forum to Look at Food Systems** – *The Washington Post* will host a forum tomorrow at 3:30 p.m. that brings together entrepreneurs, food industry executives, scientists and farmers to discuss how technology and science are changing our modern food systems. They will explore the business practices that are driving consumer demand, the innovations and new ideas that are shaping the future of what – and how – we eat and consider the policies that will regulate an increasingly complex global food market. Speakers will include USDA Economic Research Service Administrator Dr. Mary Bohman, EWG's Ken Cook, Seth Goldman of Honest Tea, Hungry Harvest CEO Evan Lutz, Marty Matlock of the University of Arkansas, DC Chef/ Restaurateur Spike Mendelsohn, former U.S. Deputy Secretary of Agriculture Kathleen Merrigan and Veronica Nigh of the American Farm Bureau Federation.

NAS to Discuss Social Cost of Carbon – The US National Academies of Sciences, Engineering, and Medicine will host members from its committee on Assessing Approaches to Updating the Social Cost of Carbon as well as experts from federal and state governments and academia on Wednesday to discuss approaches to valuing climate damages. The symposium is organized into three panels: the first to review the committee's recommendations, the second to hear from academics who are developing estimates of the social cost of carbon, and the third to discuss federal and state approaches to valuing climate damages.

Senate Commerce to Look at AVs – The Senate Committee on Commerce, Science, and Transportation, will convene a hearing on Wednesday at 10:00 a.m. on paving the way for self-driving vehicles. The hearing will explore automated vehicle technology and hurdles for testing and deployment in the United States. The hearing will also examine state and federal roles to ensure safety while promoting innovation and American competitiveness. Witnesses will include Alliance of Automobile Manufacturers' CEO Mitch Bainwol, Rob Csongor of NVIDIA Corporation, John Maddox of the American Center for Mobility and MADD's Colleen Sheehey-Church.

RFF to Host Webinar of RGGI Emissions Issues – Resources for the Future (RFF) will hold a webinar Wednesday at 10:15 a.m. to discuss emissions containment reserve (ECR) concepts with the Regional Greenhouse Gas Initiative. Researchers at Resources for the Future (RFF) and the University of Virginia have been working hard on further analysis and modeling of the ECR and the webinar will present the results of this research; a final report will be released in early summer. The webinar will begin with an introduction and brief review of the ECR concept. Dallas Burtraw (RFF) and William Shobe (UVA) will then present results from simulation modeling and laboratory experiments that illustrate how the Regional Greenhouse Gas Initiative (RGGI) market would work with the addition of an ECR. Following the presentations, representatives from industry, environmental advocacy groups, think tanks, and state environmental agencies will respond to the analyses with a look at what they view as

opportunities, as well as potential challenges, of introducing an ECR program as part of RGGI. The webinar will include with time to respond to questions and comments from the audience.

Senate to Look at RFS – The Senate Environment Committee will hold a hearing on the Renewable Fuels Standard on Wednesday targeting legislation by Sen. Fisher on renewable fuels, S 517, the Consumer and Fuel Retailer Choice Act. Witnesses will include long-time renewable fuels advocate Brooke Coleman, Jonathan Lewis of the Clean Air Task Force, Sheetz EVP Mike Lorenz, Briggs & Stratton's Todd Teske and Janet Yanowitz of Ecoengineering.

House Energy to Look at Energy Planning – The House Energy & Commerce Committee's Subcommittee on Energy will hold a hearing on Wednesday at 10:00 a.m. getting states' perspectives on energy security planning, emergency preparedness and state energy programs.

Senate Energy to Discuss Hydro Legislation – The Senate Energy Committee's Water and Power Panel will hold a legislative hearing on Wednesday at 2:00 p.m. looking at several hydropower bills. Witnesses will include Scott Cameron, acting assistant secretary for water and science, Department of the Interior; Mark Gabriel, administrator and CEO, Western Area Power Administration; Harlowton, Mont., Mayor Jeff Sell; Tom Fisher, president, Patterson Lake Homeowners Association; Mike Hamman, chief engineer and CEO, Middle Rio Grande Conservancy District; and Christopher Wynn, vice president, Brookfield Renewable Energy Group.

RCP to Host Energy Workforce Conversation – On Thursday at 9:00 a.m. at the Columbus Club, RealClear Politics will convene experts spanning the commercial construction industry and its adjacent sectors to analyze industry success and workforce development.

Forum to Launch BP Energy Review – The Atlantic Council will launch of the 2017 BP Statistical Review of Energy on Thursday at 9:30 a.m. featuring BP Chief Economist Spencer Dale. From the shift to low-carbon fuels to the proliferation of renewables to the future of coal, BP's Statistical Review of Energy continually provides authoritative and in-depth information and insightful analysis that is invaluable in understanding changing energy markets and production and consumption patterns.

Pruitt to Testify on EPA Budget – The House Appropriations Interior-EPA subcommittee will

host EPA Administrator Scott Pruitt on Thursday at 11:00 a.m. to testify on the White House's EPA Budget, which proposed cutting the agency's budget by 31%. Pruitt will be joined by Holly Greaves, a landing team member who works on budget issues.

BP's Dale Also Addresses NatGas Roundtable – The Natural Gas Roundtable will also BP's Dale as its guest speaker at its next luncheon at Noon on Thursday where he will continue the public rollout of this year's BP Statistical Review of World Energy Markets.

Gingrich to Discuss Politics, Book – Former Speaker of the House and 2012 presidential candidate Newt Gingrich will appear at a National Press Club Headliners Event on Friday at 10:00 a.m. in the club's First Amendment Lounge to discuss his new book, Understanding Trump. I will be hosting the event on behalf of the NPC. In *Understanding Trump*, Gingrich shares what he learned from more than two years helping Donald J. Trump throughout his presidential campaign, during his transition from presidential candidate to Commander in Chief, and in his first few months in office. Gingrich provides a unique perspective on how the new president's past experience as a business leader has shaped his political agenda and approach to governing the country.

WCEE to Look at Western Energy Markets – The Women's Council on Energy and the Environment will host a forum on Friday at Noon at FERC to get an overview of the Western Energy Imbalance Market from FERC staff Elizabeth Olson who worked in the California electricity market during EIM implementation.

IN THE FUTURE

Ukraine Gas Leaders to Address Forum – Next Monday at 3:30 p.m., the Atlantic Council's Dinu Patriciu Eurasia Center and Global Energy Center will hold a conversation on the future of Ukraine's energy sector with Naftogaz leadership. On May 31, Ukraine's Naftogaz won a victory over Russia's Gazprom in the international arbitration court in Stockholm. Naftogaz won on all three counts the court considered. On the heels of this extraordinary development, the Atlantic Council will bring together Naftogaz Chief Executive Officer and Chief Commercial Officer, Andriy Kobolyev and Yuriy Vitrenko, and fellow energy experts, to discuss Ukraine's energy sector – Nord Stream 2, implications of the arbitration between Naftogaz and Gazprom in Stockholm, and energy reforms.

Zinke to Talk Interior Budget at Senate Energy – The full Senate Energy and Natural Resources Committee will convene a hearing next Tuesday to examine the president's budget request for the Department of the Interior for Fiscal Year 2018. Secretary Ryan Zinke will appear.

Forum to Look at AVs – The Information Technology and Innovation Foundation and the Washington Embassy of the Federal Republic of Germany will hold a forum next Tuesday, June 20th at 10:00 a.m. to discuss key policy and commercial issues and insights on how enterprises and policymakers from the U.S. and Germany are enabling the future of mobility. Emerging digital technologies are enabling connected and autonomous vehicles (AVs). These technologies will reshape the future of mobility, reducing accidents and producing an estimated $1 trillion-a-year economic benefit in the United States alone. But to achieve that vision, policymakers will need to create a regulatory environment that encourages experimentation while ensuring high standards of road safety, as Germany has recently done by developing a policy framework for autonomous vehicle research and experimentation. Speakers include Michael Bültmann of HERE Deutschland, ITIF's Stephen Ezell and German Federal Ministry of Transportation's Tobias Miethaner.

WAPA to Host Steel Discussion – The Washington Automotive Press Assn is holding a forum at the National Press Club Tuesday June 20th at Noon featuring the Steel Market Development Institute. Dr. Jody Hall, vice president of the automotive market for the Steel Market Development Institute, will discuss advancements in steel grades and how their application in the vehicle structure helps protects occupants in the event of a crash and is easier to repair than vehicles made with alternative materials.

Forum to Look at OPA Reform – The Environmental Law Institute will hold a forum on Tuesday, June 20th at 12:00 p.m. looking at updating the Oil Pollution Act (OPA) in 1990. OPA was passed following the Exxon Valdez oil spill, to strengthen the federal government's ability to prevent and respond to oil spills, establish financial resources to aid response, and raise standards for contingency planning. The program will cover OPA issues raised by pipeline projects, and by the Trump Administration's efforts to increase production from offshore and federal lands and to restrict the definition of waters of the United States in ways which may reduce the scope of contingency planning requirements for inland locations. Speakers will also discuss key decisions from the past year involving the OPA and related federal statutes, including decisions about recoverable damages, citizen suits, and presentation of claims to the Oil Spill Liability Trust Fund, as well as decisions in enforcement cases against vessels involving the use of "magic pipes" to deal with oily bilge water. The expert panel includes NOIA's Randall Luthi, Cyn Sarthou of the Gulf Restoration Network and Richard Udell, who serves in DOJ's Environmental Crimes Section.

BPC Innovation Forum to Feature Sen Alexander, Southern ClearPath Experts – The Bipartisan Policy Center's Energy Innovation Commission will hold a conversation on Tuesday June 20th at 3:00 p.m. in 430 Dirksen about the energy innovation process, with leading industry voices discussing whether smart, targeted approaches for limited federal resources can complement private sector investments in pursuit of advanced energy technologies. President Trump's recent budget proposal for fiscal year 2018 has sparked a conversation about the appropriate federal role in supporting the nation's innovators. As the congressional appropriations process begins in earnest, energy research programs within the Department of Energy are among those under scrutiny, despite a history of broad, bipartisan support. Sen. Lamar Alexander will offer Keynote remarks, followed by a panel discussion with ClearPath's Rich Powell, Air Liquide's Mike Rosen and Southern's Steve Wilson moderated by Axios' Ben Geman.

WCEE to Host Litigation Roundtable – The Women's Council on Energy and the Environment hold its Third Annual Litigation Roundtable with the women Administrative Law Judges of the Federal Energy Regulatory Commission (FERC) and the Environmental Protection Agency (EPA). The Judges will discuss their experience as Administrative Law Judges, interesting developments in their careers, who mentored them along the way and who they themselves mentored, and share the "Dos & Don'ts" regarding hearings and settlement conferences.

Wilson Forum Look at Arctic Relations – The Wilson Center hold its Arctic Circle Forum on Wednesday and Thursday, June 21-22, beginning each day at 8:30 am and looking at the U.S. and Russian roles in the Arctic. The Arctic is a region of international dialogue and potential competition, of varied challenges and diverse opportunities. It is also a region that is gaining in both geopolitical significance and public awareness every day. The complex relationship between the United States and Russia, along with the approaches of the six other Arctic nations, will continue to shape the region's social, economic, political and environmental issues far into the future. The event will explore the crucial Arctic relationship and the implications for all Arctic nations, the communities that call the region home, and the countries and organizations that have a vested interest in a peaceful and sustainable Arctic.

BNEF to Release Energy Outlook – The CSIS Energy and National Security Program is hosting the launch of Bloomberg New Energy Finance's (BNEF) New Energy Outlook 2017 on June 21st at 10:00 a.m. The report is BNEF's annual economic forecast for the world's power mix to 2040. Built over nine months, it is the result of a major collaboration of more than 65 market and technical experts from BNEF's 11 offices around the world. Seb Henbest (NEO Lead

Author and Head of Europe, Middle East, & Africa; BNEF) and Elena Giannakopoulou (Lead Energy Economist; BNEF) will present on the NEO 2017 findings, followed by Q&A and discussion.

Press Club to Host Former Energy Sect Moniz – The National Press Club will host a Newsmaker on Wednesday June 21st at 10:00 a.m. in the Club's Lisagor Room featuring former Secretary of Energy Dr. Ernest Moniz. Moniz will propose ways to maintain the American leadership edge on energy innovation. Moniz also is expected to announce the formation of a new non-profit organization "The Energy Futures Initiative," that aims to foster innovation in global energy systems. According to the creators, EFI will be a non-partisan, think tank and advisory firm working across all energy sources to provide evidence-based analysis on decarbonizing energy systems, creating high-paying energy jobs, and finding ways to make energy infrastructure and supplies more secure.

CA Energy Forum Set – Advanced Energy Economy's (AEE) annual California energy policy event, Pathway to 2050, will be held on June 21st in Sacramento. The event brings together an influential group of advanced energy business leaders and state policy-makers to discuss opportunities to accelerate California's economy through the growth of advanced energy. Speakers will include our friends Caroline Choi of SoCalEd, Dan Morain of the *Sacramento Bee* and Greentech's Katie Fehrenbacher. Other speakers include SoCal Ed CEO Kevin Payne, GE's Deb Frodl, Cal Assembly Speaker Kevin de Leon, CPUC President Michael Picker, Cal Energy Commissioner Janea Scott and Tom Steyer.

Senate Energy to Hear from Perry on DOE Budget – The full Senate Energy and Natural Resources Committee will convene a hearing on Thursday June 22nd at 10:00 a.m. to examine the president's budget request for the Department of Energy for Fiscal Year 2018. Secretary Perry will testify.

WAPA to Host Ride/Drive of *Ionig* – WAPA also will host a lunch and drive on June 22 at 11:00 a.m. at River Farm in Alexandria, VA featuring the all-new Hyundai Ioniq Electric and Hybrid line of vehicles

CSIS to Host Statoil Energy Report – The CSIS Energy and National Security Program will host a forum on June 22nd at 1:00 p.m. featuring Eirik Wærness, Senior Vice President and Chief Economist of Statoil, to present the company's newly released *Energy Perspectives 2017*. The *Energy Perspectives* report summarizes different narratives about global energy demand and

energy mix for the future decades, scenarios, based on different assumptions about regional and global economic growth, conflict levels and implications, technological development and energy and climate policies. In the 2017 version, models have been adjusted with last year's developments in the energy and climate policy area, technology costs and maturity, more thorough assessments of GDP forecasts, as well as included adjustments made to historic global CO2 emissions. The modelling runs to 2050 with 2014 as baseline year, and provides a forecast for global energy demand and energy mix, economic growth, CO2 emissions, and more.

Forum to Hear Energy Demand Expert – On Friday June 23rd at Chinatown Garden, the National Capital Chapter of the US Energy Economists will host physicist, venture capitalist, author, government advisor, and senior fellow at the Manhattan Institute, Mark Mills. Mills will discuss energy demand disruptions and the aspirations versus the reality. Mills says we are nearing an era of 'peak energy demand' requires believing that innovation is over, and similarly that we've seen the end of normal economic and social behaviors. Technology and demographic trends in fact suggest that the recent past is in an interregnum, not a 'new normal' when it comes to energy demand.

EIA Energy Conference Set – The 2017 EIA Energy Conference is scheduled for June 26-27 in Washington, DC.

Smart Cities Conference Headed for Austin – The 2017 Smart Cities Connect Conference will be in Austin, TX at the Convention Center on June 27th. The event convenes more than 200 global city leaders to prospect and partner with innovative technology and service providers.

Global Security Forum Set – The Center for a New American Security hosts its 2017 Annual Conference in partnership with The Washington Post on Wednesday, June 28th at The Mayflower Hotel. This year's conference will bring together U.S. national security policymakers and experts to highlight major divides and identify potential bipartisan solutions. CNAS is an independent and nonpartisan research institution that develops strong, pragmatic and principled national security and defense policies.

JULY 4th Recess – June 30th to July 11th

Congressional Renewable Expo Set – The 20th annual Congressional Renewable Energy and Energy Efficiency EXPO and Policy Forum will be held on Tuesday, July 11th from at 9:30 a.m. to 4:30 p.m. In Rayburn.

Community Solar Forum Set for Denver – The Coalition for Community Solar Access will host the first annual National Community Solar Summit in Denver on July 26 – 28. A few highlights for Denver include energy company CEOs including Tom Matzzie of CleanChoice Energy, Jesse Grossman of Soltage, Zaid Ashai of Nexamp, Rick Hunter of Microgrid Energy and Steph Spiers of Solstice. Other speakers include energy company leaders Hannah Masterjohn of Clean Energy Collective, Dan Hendrick of NRG Energy, Adam Altenhofen of US Bank, Adam Capage of 3 Degrees and Lori Singleton of Salt River Project.

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Tue 6/20/2017 2:04:35 PM
Subject: POLITICO's Morning Energy: Perry preps for House grilling today — McConnell tees up Svinicki vote — Health groups press Pruitt on air issues

By Anthony Adragna | 06/20/2017 10:00 AM EDT

With help from Eric Wolff, Esther Whieldon, Alex Guillén, Ben Lefebvre and Darius Dixon

PERRY V. CLIMATE SCIENCE: Energy Secretary Rick Perry has set himself up for a fierce grilling before a House Appropriations subcommittee today after he said Monday - contrary to the overwhelming scientific consensus - that he doesn't think carbon dioxide emissions from human activity are the main driver of climate change. Greens quickly pounced, with the Sierra Club saying that "Rick Perry's outrageous comments are the latest indication that this administration will do everything in its power to put polluter profits ahead of science and public health." Remember EPA Scott Pruitt faced weeks of criticism and a scientific integrity probe when he made similar remarks about CO2 on the same show, CNBC's "Squawk Box." Following his comments, Oregon Rep. Earl Blumenauer sent Perry a host of educational materials outlining the basic established science of climate change.

This is both Perry's first public appearance on Capitol Hill since his nomination hearing in January as well as the first hearing in 2017 of Rep. Mike Simpson 's energy spending subcommittee, so there's plenty to discuss. Simpson doesn't support a lot of the deep cuts Trump's 2018 budget suggests for DOE, but he has also said that the proposal is "Mulvaney's budget" rather than a document with buy-in from the Cabinet secretaries so don't expect him to call on Perry to defend the funding decisions made by the White House. Democrats, on the other hand, will likely needle Perry over funding cuts for renewable energy programs, climate-related work and the elimination of ARPA-E. There aren't any big climate hawks on the panel but issues further afield, like Perry's comments Monday that carbon dioxide emissions aren't the primary "control knob" of climate change, are almost certain to squeeze their way into the discussion. The hearing starts at 1 p.m. in Rayburn 2359.

VOTE TEED UP ON SVINICKI: Senate Majority Leader Mitch McConnell filed cloture on the renomination of NRC Chairwoman Kristine Svinicki, lining up a final vote on her confirmation before the end of the week, Pro's Darius Dixon reports. Svinicki's term expires June 30 - she'd have to step down, at least temporarily, if not confirmed by then - but Republicans have been fast-tracking her to a third term. But it's likely to be a slow walk after Democrats vowed Monday to object to all unanimous consent agreements in opposition to GOP efforts to repeal Obamacare.

NUCLEAR TAX BILL TO GET SOME HOUSE LOVE: The House is slated to vote tonight on a bipartisan bill to rewrite a nuclear energy production tax credit that will likely to decide the fate of two power plants in South Carolina and Georgia. The House Ways and Means Committee approved the legislation, H.R. 1551 , last week and quickly got it on the floor calendar. The bill, which extends the start-up deadline for reactors to qualify for the credit, garnered plenty of support in committee and is expected to be considered under suspension of the rules, which is

usually reserved for uncontroversial legislation. Assuming the full House gives its blessing, it's still unclear if the measure gets cobbled into a larger tax bill or if the Senate will take it up in time to help Southern Co. and SCANA, the companies building the plants. The vote series, which includes more than a dozen bills, starts at 6:30 p.m.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and a tip of the hat to Stoel Rives' Gregory Jenner for identifying Joseph Welch as the man who asked Joseph McCarthy "have you no decency sir?" Today's trivia: What future U.S. senator served as minority counsel on the Senate Watergate Committee? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

ZINKE HEADS TO SENATE ENERGY: Interior Secretary Ryan Zinke heads to the Senate Energy and Natural Resources Committee today at 10 a.m. for a hearing to review his agency's budget request for Fiscal 2018. A Democratic committee aide told ME to expect fierce questioning about Zinke's decision to suspend key parts of BLM methane waste rule and "his assault on national monuments after conspicuously cloaking himself in Teddy Roosevelt's legacy during his confirmation." ME also expects Democrats to press Zinke for prompter responses to oversight requests and to raise concerns on proposed budget cuts for the agency, including its climate change research.

HEALTH GROUPS PRESS PRUITT ON AIR QUALITY: A coalition of public health groups met Monday with EPA Administrator Scott Pruitt to press him on Clean Air Act implementation and enforcement (shortly before he met with utility CEOs on the future of the Clean Power Plan). According to Lyndsay Moseley Alexander, assistant vice president of the American Lung Association and an attendee, the groups brought up the need to base policy on science, the "importance of preventing harm before it occurs," and reductions in smog and soot pollution. She said they also stressed the connection between climate change and improving air quality, a topic the groups said in a new declaration requires "bold action." Moseley Alexander declined to characterize Pruitt's response beyond calling the dialogue "important."

Full list of attendees: Harold Wimmer, American Lung Association, along with Moseley Alexander; Georges Benjamin, American Public Health Association; Mark Del Monte, American Academy of Pediatrics; Katie Huffling, Alliance of Nurses for Healthy Environments; Jeff Carter, Physicians for Social Responsibility; John Auerbach, Trust for America's Health; Martin Hamlette, National Medical Association; Jessica Wolff, Health Care Without Harm; Lynda Mitchell, Asthma and Allergy Foundation of America; David Dyjack, National Environmental Health Association; Laura Hanen, National Association of County and City Health Officials; George Thurston, American Thoracic Society's Environmental Health Policy Committee; Cindy Pellegrini, March of Dimes.

PUSHING ENERGY INNOVATION: Sen. Lamar Alexander, who oversees Energy Department appropriations, speaks today at a panel hosted by the American Energy Innovation Council about DOE and investing in innovation technologies. The event kicks off at 3 p.m. in Dirksen 430.

That comes as the group releases a new report this morning with a series of "specific steps to spur innovation in the energy sector." Among the suggestions are investing $16 billion annually in advanced energy innovation, funding ARPA-E at $1 billion a year, creating a new energy challenge competition for high-impact energy projects with a $20 billion appropriation over ten years, and establishing regional innovation programs. The American Energy Innovation Council boasts such heavy hitters as Microsoft co-founder Bill Gates and Southern Co. Chairman Thomas Fanning.

CELEBRATING TEN YEARS: The U.S. Chamber of Commerce's Institute for 21st Century Energy is teasing a "big announcement" today as it celebrates its tenth anniversary and they've certainly got the VIPs lined up for the party. Pruitt, Perry (by video) and Zinke are all slated to give remarks, along with other energy luminaries. The program kicks off at 9 a.m. at Chamber headquarters.

HOUSE DEMS HOST CLIMATE ROUNDTABLE: House Science ranking member Eddie Bernice Johnson hosts a roundtable today from 10 a.m. to 1 p.m. looking at current climate change effects and possible preventative actions and solutions. Some VIPs on the second panel: Christiana Figueres, one of the key negotiators of the Paris agreement; Jonathan Elkind, a former senior DOE official; and David O'Sullivan, European Union ambassador to the U.S. More details and livestream of the event here.

TRUMP'S PUSH TO KILL A RUSSIAN PIPELINE: Germany and Austria are furious after the Senate approved legislation imposing new sanctions against companies supporting Russian energy export projects, POLITICO Europe's Anca Gurzu reports. Both countries have companies helping Russia's Gazprom with the ???9.5 billion Nord Stream 2 pipeline that the Trump administration is on a diplomatic offensive to kill. "They are actively trying to promote their LNG in Europe and make a business case out of it," Severin Fisher, senior research at the Center for Security Studies in Zurich, said of U.S. lobbying.

CHAFFETZ: TRANSPARENCY AS BAD AS UNDER OBAMA: Outgoing House Oversight Chairman Jason Chaffetz told CNN that Trump administration federal agencies share Obama-era offices' low levels of transparency. "The reality is, sadly, I don't see much difference between the Trump administration and the Obama administration," the Utah Republican said. "In many ways, it's almost worse because we're getting nothing, and that's terribly frustrating."

LOTS OF KLOTZ: There's a lot of Beltway chatter these days about how long retired Lt. Gen. Frank Klotz will be leading the Energy Department's nuclear weapons arm, but there are gears in motion. Klotz, the only Obama administration holdover at DOE, has led the agency's National Nuclear Security Administration since April 2014, though sources tell ME that interviews for a successor have begun. In the final days of the Obama administration, it wasn't clear whether Klotz would have to resign on Inauguration Day like the vast majority of other Obama political appointees. He was ultimately asked to stay for the sake of an "orderly transition."

The White House hasn't announced a NNSA nominee, and in January, some people tracking the agency said Klotz might be willing to serve in the job as long as a year. However, some DOE watchers now say that Klotz could be out over the summer. Still others said that, if he has any

say, Klotz wouldn't leave NNSA without at least a successor being announced by the White House.

REPORT SAYS RENEWABLES NOT TO BLAME FOR COAL WOES: A new report by the Analysis Group contends cheap natural gas prices, the addition of efficient gas-fired power plants and flat electricity demand from customers are prompting closures of coal, older gas-fired and nuclear power plants. The report, commissioned by the Advanced Energy Economy and American Wind Energy Association, says state and federal policies promoting renewables and new energy technologies are a "distant second" factor behind the closures and any claims that plant retirements are causing grid problems are unsubstantiated. The groups are sending the report to DOE which is preparing its own report on grid reliability.

CO-OPS BACK VEGETATION MANAGEMENT BILL: National Rural Electric Cooperative Association President Jim Matheson sent House Natural Resources Chairman Rob Bishop a letter Monday urging lawmakers to back the Electricity Reliability and Forest Protection Act (H.R. 1873) in a floor vote this week. "The bill allows sensible procedures that would cut through federal bureaucratic red tape and reduce delays that currently impede our ability to adequately manage dangerous vegetative overgrowth in existing utility rights of way," he wrote. "Such delays not only add to the costs our electricity consumers pay for their electricity, but present a major threat to human safety, wildlife habitat and the reliable delivery of electricity."

CHALLENGING CHALLENGE OF CARBON REDUCTIONS IN A COALITION OF COALITIONS: The myriad alliances of cities, states and businesses that have pledged to continue with carbon emission reductions despite Trump's withdrawal from the Paris climate agreement would confuse even professional observers: We're Still In, Under 2 MOU and C40, to name just a few. Together these groups make up 36 percent of American carbon emissions and about half of U.S. GDP and population, according to a presentation from the Rocky Mountain Institute. Coordinating all those groups and focusing on a single carbon reduction number will be challenging. Companies have long, nationwide supply chains, and most of the cities and towns are in states that already have climate commitments, making double counting is a problem. RMI's presentation asks whether a single "societally determined contribution" is worth the difficult analysis required, or whether simpler targets could be worked out.

BIG OIL JOINS CARBON TAX PUSH: BP, Exxon Mobil, Shell and Total are just a few of the large corporations joining the Climate Leadership Council, a goup dedicated to promoting a carbon tax as a solution to climate change. The group is marking the moment with a full-page ad in The Wall Street Journal, an op-ed in The Washington Post by former Secretary of State George Schultz and former Obama White House adviser Larry Summers, and an op-ed in the Financial Times by CLC CEO Ted Halstead. The group launched in February with a meeting between Republican luminaries and Vice President Mike Pence, National Economic Council Chairman Gary Cohn, and others. GM, Unilever, Pepsico and Johnson & Johnson have also joined the group.

FRACKING REPEAL UNDER REVIEW: The OMB is reviewing a proposed rescission of the Bureau of Land Management's fracking rule, according to the OIRA website. BLM had

hinted it would make this move when it asked a judge in March to stay an appeal made by the agency during the Obama administration after a lower court ruled BLM didn't have standing to enforce the rule. The rule required companies to publicly list the ingredients in their fracking chemicals and also conduct well integrity tests before they started pumping oil and gas from fracked wells.

PHMSA REVIEWING GAS STORAGE RULE: The Pipeline and Hazardous Materials Safety Administration will not enforce certain aspects of an Obama-era safety rule for underground natural gas storage sites while it crafts a new version, Pro's Ben Lefebvre reports. The federal pipeline safety regulator hopes to have a new rule out for review by January.

EXAMINING METHANE RULE'S LONE STAR IMPACTS: The Texas Grassroots Network released a report today highlighting how it says oil and gas development in Texas has exacerbated air pollution and public health issues. It argues doing away with EPA's methane standards for new and modified oil and gas sources means Texans will "continue to suffer serious health issues from preventable air pollution."

MAIL CALL! ODD GROUP PRESSES ON CITGO: Senate Finance ranking member Ron Wyden and Senate Foreign Relations ranking member Ben Cardin sent a letter to the State and Treasury departments asking for the likelihood of Russia's Rosneft gaining control of CITGO. The letter rings the same alarm bells Robert Menendez and Marco Rubio sent in April. Rosneft obtained bonds worth about 49 percent of CITGO from the refiner's parent company, Venezuela's state-owned Petroleos de Venezuela, as collateral for a loan. If PdVSA defaults on that loan, Rosneft - a company whose executive chairman is under U.S. sanctions - could wind up owning a company operating three major refineries and interstate gas and oil pipelines in the U.S. "The Treasury Department must immediately determine the likelihood of Rosneft acquiring a controlling stake in Citgo," Wyman's letter states.

NEW PUBLIC LANDS PUSH LAUNCHED: The League of Conservation Voters today is launching the "Our Lands, Our Vote" campaign with an initial $600,000 investment in paid advertising, online organizing and on-the-ground mobilization into protecting public lands and national monument designations from efforts to roll them back.

REPORT: QUANTIFYING CALIFORNIA'S CLEAN ENERGY CONTRIBUTIONS: Environmental Entrepreneurs released a new analysis Monday finding clean energy technologies are responsible for 519,000 jobs in California and the state's climate policies have added $45 billion in public and private investments into the economy. The top counties for clean energy jobs are Los Angeles (117,000 jobs), San Diego (61,500) and Orange (45,200).

MOVERS, SHAKERS: Ana Unruh Cohen has joined the Natural Resources Defense Council as government affairs director; she's served as Sen. Ed Markey's top climate aide for the past four years. Ed Yoon has been named permanent director of NRDC's Center for Policy Advocacy after having worked there for the past four years.

QUICK HITS

- EPA warned Fiat Chrysler about diesel defeat devices in 2015. WSET.

- A bitter scientific debate just erupted over the future of America's power grid. Washington Post.

- Insurers Talk A Lot About Climate Change, But Most Still Do Business In Coal. Huffington Post.

- A third of the world now faces deadly heatwaves as result of climate change. The Guardian.

- Coal's Decline Spreads Far Beyond Appalachia. Wall Street Journal.

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Sent: Fri 10/6/2017 7:28:50 PM
Subject: EPA watchdog expands investigation into Pruitt's travel

By Alex Guillén

10/06/2017 03:26 PM EDT

EPA's inspector general says it is expanding the scope of its previously announced probe into Administrator Scott Pruitt's travel to include all of his travel.

The IG's office already opened an audit of Pruitt's travel to and from Oklahoma following complaints that he spent too much time back in his home state. In recent weeks, Democratic lawmakers and outside groups have called for the IG to look at whether Pruitt's non-commercial flights were necessary and appropriate expenses.

According to a memo dated Thursday and released today, the significantly expanded scope will consider the "frequency, cost and extent" or Pruitt's travel through Sept. 30, as well as whether agency procedures were followed by Pruitt, his security and his staff, and whether those procedures are properly designed to prevent fraud, waste or abuse.

"To accomplish these objectives, we will review supporting documentation and conduct interviews with management and staff to determine whether the EPA followed applicable policies and practices, and complied with federal requirements," the memo says.

WHAT'S NEXT: The investigation is likely to take several months to complete.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/epa-watchdog-expands-investigation-into-pruitts-travel-094047

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Wed 7/5/2017 7:43:12 PM
Subject: DMR: EPA Lowers Mandate For Cellulosic Biofuel, Keeps Ethanol At 15B Gallons

The Des Moines Register

EPA Lowers Mandate For Cellulosic Biofuel, Keeps Ethanol At 15B Gallons

The Des Moines Register
Jason Noble
July 5, 2017
http://www.desmoinesregister.com/story/money/2017/07/05/epa-lowers-mandate-advanced-biofuel-keeps-ethanol-15-b-gallons/452831001/

The U.S. Environmental Protection Agency released new mandates Wednesday for the amount of renewable fuel that must be blended into the nation's fuel supply.

The agency said the proposed Renewable Fuel Standard "reflects demand for 2018."

It kept the total amount of conventional ethanol that must be blended into the nation's fuel supply at 15 billion gallons.

But it dropped the level of cellulosic biofuel, considered the next generation of ethanol, to 238 million gallons from 311 million gallons.

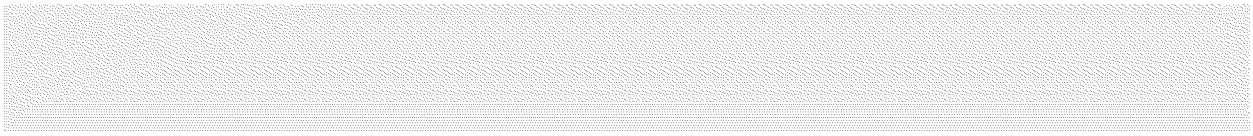
"Increased fuel security is an important component of the path toward American energy dominance," said EPA Administrator Scott Pruitt. "We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace."

The proposed standard set for conventional ethanol, or corn ethanol, matches the level set by Congress.

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EHS State Regulatory Alert

June 26, 2017 - Number 121

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Indiana

AIR
Air Pollution Control
Indiana AIR

Notice of the Department of Environmental Management, Air Pollution Control Division, announces a hearing on a June 7, 2017, notice to review regulations under 326 IAC 3-4 through 26-2-1 (nonconsecutive) regarding air pollution monitoring requirements, sulfur dioxide, volatile organic compounds, and regional haze. The hearing is scheduled for Oct. 11, 2017, in Indianapolis. Comments on the notice of rule review are due July 7, 2017. Contact: Jack Harmon; DEM, Office of Legal Counsel; 317-234-9535; jaharmon@idem.in.gov

—Indiana Register (06/21/2017)

Regulatory Update

WATER
Water Quality Standards/Industrial Wastewater Pretreatment Programs
Indiana WATER

Notice of the Department of Environmental Management, Water Pollution Control Division, announces a hearing on a June 7, 2017, notice to review regulations under 327 IAC 2-1-5 through 5-2-13 (nonconsecutive) regarding water quality standards and industrial wastewater pretreatment programs. The hearing is scheduled for Oct. 11, 2017, in Indianapolis. Comments on the notice of rule review are due July 7, 2017. Contact: MaryAnn Stevens; DEM, Office of Legal Counsel; 317-232-8635; mstevens@idem.in.gov

—Indiana Register (06/21/2017)

Regulatory Update

Nevada

AIR
Air Pollution Control Devices for Mobile Sources
Nevada AIR

Temporary rule of the State Environmental Commission amends regulations under NAC 445B.575 concerning air pollution control devices for mobile sources. The rule provides an exemption for motor vehicles subject to a settlement agreement entered into by the state from the requirement that vehicles equipped with devices to control pollution must have those devices correctly installed and in good operating condition. A meeting is scheduled for Sept. 13, 2017, in Carson City. Comments are due Sept. 8, 2017. The rule is effective June 1, 2017. Contact: Valerie King; SEC; 775-687-9374

—Nevada Register (06/20/2017)

Regulatory Update

AIR
Air Pollution, Hazardous Materials, Alternative and Clean-Burning Fuels
Nevada AIR

Temporary rule of the State Environmental Commission amends regulations under NAC 445B.3364 through 445B.3683 (nonconsecutive), 459.953465, and 486A.140 regarding air quality permit and alternative fuel designation public notice requirements. The rule removes the requirement to provide public notice of draft air permits and other program actions through publication in a newspaper and in a public library. The rule provides instead for electronic notice and requires draft permits to be posted on a website. A meeting is scheduled for Sept. 13, 2017, in Carson City. Comments are due Sept. 8, 2017. The rule is effective March 21, 2017. Contact: Valerie King; SEC; 775-687-9374

—Nevada Register (06/20/2017)

Regulatory Update

New York

SOLID WASTE
Solid Waste Management Facilities
New York SOLID WASTE

Notice of the Department of Environmental Conservation announces revisions to and an additional hearing on a March 16, 2016, proposed rule to amend, adopt, repeal and readopt, and renumber provisions under 6 NYCRR 360 through 621 (nonconsecutive) to reorganize solid waste management standards and incorporate changes in law and technology. The rule addresses the management of historic fill; material recovery facilities; combustion, thermal treatment, transfer, and collection facilities; landfills; waste transporters; biohazard waste management facilities;

local solid waste management planning; and state assistance projects. The changes provide an extended time frame to transition existing facilities to new requirements, add provisions for navigational dredged material handling, update distance requirements, and require certain facilities to install and use fixed radiation detectors to monitor incoming waste. The changes also update radiation detection and regulated medical waste provisions, prohibit the disposal of fluids from oil and gas production, update registration requirements for transporters, and establish a targeted priority area assistance program. The hearing is scheduled for July 13, 2017, in Albany. Comments now are due July 21, 2017. Contact: Melissa Treers; DEC, Division of Materials Management; 518-402-8678; melissa.treers@dec.ny.gov

—New York State Register (06/21/2017)

Regulatory Update

WATER
Lead Testing in School Drinking Water
New York WATER

Emergency rule of the Department of Health adopts regulations under 10 NYCRR 67-4.1 through .9 regarding lead testing in school drinking water. The rule requires schools to test each potable water outlet for lead, specifies an action level of 15 micrograms per liter for lead in drinking water of school buildings, and establishes initial and future monitoring requirements. The rule also requires schools to develop remedial action plans if the action level is exceeded at any potable water outlet, to notify the school community of results, and to report results to the department. The rule is effective June 1, 2017, and expires July 30, 2017. Contact: Katherine Ceroalo; DOH; 518-473-7488; reqsqna.health.ny.gov

—New York State Register (06/21/2017)

Regulatory Update

Tennessee

OCCUPATIONAL SAFETY AND HEALTH
Occupational Safety and Health Recordkeeping and Reporting
Tennessee OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Workforce Development, Division of Occupational Safety and Health, amends regulations under RRT 0800-01-03-.03 regarding occupational safety and health recordkeeping and reporting. The rule updates provisions concerning employee privacy and OSHA injury and illness Forms 300 and 301 to specify the cases in which personally identifying information may be disclosed. The rule is effective June 21, 2017. Contact: Larry Hunt; DLWD, Division of Occupational Safety and Health; 615-741-7036; larry.hunt@tn.gov

—Tennessee Administrative Register (06/22/2017)

Regulatory Update

RADIATION

Standards for Protection Against Radiation
Tennessee RADIATION

Final rule of the Department of Environment and Conservation, Division of Radiological Health, amends regulations under RRT 0400-20-04-.04 through -10-.38 (nonconsecutive) and adopts regulations under RRT 0400-20-13-.01 through -13-.08 regarding radiation safety standards to conform to federal standards. The rule establishes requirements for the physical protection program for licensees possessing aggregated category 1 or category 2 quantities of radioactive material. The rule also requires licensees to survey for subsurface contamination and establishes record retention requirements for such surveys. In addition, the rule requires licensees to obtain licenses from the Nuclear Regulatory Commission for the manufacture, processing, or initial transfer for sale or distribution of specific devices and sources. Finally, the rule specifies the information that licensees are required to submit when applying for specific licenses, addresses requirements for physical protection programs, and removes obsolete references and provisions. The rule is effective Sept. 12, 2017. Contact: Andrew Holcomb; DEC, Division of Radiological Health; 615-532-3038; Andrew.Holcomb@tn.qov

—Tennessee Administrative Register (06/21/2017)

Regulatory Update

West Virginia

OCCUPATIONAL SAFETY AND HEALTH
Elevator Safety Act
West Virginia OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Commerce, Division of Labor, amends regulations under 42 WVCSR 21 regarding elevator safety. The rule establishes a $90 fee for applications for certificates of operation; the fee applies annually for initial and renewal applications. The rule also revises inspection and safety test requirements, including to require safety tests to be performed by a licensed elevator mechanic and in accordance with the appropriate ASME Code requirements and to require that inspectors be physically present to witness the entire safety test. In addition, the rule establishes requirements for when an elevator is noncompliant with ASME codes. Finally, the rule establishes conditions for the revocation of certificates of operation and for suspension or revocation of certificates of competency. Comments are due July 22, 2017. Contact: Department of Commerce, Division of Labor; 304-558-7890

—West Virginia Register (06/21/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Tue 7/25/2017 2:37:37 PM
Subject: POLITICO's Morning Energy, presented by Chevron: White House coy ahead of House Russia sanctions vote — House GOP mulls another try at full omnibus — Bernhardt confirmed by Senate

By Anthony Adragna | 07/25/2017 10:00 AM EDT

With help from Esther Whieldon and Darius Dixon

RUSSIAN SANCTIONS GETS HOUSE VOTE TODAY: House lawmakers vote today on a package of sanctions against Russia, Iran and North Korea, but it remains an open question what President Donald Trump would do once the measure reaches his desk. White House Press Secretary Sarah Huckabee Sanders on Monday appeared to walk back earlier indications of support. "He's looking over where it stands exactly at this point and we'll keep you posted on the decision," she told reporters on traveling with the president on Air Force One. The bill, H.R. 3364, includes language sought by the U.S. energy sector that would allow companies to participate in projects as long as sanctioned Russian firms do not have a controlling interest or more than a 33 percent stake in them. It is expected to easily clear the House.

Speaking of sanctions, any new penalties currently being considered against Venezuela won't start with the country's oil exports, Pro's Ben Lefebvre reports, citing a senior administration official. "Everything is definitely on the table" as far as sanctions targets, the official told Ben. But "round one will definitely not" target the country's oil sector, the official added. Analysts have said that targeting Venezuela's oil sector would crash its economy and make the human rights situation there worse. U.S. refiners have also scoffed at the idea.

SUMMER BREAK DELAYED? Frustrated with their leadership's decision to pursue a slimmed-down, mini-spending package this week, House GOP Appropriators are urging the cancellation of the first week of August recess so they can pursue a full, 12-bill omnibus, POLITICO's Rachael Bade and John Bresnahan report. "The whole purpose of whipping is to be able to make your case so the fact that we did all this work and it's not going anywhere is really frustrating," steamed appropriator Tom Rooney said last Thursday. Sources close to GOP leaders said Monday they were considering reversing course and pursuing the broader spending package. But by Monday night it appeared they still sorely lacked the votes.

In the meantime, the House Rules Committee is expected to finalize the structure of the debate for the mini-bus later today. Lawmakers filed 79 amendments to the Energy and Water title of the package H.R. 3219 (115) on everything from funding for Yucca mountain to increasing funds for DOE's Energy Efficiency and Renewable Energy to barring a rider related to the Waters of the U.S. regulation. Many of those are unlikely to actually see floor time, but we'll have to wait until the committee finishes up its work to see the full list of what made the cut.

In a statement of administration policy Monday, the White House backed the underlying spending bill but strongly condemned "continued construction" for the MOX project in South Carolina, which the administration called "unaffordable and risky." In addition, the White House voiced concern with a prohibition on using other funds from the Nuclear Waste Fund on interim

nuclear waste storage activities and called for lawmakers to "further reduce funding for costly later-stage development, commercialization, and deployment activities" on energy research.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and Sen. Orrin Hatch is the proud boaster of the sole Reagan Republican primary endorsement. For today: Who was the first senator in history to be reelected after switching parties? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

Playbook Exchange Denver - Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman for a special Playbook Exchange event in Denver with Colorado Gov. John Hickenlooper. Aug. 1 - 5:30 p.m. MDT / 7:30 p.m. EDT - S&P Global, 1800 Larimer St., 2nd Floor, Denver. RSVP: Here. Watch it live: Here.

BERNHARDT WINS SENATE CONFIRMATION: Senators voted 53-43 Monday evening to confirm David Bernhardt's nomination as deputy secretary at Interior, Pro's Ben Lefebvre reports. Five members of the Democratic caucus - Michael Bennet, Joe Donnelly, Heidi Heitkamp, Angus King and Joe Manchin - joined all Republicans in supporting his bid to serve as Secretary Ryan Zinke's No. 2. "David's extensive experience serving under previous Interior secretaries, his esteemed legal career, and down-right love of our land and resources is exactly what is needed to help streamline government," Zinke said in a statement after the vote.

Green and good governance groups, which criticized Bernhardt as having too many conflicts of interest to fill the position, vowed after the vote they would closely watch his actions at the agency. "Bernhardt is ethically compromised on issues ranging from national monuments to offshore drilling; we expect timely recusals from these decision-making processes," Kelly Mitchell, Greenpeace's climate and energy director, said in a statement.

SPOTTED: Energy Secretary Rick Perry and fellow Eagle Scout Zinke (in a Scout uniform) traveled with Trump to the 2017 National Scout Jamboree in Beaver, W.Va., and stood behind the president on stage as he delivered remarks. Picture of the two Cabinet secretaries here. Trump tweeted video of them boarding Air Force One as well.

DEEP DIVE INTO USDA SCIENCE PICK: All major farm groups are lining up behind Sam Clovis, Trump's pick to be USDA's chief scientist who lacks scientific experience and has criticized mainstream climate change science, Pro Agriculture's Helena Bottemiller Evich reports. "Some have suggested that Dr. Clovis is not qualified for this position due to his lack of hands-on science and research experience," a coalition of nearly two dozen industry groups wrote . "We do not share this point of view." But environmental and scientific groups say he's not qualified for a position that, by law, must be drawn from "among distinguished scientists with specialized training or significant experience in agricultural research, education and economics." Despite criticism of his credentials, Clovis has been quietly winning over rank-and-file at USDA, which was not seized by the chaos that engulfed other agencies, like EPA, during the first few months of the Trump administration.

DEMS READY TO ROLL ON ENERGY BILL? Whatever shot the Senate's energy package

S. 1460 (115) has for movement in the near term likely hinges on today's healthcare vote, but Energy and Natural Resources ranking member Maria Cantwell says her side is good to go. "We hotlined it on our side and everybody's ready to go," she told reporters. Should the healthcare vote fail, the measure's backers hope it could be slotted in for floor time as the chamber plans to stick around into August. But a Democratic committee aide was less equivocal about where things stand later Monday: "We're still working through the amendment process right now," the aide said.

CARPER BASHES PRUITT: Amid disclosures showing EPA Administrator Scott Pruitt spent nearly half his first three months atop the agency on trips to Oklahoma, Senate EPW ranking member Tom Carper called for "increased transparency" from the administrator but delivered quite the burn. "Mr. Pruitt has spent more days in Oklahoma at this point than President Trump has spent at his golf courses, which is no minor feat," he said in a statement.

PROBE SOUGHT OVER INTERIOR REASSIGNMENTS: Eight Senate ENR Democrats, led by ranking member Maria Cantwell, asked Interior's inspector general to look into recent moves to reassign senior career staff, Pro's Esther Whieldon reports. The move follows the highly publicized transfer of Joel Clement, who was moved from a managerial position involving climate change issues to a job collecting royalties from oil and gas companies. In a letter to Deputy Inspector General Mary Kendall, the senators said moving career staff to jobs "where their talents are wasted would constitute a serious act of mismanagement, a gross waste of public funds, and an abuse of authority."

** **A message from Chevron**: We're piloting a program that uses drones to keep an eye on Chevron wells, tanks, and pipelines-all to keep DOERS and what they're doin' safer. Watch the video: http://bit.ly/2vnI0Ve **

FIRST STEP TOWARD CLIMATE 'RED TEAM'? The Competitive Enterprise Institute's Myron Ebell says EPA might tap Steven Koonin, DOE undersecretary for science from 2009 to 2011, to run its "red team" review of climate science, Pro's Alex Guillén reports. Koonin, who wrote in 2014 the science behind climate change "is not settled," floated the formation of a red team in an April Wall Street Journal piece , where he said such a review "would shine much-needed light on the scientific debates" surrounding the issue. Critics say such an exercise would give the minority disputing the scientific consensus on climate change an outsized public voice.

WOTUS TOURS ROLLS ON: Pruitt headed to South Carolina Monday for further discussion with local officials about the Waters of the U.S. regulation. Attendees included Sen. Lindsey Graham, Rep. Joe Wilson and state Attorney General Alan Wilson. "#WOTUS fails common sense test and proven to be government overreach at its worst," Graham tweeted.

ANOTHER PANEL WADES INTO BIOFUELS DEBATE: Two House Science subpanels dip their toes into the ongoing debate over biofuels policy with a hearing at 10 a.m. that the committee says will "examine federal funding of biofuels projects and how it affects the private market." Witnesses include representatives from Oak Ridge National Laboratory and University of Michigan's Energy Institute, as well Growth Energy's CEO Emily Skor and the Heritage Foundation's Nicolas Loris. More info here.

NUCLEAR, CCS TECHNOLOGIES EXAMINED: The Senate EPW Subcommittee on Clean Air and Nuclear Safety today hears from experts on the research, development, and deployment of advanced nuclear and carbon capture, utilization, and sequestration technologies. A committee aide said the session would "inform potential future legislative proposals and review of regulatory activities." Lamar Alexander, the top Energy appropriator, testifies first. The hearing kicks off at 10 a.m. in Dirksen 406.

HOTTEST TAKE: House Science Chairman Lamar Smith published a piece on the Heritage Foundation's Daily Signal Monday arguing "the benefits of a changing climate are often ignored and under-researched." Read it here.

HEITKAMP DISHES ON CCS BILL: If you, like ME, hadn't known previously that Sen. Heidi Heitkamp has a podcast, her latest episode features Sens. Sheldon Whitehouse and Shelley Moore Capito discussing their efforts to enact legislation boosting carbon capture and sequestration technologies. "I'm a very strong believer in an all-in strategy," Whitehouse said, describing why he's pushing the bill. "We know it's not going to be what it was in the past - we know that and accept that - but we do see it as a baseload energy provider, but if we don't get it cleaner, we're going to have much rockier roads in front of us," Capito said of coal.

LBNL REPORT SAYS STATE RPS PLAYING DIMINISHED ROLE: A new report by DOE's Lawrence Berkeley National Laboratory finds that overall state renewable portfolio standards are playing less of a role in renewables growth, particularly where wind generation is concerned. Across the U.S. last year, RPS drove 44 percent of all renewable capacity additions whereas from 2008 through 2014 it accounted for up to 70 percent of new projects. In 2016, only 21 percent of all wind additions were because of state requirements, although 59 percent of new solar was thanks to state RPS. The report attributes the changes partly to corporate contracts for renewable power and growth of utility-scale projects in states that do not have renewable standards.

REPORT: NEW REACTORS COULD MAKE INDUSTRY COMPETITIVE: Advanced reactor tech could make nuclear-generated electricity competitive in the power markets where the industry has states bending over backward to rescue the existing fleet, according to a report coming out today. The study, being released by the Energy Innovation Reform Project, estimates that the technology under development at eight companies could generate electricity at an average of $60 per megawatt-hour, nearly 40 percent below what the Vogtle and Summer nuclear expansions will be producing at. "At these costs, nuclear would be effectively competitive with any other option for power generation," the report says. EIRP's executive director will discuss the report at the Nuclear Energy Institute headquarters at 10 a.m.

FORUM LOOKS AT GRID INNOVATION: The Edison Electric Institute, GridWise Alliance and National Electrical Manufacturers Association today at 9:30 a.m. kick-off an expo looking at the latest technologies and projects transforming the electric grid. Held in conjunction with the House Grid Innovation Caucus, the event takes place in the Rayburn Foyer.

DELAWARE RIVER WATERSHED FRACKING BAN SOUGHT: Environmental groups

from New Jersey, New York and other states will submit a petition with more than 60,000 signatures this week to governors and the Army Corps of Engineers asking for a permanent ban on fracking in the Delaware River watershed area, POLITICO New York's David Giambusso reports. The Delaware River Basin Commission has imposed a moratorium on hydraulic fracturing in the river's watershed area since 2010.

MOVER, SHAKER: Robert Scher has been appointed head of international affairs for BP America, effective immediately; he's been serving since 2014 as the assistant secretary of Defense for strategy, plans, and capabilities in the Pentagon.

QUICK HITS

- U.K. Seeking to Fill Climate Leadership Void Left by Trump. Bloomberg.

- Dakota Access protesters claim responsibility for pipeline sabotage. Des Moines Register.

- Study: our Paris carbon budget may be 40% smaller than thought. Guardian.

- Coal Baron Attempts to Halt Critical 'Last Week Tonight' Rebroadcast. Rolling Stone.

- Fighting climate change can boost jobs, cut inequality - New York mayor Reuters.

- Luxury hotels, fine dining for LePage on taxpayers' dime. Portland Press-Herald.

THAT'S ALL FOR ME!

** **A message from Chevron**: This is a story about energy, safety, and some truly high-flyin' doin'. We're piloting a program that uses drones, HD imaging, and thermal mapping to help keep a close eye on Chevron wells, tanks, and pipelines-all to keep DOERS and what they're doin' safer. Watch the video: http://bit.ly/2vnI0Ve **

To view online:
http://www.politico.com/tipsheets/morning-energy/2017/07/25/white-house-coy-ahead-of-house-russia-sanctions-vote-221509

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Subject: POLITICO Playbook, presented by PhRMA: BREAKING… Last-minute Senate tax bill changes -- TRUMP to meet with BIG 4 -- NEW Conyers allegations -- WAR at the CFPB -- SEAN HANNITY profile – WH MAY BAN staffers' personal cell phones – B'DAY: Jake Sullivan

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Today's POLITICO Playbook presented by PhRMA

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to today's Audio Briefing | Subscribe on Apple Podcasts | Visit the online home of Playbook

Driving the Day

Good Tuesday morning. YOU'RE INVITED -- NEXT WEEK! -- We're super excited to announce the guests for our first live podcast taping next Thursday night (Dec. 7) at 7 p.m. at Sixth and I. Our idea: to bring the written Playbook to life in a live setting. We want you to hear from the people behind the story, the reporters reinventing how we consume news and the strategists putting together their party's game plan for 2018.

Our inaugural guests: **MICHAEL BARBARO,** host of the New York Times' hit podcast "The Daily," **DCCC EXECUTIVE DIRECTOR DAN SENA** and **NRCC EXECUTIVE DIRECTOR JOHN ROGERS.** And a panel of POLITICO stars: **RACHAEL BADE, SEUNG MIN KIM** and **ANNIE KARNI.** ***Get your tickets now!*** http://bit.ly/2hWK7tF

-- AND DON'T FORGET -- SEN. MARCO RUBIO (R-FLA.) will sit down with us for the Playbook Interview Wednesday at 8 a.m. at the Liaison Hotel on Capitol Hill (415 New Jersey Ave., NW). http://bit.ly/playbookrubio

NEW NYT MAG COVER STORY - SEAN HANNITY PROFILE -- "How Far Will Sean Hannity Go? The Fox News host is willing to defend Trump at all costs - and is reaching more than 13 million people a day," by Matthew Shaer: "Along with Neil Cavuto and Jon Scott, Hannity is one of the last remaining members of the original 1996 Fox News lineup, and following the sexual-harassment scandals that led to the ouster of its chief executive, Roger Ailes, and the host Bill O'Reilly, the network's prime-time offerings have largely been remade in Hannity's image. But because of his radio obligations, Hannity rarely spends much time at Fox, preferring to remain at the radio offices until the last possible moment so he can prepare for his TV show in silence. 'I come in to do TV, I do TV and I walk out,' is how he put it to me. Office politics, he said, didn't interest him. ...

"Hannity rarely grants interviews to mainstream reporters, whom he calls 'disgustingly biased, ideological and corrupt.' But he also suffers from a suspicion that his critics willfully misunderstand his motivations. ... [I]n October, when I asked him to show me around his hometown, Franklin Square, on Long Island, he enthusiastically agreed, suggesting a pizzeria off Hempstead Turnpike." http://nyti.ms/2ibtYo6 ... ***The cover*** http://bit.ly/2Bv2Ipm

FIRST IN PLAYBOOK -- 45COMMITTEE THANKS SEN. RAND PAUL FOR SUPPORTING TAX REFORM -- 45Committee, the Adelson- and Ricketts-family backed group, is rotating in a new spot on television thanking Rand Paul for committing to vote for tax reform in an ad titled "Leading the Way." "President Trump and Sen. Rand Paul are leading the way on tax reform. ... Sen. Paul knows it's your money, and tax reform means an extra $2,000 for hard-working Kentucky families ... Thank Sen. Paul, he's fighting for real tax reform," the narrator says in the ad. **BEFORE HE COMMITTED TO VOTING YES,** 45Committee had an ad on air saying "keep your word, Sen. Paul, vote yes on tax cuts." ***The 'keep your word' ad*** http://bit.ly/2BtL7xV ... ***The 'thank you' ad*** http://bit.ly/2k6NSAY

BREAKING ... LAST-MINUTE TAX CHANGES -- SEUNG MIN KIM, COLIN WILHELM and **BERNIE BECKER:** "Senate Republicans are rushing to change their tax overhaul just days before a planned floor vote, with GOP leaders trying to appease at least a half-dozen holdouts. Senate Majority Leader Mitch McConnell can lose only two votes and still pass the bill by week's end. The last-minute modifications underscore the speed with which leadership is moving and the narrow margin for error on the party's top legislative priority. Two critical Republican swing votes, Ron Johnson of Wisconsin and Bob Corker of Tennessee, on Monday left open the possibility that they could vote against the tax plan in a key committee vote scheduled for Tuesday if changes weren't made to their liking. That would tank the bill before it could reach the floor, putting more pressure on leadership to quickly make revisions.

"Johnson and a fellow former businessman, GOP Sen. Steve Daines of Montana, are demanding more generous tax treatment for so-called pass-through businesses. Yet the changes they want are expensive, and tax-writers would have to find savings elsewhere to ensure the bill ultimately costs no more than $1.5 trillion over a decade as required under a budget framework.

"'We're gonna make them happy,' Senate Finance Committee Chairman Orrin Hatch of Utah said of Johnson and Daines. 'But we're not sure we can do exactly what they want to have done.' And a handful of deficit hawks -- including Corker and Sens. Jeff Flake of Arizona and James Lankford of Oklahoma -- are discussing a trigger mechanism that would kick in and potentially change tax rates if the economic growth needed to defray the cost of the tax overhaul doesn't materialize." http://politi.co/2jtudHJ

-- THE TIMES' TAKE: "Senators Scramble to Advance Tax Bill That Increasingly Rewards Wealthy," by Jim Tankersley, Alan Rappeport and Tom Kaplan: "The

Republican tax bill hurtling through Congress is increasingly tilting the United States tax code to benefit wealthy Americans, as party leaders race to shore up wavering lawmakers who are requesting more help for high-earning business owners. ... With pressure increasing on Republicans to produce a legislative victory, lawmakers are contemplating changes that would exacerbate the tax bill's divide between the rich and the middle class.

"Those include efforts to further reward certain high-income business owners who are already receiving a tax break in the Senate bill but who are at the center of a concerted push by conservative lawmakers and trade groups to sweeten those benefits. As Republican leaders pressed for a Senate floor vote this week, there appeared to be little momentum for amendments that would help low-income Americans, which some Republican and many Democratic senators had sought." http://nyti.ms/2jrNfxW

-- AMERICAN ACTION NETWORK is launching a $2.5 million TV and digital ad campaign thanking House members in 28 districts for their support for the House tax bill. ***List of targeted districts*** http://bit.ly/2nbg6vl ... ***The ad*** http://bit.ly/2AcswrT

WHAT'S ON PRESIDENT TRUMP'S MIND -- @realDonaldTrump at 9:48 p.m.: "New home sales reach a 10 year high. Stock Market has more record gains. Hopefully Republican Senators will give us the much needed Tax Cuts to keep it all going! Democrats want big Tax Increases."

****** **A message from PhRMA: How much are hospitals marking up medicine prices?** According to new Moran Company analysis, hospitals mark up medicine prices nearly 500 percent. The analysis of 20 medicines also found a hospital is paid 2.5 times what the biopharmaceutical company, who brought the medicine to market, receives. Read more: http://onphr.ma/2hSaqox ******

BIG DAY IN D.C. -- TRUMP will be on the Hill meeting with Senate Republicans, before he has the big four -- Nancy Pelosi, Chuck Schumer, Paul Ryan and Mitch McConnell -- at the White House. VP Mike Pence will be in New York, where he'll speak at Israel's mission to the U.N. In the evening, he'll receive an award from the Hudson Institute.

-- WAPO'S SEAN SULLIVAN and **ED O'KEEFE:** "Ahead of the meeting with House Speaker Paul D. Ryan (R-Wis.), Senate Majority Leader Mitch McConnell (R-Ky.), House Minority Leader Nancy Pelosi (D-Calif.) and Senate Minority Leader Charles E. Schumer (D-N.Y.), there were unresolved questions about how much more money the federal government may spend in the coming years - plus pressing concerns regarding immigration and health care.

"With government funding scheduled to dry up on Dec. 8, both sides have floated the possibility of passing a short-term plan that would push negotiations until just before Christmas. Currently, Congress may spend no more than $549 billion for defense programs and $516 billion for non-defense programs next year, a cut from current levels.

"But the Trump administration and defense hawks want to boost defense spending to more than $600 billion, and Democrats are demanding a dollar-for-dollar increase in non-defense spending. In a sign of how serious Republicans are about boosting Pentagon spending, Defense Secretary Jim Mattis is expected to attend the meeting, according to aides." http://wapo.st/2AEQ9dW

AMAZING WASHINGTON POST REPORTING MOMENT ON TAPE -- SHAWN BOBURG, AARON DAVIS and **ALICE CRITES:** "A woman who falsely claimed to The Washington Post that Roy Moore, the Republican U.S. Senate candidate in Alabama, impregnated her as a teenager appears to work with an organization that uses deceptive tactics to secretly record conversations in an effort to embarrass its targets.

"In a series of interviews over two weeks, the woman shared a dramatic story about an alleged sexual relationship with Moore in 1992 that led to an abortion when she was 15. During the interviews, she repeatedly pressed Post reporters to give their opinions on the effects that her claims could have on Moore's candidacy if she went public.

"The Post did not publish an article based on her unsubstantiated account . When Post reporters confronted her with inconsistencies in her story and an Internet posting that raised doubts about her motivations, she insisted that she was not working with any organization that targets journalists. But on Monday morning, Post reporters saw her walking into the New York offices of Project Veritas, an organization that targets the mainstream news media and left-leaning groups. The organization sets up undercover 'stings' that involve using false cover stories and covert video recordings meant to expose what the group says is media bias.

"James O'Keefe, the Project Veritas founder who was convicted of a misdemeanor in 2010 for using a fake identity to enter a federal building during a previous sting, declined to answer questions about the woman outside the organization's offices on Monday morning shortly after the woman walked inside. 'I am not doing an interview right now, so I'm not going to say a word,' O'Keefe said. In a follow-up interview, O'Keefe declined to answer repeated questions about whether the woman was employed at Project Veritas. He also did not respond when asked if he was working with Moore, former White House adviser and Moore supporter Stephen K. Bannon, or Republican strategists." http://wapo.st/2ADohXB

-- MUST-WATCH VIDEO ... Stephanie McCrummen confronts the woman that approached the Post. http://wapo.st/2ADEqvX

-- @jaketapper: "Political activist prankster caught faking a sexual assault in an attempt to undermine real victims. Other than being an actual sexual predator, I'm not sure how much more ethically lost someone could be than that -- but the night is still young."

SNEAK PEEK - PETER HAMBY speaks to **STEVE BANNON** in today's episode of Snapchat's "Good Luck America," about Bannon's influence, his fight against the GOP

establishment and the Alabama Senate race. Bannon on his power outside the WH: "When you're in the White House, you're just another staffer. And I had a lot of influence. But there's a difference between influence and power. When I'm out with Breitbart and have all my weapons, I can really effectually change much more and help the president." ***40-second video*** http://bit.ly/2AEbTpY

WHAT EVERYONE IS TALKING ABOUT -- "Congress on edge over sexual harassment allegations," by Kyle Cheney and Heather Caygle: "The specter of new sexual harassment allegations becoming public has Capitol Hill on edge, creating an atmosphere of uncertainty even as lawmakers attempt to overhaul the system of harassment reporting in Congress. The House will take its first step to confront sexual harassment on the Hill this week. But that's unlikely to ease pressure on Speaker Paul Ryan and House Minority Leader Nancy Pelosi, who face a furious public and are struggling with how to grapple with the metastasizing scandal.

"Further spooking lawmakers and aides across the Capitol: fear of the unknown. In recent days, two Democratic lawmakers have faced public accusations of sexual harassment - Rep. John Conyers Jr. (D-Mich), the longest-serving member of the House, and Sen. Al Franken (D-Minn.) - that have called into question their future in Congress. Rep. Joe Barton, a veteran Texas Republican, was forced to admit that a nude picture of him circulating online was authentic though he emphasized that it was made while in a consenting relationship with an adult.

"A vote, scheduled for Wednesday, will change House rules to require training for all lawmakers and staff to prevent sexual harassment. But that will do little to squelch outrage about an unknown number of harassment accusations concealed in opaque settlement agreements and paid out over the last two decades. That's putting pressure on Ryan and Pelosi to do more." http://politi.co/2AbDdLk

ANOTHER ACCUSATION AGAINST CONYERS -- DETROIT NEWS, posted at 12:01 this morning -- "A former staffer of U.S. Rep. John Conyers said the veteran lawmaker made unwanted sexual advances toward her, including inappropriate touching, adding to allegations by other unnamed former employees that have prompted a congressional investigation.

"Deanna Maher, Conyers' former deputy chief of staff who ran his downriver office from 1997 to 2005, told The Detroit News that the Detroit Democrat made unwanted advances toward her three times. ... The first instance of harassment happened, Maher said, shortly after the congressman hired her in September 1997 during an event with the Congressional Black Caucus. 'I didn't have a room, and he had me put in his hotel suite,' said Maher, 77, adding that she rejected his offer to share his room at the Grand Hyatt in Washington and have sex.

"The other incidents with the now 88-year-old Conyers involved unwanted touching in a car in 1998 and another unwanted touching of her legs under her dress in 1999, she said. Conyers' attorney Arnold Reed questioned why Maher would continue

to work for Conyers for so many years after the alleged incidents. He also said Maher's allegations are uncorroborated and that his client denies wrongdoing. 'At the end of the day, he's confident that he will be exonerated because he maintains that he has not done anything wrong,' Reed said. Maher said her need for employment explains why she stayed on the job. 'I needed to earn a living, and I was 57. How many people are going to hire you at that age?' she said." http://detne.ws/2zxvKDm

-- PELOSI STATEMENT ON MONDAY EVENING: "This afternoon, I spoke with Melanie Sloan who worked for Congressman Conyers on the Judiciary Committee in the mid-1990s. Ms. Sloan told me that she had publicly discussed distressing experiences while on his staff. I find the behavior Ms. Sloan described unacceptable and disappointing. I believe what Ms. Sloan has told me.

"Ms. Sloan, as a respected ethics expert and attorney, also gave me valuable feedback into the substantive reforms many of us in Congress are advocating to foster a climate of respect and dignity, and to protect legislative branch employees. I have not had the opportunity to speak with the other women, one of whom cannot speak publicly because of the secretive settlement process in place. That ridiculous system must be ended and victims who want to come forward to the Ethics Committee must be able to do so."

STAR TRIBUNE EDITORIAL -- "Franken's apology fails the full candor test: He seems to be saying, 'I'm sorry for what you think I did'": "U.S. Sen. Al Franken broke his self-imposed silence over the weekend, submitting to a series of media interviews on the sexual misconduct allegations against him, professing his shame and embarrassment. That was a necessary move - Minnesotans and the country at large deserved to hear from him. But his apology falls lamentably short in several respects.

"The Minnesota Democrat said in one interview it was important 'that we listen to women,' but then refuted the story of Leeann Tweeden, the USO entertainer who accused him of shoving his tongue down her throat during a rehearsed 'kiss.' He recalls 'a normal rehearsal,' but didn't elaborate. On the subsequent allegations of women who say he groped them during photos - specifically, that he grabbed their buttocks - Franken apologized, but for what, exactly? ...

"Franken is right - he has much to do to regain Minnesotans' trust. It may not be possible. As he continues his reflection, we urge the senator to consider what is best for Minnesota and to weigh that more heavily than what might be best for his political career." http://strib.mn/2k7yrsj

WAR AT THE CFPB -- "Mulvaney imposes temporary hiring, regulations freeze on CFPB," by Andrew Restuccia: "Mick Mulvaney, President Donald Trump's pick for acting director of the Consumer Financial Protection Bureau, said Monday he has no immediate plans to dismantle the agency, but he nonetheless implemented a temporary freeze on hiring and new regulations. 'Rumors that I'm going to set the place on fire or blow it up or lock the doors are completely false,' Mulvaney, a longtime critic of the

bureau, told reporters during a briefing at CFPB headquarters. He insisted that his first day at the CFPB was 'extraordinarily smooth and professional' despite an unfolding fight for control of the bureau between himself and Leandra English, who on Friday was appointed acting director by outgoing chief Richard Cordray." http://politi.co/2nbPwIR

-- @ZekeJMiller: "Mulvaney standing by criticism of bureau he now leads: 'My opinion of the structure of the CFPB has not changed. I still think it's an awful example of bureaucracy gone wrong.'"

-- **LORRAINE WOELLERT -- "Why Democrats are to blame for consumer agency debacle":** "President Donald Trump is likely to control the Consumer Financial Protection Bureau for years to come. And Democrats have only themselves to blame. Trump Budget Director Mick Mulvaney and Leandra English, a legacy employee of the Obama presidency, faced off on Monday over which of them has the authority to lead the bureau amid dueling statutes after CFPB Director Richard Cordray abruptly stepped down on Friday. Mulvaney and English showed up for work and started directing employees, both attempting to use the wide-ranging power that Democrats granted the director when the agency was created in 2010." http://politi.co/2n7Pvzs

WHAT WHITE HOUSE AIDES ARE NOT HAPPY ABOUT -- "White House Weighs Personal Mobile Phone Ban for Staff," by Bloomberg's Jen Jacobs and Justin Sink: "The White House may ban its employees from using personal mobile phones while at work, raising concerns among some staffers including that they'll be cut off from family and friends, according to seven administration officials. ... While some lower-level officials support a ban, others worry it could result in a series of disruptive unintended consequences. Mobile devices issued by the White House aren't able to send text messages, creating a hardship for staff who say texting is often the easiest way for their families to reach them in the middle of a busy day of meetings.

"Other staff are concerned that they could be accused of wasting government resources if they use White House-issued phones to place personal calls. ... Former White House Chief of Staff Reince Priebus proposed a ban on personal mobile phones before he left his post in July ... His aim was to crack down on use of personal phones to conduct official business." https://bloom.bg/2zK4cyt

LATEST FROM ALABAMA -- "Moore buried under TV ad barrage: The Alabama airwaves are flooded with ads - and the embattled Republican can't keep pace," by Daniel Strauss and Scott Bland: "Doug Jones and Roy Moore both released new television ads on Monday. But many Alabama voters will see only one of them. That's because of the massive disparity in TV ad spending between the two candidates in the Alabama special election to a Senate seat, where Jones, the Democratic candidate, is outspending Moore roughly 7-to-1. The imbalance is stunning, with just two weeks to go in the campaign: Jones has aired more than 10,000 spots on broadcast TV in Alabama since the primaries, while Moore, the embattled GOP candidate, has run just over 1,000, according to figures compiled by Advertising Analytics." http://politi.co/2iZ2C1r

-- **"'This is a Spiritual Battle We're Fighting':** At a rally in the small town of Henagar, embattled Senate candidate Roy Moore faced his supporters with defiance," by Eric Velasco in Henagar, Alabama: "Roy Moore's campaign appearance Monday night in northeast Alabama -- his first rally since his Senate campaign was blown open by allegations of sexual impropriety and an assault involving teenagers-had the atmosphere of an old-fashioned religious tent revival. A Baptist preacher thanked God for Moore during an invocation, and prayed, 'May we win this battle against a lost and dying world.' The head of the county Republican Party called the election 'a spiritual battle we're fighting.' The candidate called for a return to morality and said America can become great again only by acknowledging God. The standing-room audience frequently punctuated Moore's comments with 'amen.'" http://politi.co/2zukEPf

--**"Retired Marine colonel to launch Senate write-in campaign in Alabama,"** by WaPo's Michael Scherer: "A retired Marine colonel [Lee Busby, 60, of Tuscaloosa, Ala.] who once served as a top aide to White House Chief of Staff John F. Kelly [launched] a long-shot write-in campaign Monday afternoon to become Alabama's next senator, with just 15 days left in the campaign." http://wapo.st/2AE4dUL

COMING ATTRACTIONS -- PLAYBOOK POWER LIST -- We will unveil our latest Playbook Power List: "18 to Watch in 2018" on Monday, where we profile the people who we expect to have pronounced impact and influence in the coming year.

Playbook Reads

PHOTO DU JOUR: President Donald Trump speaks during a meeting with Navajo Code Talkers in the Oval Office of the White House on Nov. 27. | Susan Walsh/AP Photo

VIDEO DU JOUR -- @DanLinden: "Pres. Trump during event honoring Native American code talkers: 'You were here long before any of us were here -- although we have a representative in Congress who they say was here a long time ago. They call her Pocahontas.'" ***42-second video*** http://bit.ly/2ADAmfb

-- DO YOU EVER WONDER how history books will document a moment like this? The president called a United States senator "Pocahontas" in front of a group of aging Native Americans with a painting of Andrew Jackson behind him.

SHOT -- FOGGY BOTTOM DEPARTURE LOUNGE - "Top Official In Charge Of State Department Redesign Quits Job," by BuzzFeed's John Hudson: "The departure of Maliz Beams, who entered the Trump administration in August boasting a resumé of private sector experience, removes a key leader of a 'redesign' effort that Secretary of State Rex TIllerson has identified as a chief priority of his tenure. 'Maliz Beams is stepping away from her role here at the Department of State and is returning to her home in Boston,' a State Department spokesman told BuzzFeed News. 'Effective

immediately, Christine Ciccone will step in to lead the redesign effort and manage its daily activities.'" http://bzfd.it/2hXrbuR

CHASER -- HMM... - "Ivanka for U.N. Ambassador? Why Not?: Some in the White House have reportedly floated the idea. It's not as crazy as it sounds," by Richard Gowan in POLITICO Magazine: http://politi.co/2i9tT49

2018 SCOOP -- "Gutierrez won't seek reelection," by Illinois Playbooker Natasha Korecki: "Rep. Luis Gutiérrez (D-Ill.), a leading national voice on immigration reform, will not seek reelection, three Democratic sources with knowledge of the decision told POLITICO. Gutierrez, who has held his seat since 1993, is expected to announce Tuesday afternoon he's withdrawing the nominating petitions he just filed on Monday and will formally endorse Jesus 'Chuy' Garcia. Garcia, a Cook County commissioner, had forced Mayor Rahm Emanuel into a runoff election in 2015. His bid for Gutierrez's seat means Garcia will not challenge Emanuel again in 2019 as he had previously planned, sources tell POLITICO. With petition filing open on Monday, candidates for Gutierrez's open seat will have to turn in nearly 7,000 signatures in less than a week." http://politi.co/2jviXdw

VALLEY TALK -- "How tech is winning in the Trump era," by Steven Overly and Nancy Scola in San Francisco: "The conventional wisdom about the tech industry's relationship with Donald Trump is that it's a street brawl, with Silicon Valley's liberal CEOs clashing with the president on everything from immigration to climate change to transgender rights. But the reality is that Silicon Valley is getting much of what it wants. Trump and congressional Republicans are speeding ahead with a tax overhaul that would bring huge benefits for wealthy tech giants and their executives.

"A White House office headed by Trump son-in-law Jared Kushner is opening the door to companies like Amazon and IBM gaining a greater share of the federal government's multibillion-dollar information technology budget. And the administration's proposed NAFTA rewrite, criticisms of China's tech policies and efforts to champion computer science education could also bolster the industry's bottom line - as has the surging stock market that the president touts at every opportunity." http://politi.co/2AhFwdl

****** **A message from PhRMA:** According to new analysis from the Moran Company, hospitals mark up medicine prices, on average, nearly 500 percent. The analysis of 20 medicines also found a hospital is paid 2.5 times what the biopharmaceutical company, who brought the medicine to market, receives. While hospital markups lead to higher costs for patients, employers and payers, these markups are often overlooked in conversations about medicine costs. As the provider market continues to become more concentrated and the number of medicines being administered in hospital-owned facilities is growing, the amount hospitals mark up medicine prices needs greater scrutiny. http://onphr.ma/2Ba0TOa ******

NYT'S ANDREW ROSS SORKIN -- "A Prince's Uncertain Fate Deepens Mystery in

Saudi Arabia": "It has been more than three weeks since Prince Alwaleed bin Talal, the most prominent investor in Saudi Arabia, was arrested on a Saturday night as part of the sweeping detention of several dozen elites. Since then, he has been holed up inside the Saudi version of prison for the ultrawealthy: the Ritz Carlton hotel in Riyadh, about a 10-minute drive from the prince's home. ...

"His arrest has also created a sense of uncertainty among investors about whether to do business with Saudi Arabia and, by extension, could affect some of its partners, like Masayoshi Son's $100 billion SoftBank fund, in which the kingdom holds a 45 percent stake. It could also affect the highly anticipated public offering of the state-owned oil company, Aramco, planned for next year...

"The Murdoch family, which has long had a relationship with the prince ... has tried to find out more about his situation but has been stymied. Known as the Warren Buffett of the Middle East, the prince has worked with Bill Gates on various projects, including their ownership of the Four Seasons resorts and several philanthropic endeavors.

"'I'm only aware of what I've read in the press, and I can't speculate,' Mr. Gates, Microsoft's co-founder, said by email. 'Prince Alwaleed has been an important partner in my foundation's work to ensure that kids around the world receive lifesaving vaccinations. We've worked together to help stop the spread of polio, measles and other preventable diseases. His commitment to philanthropy is inspiring.'" http://nyti.ms/2naSYNX

MEDIAWATCH -- PAGE SIX's Emily Smith and Ian Mohr: "CBS News correspondent Vladimir Duthiers has emerged as the front-runner to take over for Charlie Rose at 'CBS This Morning,' sources tell Page Six. ... Duthiers is a Peabody and Emmy winner, and got high marks for covering the Black Lives Matter protests in Ferguson, Mo. He was also CNN's West Africa correspondent." http://pge.sx/2AeasOw

DESSERT -- "Prince Harry designs Meghan Markle's engagement ring using Diana's diamonds," by the Telegraph's Sarah Royce-Greensill: "Set in yellow gold, the engagement ring features three diamonds, which carry special significance for the couple. The central stone is a diamond from Botswana: a country that Prince Harry has visited many times over his life, and where the couple have spent time together. Flanking this are two further diamonds which come from the personal collection of the Prince's late mother, Diana, Princess of Wales. The ring was made by court jewellers Cleave and Company and designed by Prince Harry himself -- a daunting task for any groom-to-be." http://bit.ly/2zNa7D1

Playbookers

SPOTTED -- Sen. John McCain (R-Ariz.) at DCA with an aide on Monday afternoon,

and Sen. Marco Rubio (R-Fla.) around the same time, exiting the airport with a security detail.

SPOTTED last night at the Jefferson Hotel at Greta Van Susteren's book party hosted by Connie Milstein, Anita McBride and Tammy Haddad to celebrate Greta's new book "Everything You Need to Know about Social Media (Without Having to Call a Kid)" -- ***$13.38 on Amazon*** http://amzn.to/2hXWKEI: Annie Linskey, John Coale, Ceci Connolly, Polson Kanneth, Carol Melton, Sam Feist, Wolf Blitzer, Sen. Amy Klobuchar (D-Minn.) chatting with Kellyanne Conway, Jennifer Griffin, Roberta McCain, Ben Ginsberg, Anthony Fauci, Karen Tumulty, Bob Barnett, Sean and Rebecca Spicer, Heather Podesta, Betsy Fischer Martin, Matt Viser, Navajo Nation president Russell Begaye, Jon Decker, Rick Klein, Ryan Williams, Jeremy Bash, Kellie Meyer, Hilary Rosen, Michael Moroney, Dave Catanese.

TRANSITIONS -- Andrea Riccio, most recently of Porter Novelli, is joining S-3 Public Affairs as a vice president.

BIRTHDAY OF THE DAY: Jake Sullivan, a former Hillary Clinton and Joe Biden aide now the Martin R. Flug Lecturer in Law at Yale Law School and a senior fellow at Carnegie Endowment for International Peace. **His assessment of the Trump presidency:** "Well, on the one hand, it's a disaster beyond anything I envisioned -- and I envisioned a giant disaster. On every front, it's terrible -- civil rights, economic fairness, affordable health care, America's standing in the world, nuclear security, basic human decency ... the list goes on. But, oddly enough, I feel hopeful. We are seeing how, as Trump is testing this country, more and more people are stepping up. That is keeping me optimistic about the future." **Read his Playbook Plus Q&A:** http://politi.co/2zvv29w

BIRTHDAYS: Judd Deere, recently hired to be the White House's director of state and local comms and an alum of Leslie Rutledge, Tim Griffin and John Boozman, is 3-0 ... Glen Johnson, former senior adviser to John Kerry at State ... Tim Skoczek ... Sen. Michael Bennet (D-Colo.) is 53 ... WaPo's Matea Gold ... Paul Shaffer is 68 ... Jon Stewart is 55 ... Gary Hart is 81 ... former DHS secretary Michael Chertoff, now co-founder and executive chairman of the Chertoff Group, is 64 ... former VA secretary Eric Shinseki is 75 ... Stephen Jordan ... CBS News' Susan Spencer ... Politico's Cally Baute ... Trent Edwards, an alum of AAN and CLF, is 41 ... AP White House reporter Jonathan Lemire ... Michael Sargeant ... Jason Reed, a Reuters photographer in Sydney ... Suzi Emmerling, director of communications for the City of LA and an Obama alum ... Andrew Mangino is 31 ... Joy Nadel ... Thomas Crosson ... Stacie Spector ... David Halperin ... Sean Rankin, ED of the Democratic Attorneys General Association (hat tips: Jon Haber) ... Lexie Hosier, Sen. Thom Tillis' digital director and a Coats alum (h/t birthday boy Judd Deere) ...

... Nick Owens, CEO of Magnolia Strategy Partners ... Lesley Lopez, a candidate for Maryland's General Assembly ... NYT's Elaine Sciolino, who's writing a book on the Seine, per her Twitter ... Mark McDonald ... Patrick Mark Callahan ... Carmen Covelli-Ingwell ... Richard Norman is 62 ... Kimberly Spell Brimigion ... Nick Ferderer ... Edward

Chapman ... Anna Weinstein, principal at Chamber Hill Strategies ... Stephanie Berger ... NNSA's Harris Walker is 3-0 (h/t Leacy Burke) ... Courtney Loper, a Boehnerland and Pence alum, sister-in-law to Brett Loper and manager of communications at PDC Energy in Denver (h/t birthday boy Chris Tucker) ... Ashley Phelps ... Jackie Walker ... Dan Hurley of Apex Capital ... Steve Adamske ... Chris Tucker of FTI Consulting ... Jackie Walker ... ASU's Bret Hovell ... Tom Barker, partner at Foley Hoag ... Mickeala Carter ... Sarah Adams ... Bridget Winstead ... Lindsay Esson ... Mandy Gunasekara ... Paul Ambrosino ... Brady Williamson ... Joe Dennison (h/ts Teresa Vilmain)

****** **A message from PhRMA:** According to new analysis from the Moran Company, hospitals mark up medicine prices, on average, nearly 500 percent. The analysis of 20 medicines also found a hospital is paid 2.5 times what the biopharmaceutical company, who brought the medicine to market, receives. While hospital markups lead to higher costs for patients, employers and payers, these markups are often overlooked in conversations about medicine costs. As the provider market continues to become more concentrated and the number of medicines being administered in hospital-owned facilities is growing, the amount hospitals mark up medicine prices needs greater scrutiny. http://onphr.ma/2Ba0TOa ******

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Daily Environment Report

September 12, 2017 - Number 175

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Leading the News

Energy
Irma Cuts Power to 6.4 Million, Shuts Ports, Imperils Crops
Hurricane Irma has knocked out power to at least 6.4 million customers, paralyzed tanker traffic, shuttered gasoline stations and suppressed demand for natural gas. As the stormheaded up Florida's west coast, it also threatened more than $1 billion worth of crops.

Stormwater
Irma's Environmental Toll Could Be Less Than Harvey's
The environmental toll from Hurricane Irma in Florida may not be as harsh as the problems caused by Hurricane Harvey in Texas, according to scientists and water utility officials.

News

Climate Regulation
EU Is Said to Draft Measures to Brexit-Proof Carbon Market
The European Union is preparing to make its emissions-trading system immune to a supply turmoil that may happen if Brexit talks fail and the U.K. leaves the world's largest carbon market.

Coal Mining
Arch Coal Closer to Expanding Mine in Colorado Roadless Area
Arch Coal is one step closer to expanding its coal mine in a roadless area of western Colorado following a U.S. Forest Service draft decision.

Energy
China Fossil Fuel Deadline Shifts Focus to Electric Car Race

China will set a deadline for automakers to end sales of fossil-fuel-powered vehicles, becoming the biggest market to do so in a move that will accelerate the push into the electric car market led by companies including BYD Co. and BAIC Motor Corp.

International Climate
Poland Sets Expiry Date on Its Love for Coal as EU Limits Beckon
After decades of trying to persuade the rest of Europe that coal was vital for the region's energy security, Poland is showing the first signs of admitting that it might have been wrong.

Motor Vehicles
China Set to Unveil Cap-and-Trade Auto Emission, Mileage Rules
China will soon unveil a mandatory cap-and-trade credit program for electric cars, starting the countdown for automakers to be in compliance with stricter rules on emissions and fuel economy, according to the country's state-backed auto association.

Motor Vehicles
Fuel Efficiency Standards Rule Delay Leads Five States to Sue
California has joined New York and three other states in a lawsuit against the Trump administration over vehicle fuel efficiency regulations.

Motor Vehicles
VW CEO Vows to Offer Electric Version of All Models by 2030
Volkswagen AG Chief Executive Officer Matthias Mueller announced sweeping plans to build electric versions of all models in the group's lineup as the world's largest automaker accelerates the shift away from combustion engines and tries to draw a line under the emissions-cheating scandal.

Pipeline Safety
CSX Veteran Tapped to Head Pipeline Safety Agency
A freight rail veteran who's backed by the gas and pipeline industry, yet relatively unknown to safety advocates, is President Donald Trump's choice to head the Pipeline and Hazardous Materials Safety Administration.

Renewable Energy
Energy Storage Permits Would Get Easier With California Bill
Local permitting of the energy storage systems California needs to help meet its clean energy goals should get easier under a bill headed to the desk of Gov. Jerry Brown (D).

Renewable Energy
Offshore Wind Costs Fall Below New Nuclear Plants in U.K.
The cost of generating electricity from offshore wind farms fell sharply in the U.K. to below the price the next nuclear reactors will charge, making the form of clean energy one of the cheapest ways to supply the grid.

Toxic Substances
Abandoned Kerr-McGee Oil Well Fouled Water, Suit Says
Kerr-McGee Oil & Gas Onshore LP failed to take proper steps to clean up a crude oil leak at an abandoned Colorado oil well, according to a complaint filed Sept. 8 in the District of Colorado (Murray v. Kerr-McGee Oil & Gas Onshore, LP, D. Colo., No. 17-cv-02174, filed 9/8/17).

Toxic Torts
Water Suit Against Flint Belongs in State Court

Residents of Flint, Mich., may pursue class claims against state actors stemming from the contamination of the city's water supply in state court, the Sixth Circuit affirmed Sept. 11 (Mays v. City of Flint, 2017 BL 318091, 6th Cir., No. 16-2484, 9/11/17).

Skiers Lose to Snowmobilers in Parking Lot Suit

The National Forest Service didn't violate federal law in approving a parking lot designed for snowmobilers, the Ninth Circuit ruled Sept. 8 (Wild Wilderness v. Allen, 2017 BL 316263, 9th Cir., No. 14-35505, 9/8/17).

U.S. Solar Bracing for First Decline as Rooftop Demand Slumps

The U.S. is poised to experience its first annual decline in solar-panel installations, as a drop in rooftop demand slows growth in the world's second-biggest market.

Practitioner Insights

Water Resources

Practitioner Insights: EPA, Corps to Narrow Scope of Clean Water Act

On June 27, 2017, the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers (ACE) published a proposed rule in the Federal Register announcing a two-step process to review and revise the regulatory definition of "waters of the United States." In the first step, the agencies propose to rescind the 2015 definition of "waters of the United States"—which is currently codified in the federal regulations—and to recodify the pre-2015 ...

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Fri 6/30/2017 7:19:13 PM
Subject: EPA Weekly Round-Up for 06/30/17

EPA's Weekly Round-Up ...

NATIONAL COVERAGE …

The Wall Street Journal first reported on Pruitt's move to walk-back WOTUS. Saying that it's "another sign the new administration and the EPA under administrator Scott Pruitt intend to prioritize the economic concerns of industry and agricultural interests over environmental concerns and, more broadly, to erase significant pieces of former President Barack Obama's legacy."

The National Review Editorial Board wrote that Pruitt is restoring order at EPA by correcting course on the Obama-Era WOTUS Regulation. "Scott Pruitt is not so much shaking things up at the EPA as restoring order, as with his decision to rescind the "Waters of the United States" rule — WOTUS, inevitably — which purported to expand the application of the Clean Water Act (CWA) and empower the federal government to regulate essentially any standing body of water and the lands adjacent to it. If you are wondering how bonkers the EPA was willing to be in its interpretation, consider that WOTUS would have applied to wet grass, if the grass had been wet enough."

Fox News reported that Pruitt's action on WOTUS ends a federal overreach on farmers and property owners. "The EPA and the Army Corps said dismantling the Obama rule would not change existing practices because the measure has been stayed by the 6th Circuit U.S. Court of Appeals in Cincinnati in response to opponents' lawsuits. House Speaker Paul Ryan, R-Wis., said the move showed "the West has won in the battle over the Obama administration's WOTUS rule. "This regulation would have been a disaster for rural communities in the West and across the country, giving Washington near-total control over water resources," Ryan added."

Additionally, Bloomberg BNA reported that repealing this water rule fulfills a major Trump campaign pledge. "The proposed repeal, once in final form, will be the first step the Trump administration takes in a two-step process to undo the 2015 Clean Water Rule, also known as the Waters of the U.S. rule (WOTUS). The second step, which Pruitt has said will be completed by as soon as the end of the year, will involve a rewrite of the 2015 regulation."

TO THE STATES …

In Georgia, the Gainesville Times reported that lawmakers and industry groups, including the Greater Hall Chamber of Commerce, cheered Pruitt and the Trump Administration's action on WOTUS. "The Obama-era Waters of the United States regulation would have allowed federal oversight on a swath of private and state waters — from large wetlands down to ditches. The rule attracted intense opposition from Republican lawmakers and lawsuits from states, including a suit filed by then-Oklahoma Attorney General Scott Pruitt — now the head of the Environmental Protection Agency."

Farm groups in North Dakota were also proud of the Administrators action. The Duluth News Tribune reported that Daryl Lies, a Douglas, N.D., farmer and president of the North Dakota Farm Bureau, said the announcement "is a big deal and a great day for agriculture." They also wrote that, "WOTUS was unpopular with ag groups nationwide, but North Dakota ag producers were particularly critical of it. Sloughs, potholes and other small, often temporary bodies of water are common in the state, and North Dakota farmers worried about the impact of WOTUS."

In Wyoming, The Casper Star Tribune reported that the state would receive a grant to address water pollution. "Wyoming will receive nearly a million federal dollars to address water pollution, an award praised by U.S. Rep. Liz Cheney and EPA Administrator Scott Pruitt. The $850,000 grant will be used for seven state projects that include stream restoration and the reduction of pollutants like selenium in rivers to lakes. That type of pollution occurs from runoff, when rain and snow melt carry contaminants from cities, bacteria or pesticides from ranches and pollutants from mines and drilling activities down to Wyoming's waterways."

In Texas, the High Plains Journal praised an EPA Grant awarded to the Texas Department of Agriculture. "The grant funds a cooperative agreement between EPA and the state of Texas for the state to implement pesticide regulatory and enforcement programs. These programs include compliance monitoring, enforcement, certification and training for pesticide applicators, worker protection safety, and outreach and education."

In Florida, EPA awarded the Florida Department of Environmental Protection with a $1.38m grant. WWSB reported that, "The grant will be used to support many of Florida's environmental programs. The funds will help support Florida so the state can continue the operation of its environmental programs and address environmental priorities, while strengthening its partnership with EPA."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 7/10/2017 5:04:13 PM
Subject: Playbook Power Briefing, presented by Better Medicare Alliance: BERNIE SANDERS heading back to Iowa -- BEN TERRIS on JASON KANDER winning by losing -- TRUMP to dine with MACRON in Paris -- CHRISTOPHER WRAY'S ethics agreement

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Today's Playbook Power Briefing presented by Better Medicare Alliance

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Monday afternoon. To celebrate our first year at the helm, we're releasing bonus audio briefings every day this week to take you behind the scenes of Playbook and of covering Washington. Today, Jake and Anna talk about the growth of Playbook over the past year. http://bit.ly/2v45lVr

We want to celebrate our Playbook anniversary with you. Tweet or post a Facebook post with #PlaybookLoyal telling us your favorite part about the Playbook community between now and Friday for a chance to win a signed print from POLITICO's Pulitzer Prize winning cartoonist Matt Wuerker.

TODAY'S WHITE HOUSE PRESS BRIEFING will be from Sarah Huckabee Sanders. It is off camera at 2 p.m.

DEFENSE SECRETARY JIM MATTIS got a call on his cell phone from a high-school newspaper reporter, and he did an interview with him in June! Per the Mercer Island High School Islander in Washington State: "'I'd like to begin by asking some questions directed to our high school audience,' Teddy said. Mattis' response set the tone for the rest of the interview. 'I speak the same to high schoolers, college grads, or congressmen,' he said. 'I've found high schoolers to be plenty bright.' The conversation then shifted to a subject that high schoolers either know and love, or know and hate. History.

"'I don't think you can go wrong if you maintain an avid interest in history,' Mattis said when asked what students today should study to best prepare them for the future. 'I wish now looking back on it, if I'd known what waited for me in life, I would have put a lot more attention into history.'" http://bit.ly/2v3AzBN

AFP: TRUMP will dine with **EMMANUEL MACRON** "at the Jules Verne restaurant on the second floor of the Eiffel Tower." http://bit.ly/2v3DqKS

FROM THE PRESIDENT -- @realDonaldTrump at 6:40 a.m.: "James Comey leaked

CLASSIFIED INFORMATION to the media. That is so illegal!" ... **at 6:47 a.m.:** "I cannot imagine that Congress would dare to leave Washington without a beautiful new HealthCare bill fully approved and ready to go!" ... **at 7:31 a.m.:** "When I left Conference Room for short meetings with Japan and other countries, I asked Ivanka to hold seat. Very standard. Angela M agrees!" ... **at 7:47 a.m.** "If Chelsea Clinton were asked to hold the seat for her mother,as her mother gave our country away, the Fake News would say CHELSEA FOR PRES!" ***The president also retweeted several FOX & Friends tweets slamming Comey and New York City Mayor Bill de Blasio, and a Sean Hannity tweet bashing Hillary Clinton.***

THE MEMOS -- "Some Comey memos were 'retroactively classified,' source says," by Austin Wright: "Some of the memos that former FBI Director James Comey wrote documenting his private conversations with President Donald Trump have been 'retroactively classified,' according to a source with knowledge of the memos. The source said it was unclear whether that included a memo in which Comey says Trump encouraged him to end the FBI's investigation into former national security adviser Michael Flynn. Whether that particular memo has been retroactively classified will be a key question as Comey faces attacks from President Donald Trump and his supporters, who are now accusing him of mishandling classified information." http://politi.co/2v49hLf

ABOUT THAT MEETING -- "Publicist set up Trump Jr., lawyer meeting," from the AP: "A music publicist says he set up a meeting between a Russian lawyer and Donald Trump's eldest son on behalf of a client in Moscow named Emin Agalarov. In a statement to The Associated Press on Monday, Rob Goldstone says the lawyer said she had information about purported illegal campaign contributions to the Democratic National Committee that she thought Donald Trump Jr. might find helpful." http://bit.ly/2v46AJW

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

2020 WATCH -- "Prairie Lights brings Bernie Sanders back to Iowa City," by the Iowa City Press-Citizen's Zach Berg: "The Prairie Lights bookstore will bring former Democratic presidential candidate and current U.S. Senator Bernie Sanders back to Iowa City in August. ... The reading marks Sanders' first return to Iowa City since the end of the 2016 Presidential election." http://icp-c.com/2u4lv9x

BEN TERRIS' LATEST -- "Jason Kander lost a big Senate race. In today's Democratic Party, he's still a rising star," in WaPo: "Jason Kander doesn't feel like a loser. He doesn't feel much like a millennial either, whatever that means. But having lost his bid to represent Missouri in the United States Senate at the age of 35 last year, he is, technically, both of those things. And so, on a recent Wednesday evening, one of the oldest, losing-est millennials in American politics headed to the annual gathering of the

High School Democrats of America to speak about, what else, the future of their party. ... Democrats are desperate for something, for someone, to get excited about - and these days, some of their most thrilling figures are losers. None more so than Jason Kander." http://wapo.st/2u4X6AX ... ***Isaac Dovere's June podcast with Kander*** http://politi.co/2v3QZK4

TRUMP'S FBI PICK -- "Wray ethics agreement released ahead of FBI nomination hearing," by Seung Min Kim: "Christopher Wray, President Donald Trump's nominee to lead the FBI, has provided legal services to several major corporations including Wells Fargo, Johnson & Johnson, and Chevron, in addition to his extensive legal work at an influential international law firm, according to Office of Government Ethics documents released Monday. The veteran corporate lawyer, who will go before the Senate Judiciary Committee on Wednesday for his confirmation hearing, will also have to step aside from any matter that involves his firm, King & Spalding, for a year unless he obtains a waiver. The Atlanta-based firm boasts an extensive list of clients, including half of the Fortune Global 100 corporations. ...

"**Wray's sprawling client list also includes** Credit Suisse, the military shipbuilding company Huntington Ingalls Industries, SunTrust Banks, the fantasy sports platforms FanDuel and DraftKings, Officer of Standard Chartered Bank in London, Georgia-Pacific Corporation, Medtronic, the drug monitoring company Ameritox, PricewaterHouse Coopers, and the telecommunications company Alcatel-Lucent. The FBI director nominee also represented New Jersey Gov. Chris Christie during the so-called 'Bridgegate' scandal. Additionally, Wray has offered legal services to three U.S. organizations that Wray did not disclose because they are subject to non-public investigations." http://politi.co/2v3NVxO

AFTERNOON READ -- NEW YORK MAG'S LATEST COVER -- "The Uninhabitable Earth," by David Wallace-Wells: "It is, I promise, worse than you think. If your anxiety about global warming is dominated by fears of sea-level rise, you are barely scratching the surface of what terrors are possible, even within the lifetime of a teenager today. And yet the swelling seas - and the cities they will drown - have so dominated the picture of global warming, and so overwhelmed our capacity for climate panic, that they have occluded our perception of other threats, many much closer at hand. Rising oceans are bad, in fact very bad; but fleeing the coastline will not be enough. Indeed, absent a significant adjustment to how billions of humans conduct their lives, parts of the Earth will likely become close to uninhabitable, and other parts horrifically inhospitable, as soon as the end of this century." http://nym.ag/2v3ugxV

BUT BUT BUT -- Michael E. Mann, a climatologist at Penn State: "I figured I should comment on it, especially as I was interviewed by the author (though not quoted or mentioned). I have to say that I am not a fan of this sort of doomist framing. It is important to be up front about the risks of unmitigated climate change, and I frequently criticize those who understate the risks. But there is also a danger in overstating the science in a way that presents the problem as unsolvable, and feeds a sense of doom, inevitability and hopelessness." http://bit.ly/2v3YNvy

KUSHNER INC. -- "Jared Kushner tried and failed to get a half-billion dollar bailout from Qatar," by The Intercept's Ben Walsh, Ryan Grim and Clayton Swisher: "Not long before a major crisis ripped through the Middle East, pitting the United States and a bloc of Gulf countries against Qatar, Jared Kushner's real estate company had unsuccessfully sought a critical half-billion investment from one of the richest and most influential men in the tiny nation, according to three well-placed sources with knowledge of the near transaction. ...

"That hardline comes in the wake of the previously unreported half-billion deal that was never consummated. Throughout 2015 and 2016, Jared Kushner and his father, Charles, negotiated directly with a major investor in Qatar, Sheikh Hamad bin Jassim al-Thani, known as HBJ for short, in an effort to refinance the property on Fifth Avenue, the sources said." http://bit.ly/2v40vNr

MEDIAWATCH -- "Holt is a steadying force for NBC as anchor," by AP's David Bauder: Lester "Holt, 58, exudes an aura of calm on the set, so much so that it's surprising to hear him talk candidly about how tough it was to replace Brian Williams as NBC News' chief anchor. Two years removed from that drama, he's in a tight battle for supremacy with ABC's David Muir for viewers and advertising dollars in the dinner hour. There were moments after replacing Williams, Holt conceded, 'when I thought, 'Is this really what I want to do?'" http://bit.ly/2u4B15m

-- @Hadas_Gold (the new Morning Media author): ".@AriFleischer joins Fox News as a contributor".

TRANSITIONS -- Daniel P. Erikson was named managing director at Blue Star Strategies, leading the firm's Latin America practice. He previously worked at the State Department and was an adviser to former Vice President Joe Biden.

ENGAGED - Charles Garrison, an account executive at public sector software startup OpenGov and a FiscalNote and Politico alum, got engaged on Sunday to **Claire Goldman,** a program analyst with Customs and Border Protection. He proposed on a trip they're currently on in Cartagena, Colombia on the roof of their hotel, La Passion. They met at a mutual friend's engagement party in 2015. *Pics* http://politi.co/2v3y2qS ... http://politi.co/2u54l6b ... http://politi.co/2v3us0d

WELCOME TO THE WORLD -- Sheera Frankel, cybersecurity reporter at the N.Y. Times and a BuzzFeed alum, and **Tom Bradpiece,** who works in tech, have welcomed Ella Ray Bradpiece. They post on Facebook: "We couldn't be more in love. Ella, born [Saturday], already wide-eyed and curious about the world." ***Pic*** http://bit.ly/2sWdaWl

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in

this country becoming more complex, it's clear that innovative, holistic solutions are required.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 7/7/2017 4:28:47 PM
Subject: Court backs oil industry, rejects EPA solid waste rule

By Eric Wolff

07/07/2017 12:26 PM EDT

The D.C. Circuit today vacated parts of an EPA rule on solid waste and upheld other parts, delivering a partial victory to the American Petroleum Institute. The court also dismissed a petition from environmentalists that the rule was inadequate.

The case centers on EPA's 2015 rule to establish standards for dealing with secondary hazardous waste and recycling under the Resource Conservation and Recovery Act. EPA has been trying to define "discarded solid waste" for recycling and hazardous waste purposes since 2007.

The ruling accepted one disputed part of the rule, in which EPA argues that secondary discarded waste must be "contained." API asserted that EPA had no authority to make such a rule, but the court went with the agency.

The court vacated a second part of the rule to prevent companies from mixing hazardous waste with non-hazardous or recyclable materials to sidestep the disposal requirements. The court found that EPA did not have the authority to impose such a requirement.

The ruling was issued per curiam, but Judge David Tatel, an appointee of President Bill Clinton, argued in a partial dissent that in vacating part of the rule the court overstepped its bounds by deciding "a policy question Congress left to the Administrator."

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/court-backs-oil-industry-rejects-epa-solid-waste-rule-090154

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 7/12/2017 9:43:40 AM
Subject: Morning Energy: Energy, environmental funding hits House spotlight — NRC, EPA nominees finally get their day — Two more picked for DOE roles

By Anthony Adragna | 07/12/2017 05:41 AM EDT

With help from Esther Whieldon, Eric Wolff, Darius Dixon and Annie Snider

SPENDING PACKAGES GET SUNLIGHT: Two key spending packages get public trials through hearings before the House Appropriations Committee today. First up is full committee consideration of the fiscal 2018 $37.5 billion Energy and Water Appropriations package, which cleared a subcommittee last month by voice vote. Look for an effort to restore funding to the high-risk ARPA-E research program, which the bill proposes zeroing out. Veteran energy watchers may remember the program won a surprise one-vote floor victory in 2011 to increase its funding by about 80 percent, and the program has secured smaller increases in most subsequent floor debates. ARPA-E received $306 million in the omnibus Congress passed in May. Other contentious parts of the FY18 bill include a rider barring DOE from using an updated social cost of carbon figure, another provision making it easier for the administration to withdraw the Waters of the U.S. regulation and significant cuts to DOE's renewable energy office. The markup starts at 10:30 a.m. in Rayburn 2359 and available to stream here.

Later this afternoon, an Appropriations subcommittee examines the fiscal 2018 Interior-EPA spending bill, released Tuesday. The package drops EPA funding to its lowest levels since 2008 — $7.5 billion — but steers away from the draconian cuts to the agency sought by the Trump administration. As Pro's Alex Guillén and Annie Snider report, the agency's State and Tribal Assistance Grants, which provide states with funds for implementing and enforcing environmental laws, would be cut to $3.3 billion from the $3.5 billion spent in 2017, but the measure strongly rebuffs the administration's efforts to end popular regional watershed cleanup efforts, providing $397 million for such programs. The Interior subcommittee markup begins at 3 p.m., but amendments typically are not introduced until the full committee takes up the bill.

Riders, yeah we got riders: The package would bar EPA from completing work on a court-ordered regulation requiring hardrock mining companies to have enough cash on hand to clean up their sites once work is complete. As Pro's Alex Guillén, Annie Snider and Esther Whieldon report, it also includes language shielding EPA's effort to withdraw the Waters of the U.S. regulation from legal challenges, delaying implementation of the 2015 ozone standard until 2025 and barring Interior from listing the sage grouse as an endangered or threatened species, among other provisions.

Speaking of Interior, the bill would slash the agency's budget by around 7 percent to $11.9 billion next year, while boosting the Bureau of Ocean Energy Management budget by $171 million. As Pro's Ben Lefebvre reports, BLM would see its funding reduced by 4 percent to $1.2 billion, mainly through cuts in its land acquisition budget, while spending on the Bureau of Safety and Environmental Enforcement would remain essentially flat at $136 million. The proposed measure also refuses a Trump administration attempt to ax the Chemical Safety Board,

funding the board that investigates accidents at refineries and other industrial sites at $11 million.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and the Pebble Partnership's Peter D. Robertson was first to identify President Calvin Coolidge as the one sworn in by his father. For today: What is the only state to have coastline on three different seas? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro .

WE'LL BE BACK: Thank you to everyone who provided feedback on ME's makeover. We're ironing a few technical issues, but will be back to the new format in the near future!

POLL: PUBLIC SHARPLY DIVIDED ON PARIS PULLOUT: Only 30 percent of the public backs Trump's intent to pull out of the Paris climate accord while 53 percent disapprove, your ME host reports, citing new polling by POLITICO and the Harvard T.H. Chan School of Public Health. What's more, 59 percent of the public broadly supports more interaction between the U.S. and other countries on climate issues compared to just 12 percent who want less effort. But the results continue to show starkly different views on climate matters between Democrats and Republicans.

NRC, EPA NOMINEES ON THE MOVE: The Senate Environment and Public Works Committee meets this morning to advance nominees for EPA and the Nuclear Regulatory Commission on potentially contentious votes. Ranking Member Tom Carper still isn't satisfied with how EPA's treating his oversight requests and would only reply "we'll see" when asked if he'd support Susan Bodine, Trump's nominee to head the agency's enforcement office. Carper also acknowledged NRC nominees Annie Caputo and David Wright are "well qualified" to join the commission, but he told ME that many Democrats likely would vote against the pair of GOP nominees to express frustration with EPW Chairman John Barrasso . Carper said Barrasso declined his request to wait for an expected renomination of Democratic NRC Commissioner Jeff Baran so all three NRC nominees could move together as part of a bipartisan package. The objections are unlikely to keep the nominees from clearing committee, but they may add to the growing animosity in the Senate over the slow pace filling the massive number of vacancies in the federal government.

In addition to the nominations, the committee will consider legislation reauthorizing popular Brownfields and diesel engine retrofitting programs. Details on the session, which kicks off at 9:45 a.m. in Dirksen 406, are here.

FROM BERKSHIRE & J.P. MORGAN TO DOE: President Donald Trump is looking to K Street and Wall Street to fill two senior posts at DOE. The White House announced Tuesday he would nominate Paul Dabbar as undersecretary and Mark Menezes as undersecretary of science at DOE, Pro's Darius Dixon reports . Menezes, currently vice president for federal relations at Berkshire Hathaway Energy, previously represented energy companies as a lobbyist for Hunton & Williams, and he served before that as chief counsel for the House Energy and Commerce Committee. Dabbar is managing director for mergers and acquisitions at JPMorgan Chase and serves on the advisory board for DOE's environmental management program.

ENERGY COMPANIES PUSH RUSSIA SANCTIONS CHANGES: U.S. oil companies like Exxon Mobil are pushing House Republicans to amend a Russia sanctions bill making its way through Congress, Pro's Ben Lefebvre reports. One tweak attracting interest is setting an ownership level bar that Russian companies must meet before triggering the sanctions, lobbyists and a senior GOP aide said. "Maybe make it 50 percent threshold, something to say, 'Yeah, the Russians are here,'" the aide said, noting discussions remained in the earliest stages. Senate Minority Leader Chuck Schumer accused "Republicans and oil companies" of trying to "water the bill down." The measure cleared the Senate, 98-2, in mid-June.

More wrinkles: House and Senate Democrats are sniping about language in the bill that allows only Republicans to force a vote on blocking Trump from easing sanctions, POLITICO's Elana Schor and Heather Caygle report.

CALIF. GOVERNOR SLAMS HOUSE DROUGHT BILL: California Gov. Jerry Brown (D) is fiercely opposing a House measure aimed at rebalancing the state's complex and fragile water systems. "This bill overrides California water law, ignoring our state's prerogative to oversee our waters. Commandeering our laws for purposes defined in Washington is not right," Brown wrote in a letter to House Speaker Paul Ryan Tuesday. H.R. 23 (115) from Central Valley Republican David Valadao — Republicans' second go at drought relief after passing a bipartisan measure into law last year — is slated for consideration on the House floor as soon as today with only a handful of amendments allowed. California's two Democratic senators have opposed the measure, leaving it with long odds of overcoming a filibuster in the upper chamber.

NDAA UP NEXT: Once they finish the drought bill, House lawmakers will begin several days of debate over the National Defense Authorization Act H.R. 2810 (115), which will feature votes on a handful of energy-related amendments. One, from Texas Republican Rep. Mike Conaway, would bar the military from entering into any new contracts or spending new funds on drop-in biofuels or biorefineries while sequestration continues and another, from Rep. Tony Cardenas, a California Democrat, calls for a report on Arctic readiness "including the reasons why the arctic region is changing at such a rapid rate." The measure also contains language requiring a report on how climate change threatens military installations, including the ten most vulnerable to its impacts, and that describes climate change as a "direct threat to the national security of the United States."

NAVY NOMINEE CALLS CLIMATE THREAT REAL: Richard Spencer, Trump's Navy secretary nominee, told a Senate committee Tuesday climate change represented a real threat worthy of close attention. "The Navy, from my briefings to date, is totally aware of rising water issues, storm issues, etc.," he said in response to a question from Elizabeth Warren. "We must protect our infrastructure, and I will work hard to make sure we are keeping an eye on that because without the infrastructure, we lose readiness."

PRUITT'S READY FOR PRIME TIME: EPA Administrator Scott Pruitt told Reuters Tuesday his plans for a "red team" review of climate change science may be televised, Pro's Alex Guillén reports , and accused scientists of not sufficiently exploring the issue. "It is a question about how much we contribute to it. How do we measure that with precision? And by the way,

are we on an unsustainable path? And is it causing an existential threat?" Pruitt said. The review is "not necessarily" the first step toward undoing the 2009 endangerment finding that declared climate change a threat, according to Pruitt. Full transcript here.

Speaking of Pruitt, he held meetings with Sens. Steve Daines and Deb Fischer on Capitol Hill Tuesday that touched on, among other things, Superfund issues. Pics.

STEP ONE TOWARD REVERSING PEBBLE VETO: EPA took the first step Tuesday toward reversing the Obama administration's effort to preemptively veto Clean Water Act permits for the Alaska's planned Pebble Mine in the Bristol Bay region, Pro's Alex Guillén reports. The agency will take public comment for 90 days on its proposal to withdraw the previously proposed veto and accompanying analysis, according to a notice published Tuesday.

RECESS LOSS COULD BE ENERGY BILL'S GAIN: Senate Majority Leader Mitch McConnell's Tuesday announcement that the Senate would scrap the first two weeks of its traditional August recess could be a boon for a bipartisan energy package S. 1460 (115). Senate Energy and Natural Resources Chairwoman Lisa Murkowski tells ME she's "hoping" she can secure floor time this work period. As your ME author reports, the Alaska Republican summed up her sales pitch to colleagues: "We have a bipartisan product that's ready to go, and why wouldn't you want to take it up?"

CLIMATE TALK POSSIBLE DURING FRENCH SWING: Trump heads to France for the latter part of this week, and a senior administration official told reporters Tuesday it was "entirely possible" French President Emmanuel Macron would raise climate change during the trip. "If he does, the president has spoken on the issue a number of times, and he'll be ready to engage in that as well," the official said.

STATES, INTERIOR TO TALK SAGE GROUSE IN DENVER: Members of the Interior's sage grouse review team and staffers from a number of Western state governors' offices are holding informal meetings Wednesday and Thursday in Denver as part of the Interior's broad review of the BLM's land-use conservation plans for the bird in those states, sources tell ME. Western governors have pushed to have a voice in the Interior's review of the conservation plans and Secretary Ryan Zinke has given his team until Aug. 6 to send him recommendations.

BIPARTISAN BOOST FOR CCS: Democratic Sens. Heidi Heitkamp and Sheldon Whitehouse and Republican Sens. Shelley Moore Capito and John Barrasso today will unveil legislation to extend and expand the so-called "45Q" tax credit for carbon capture and sequestration tax credit. The CCS cause suffered a blow last month when Southern Company pulled the plug on the carbon capture aspects of the Kemper plant in Mississippi, but Petra Nova in Texas has been humming along with a different version of the technology for months. The bill is backed by the NRDC and Center for Climate Solutions, and an aide to Heitkamp said the bill is supported by coal companies Arch, Peabody, and Cloud Peak.

MAIL CALL! DEMOCRATS: REVERSE COURSE ON METHANE: A group of 27 Senate Democrats is urging Trump to reverse "unwarranted" efforts to delay EPA and BLM regulations aimed at curbing methane emissions. "The BLM and EPA rules each rely on proven, widely

available, and cost effective technologies to reduce leaking, venting and flaring, and keep natural gas in production and in commerce rather than in the air," they wrote in a letter released Tuesday. "Delaying or revising these rules will only cause additional and unnecessary waste and result in substantial harm to communities across the country that will be exposed to dangerous air pollution."

DEMOCRATS CONVENE CLIMATE BRIEFING: House Science ranking member Eddie Bernice Johnson and Rep. Don Beyer are convening a roundtable with military leaders, scientists and foreign policy experts on climate change's national security implications this afternoon. It kicks off at 3 p.m. in Cannon 340 and can be streamed here.

QUICK HITS

— Official who nixed Everglades from UN endangered-site list gets Trump job. Miami Herald.

— Brown's cap-and-trade bill exposes fault lines of state politics. San Francisco Chronicle.

— Investors shine spotlight on coal groups over climate change risk. Financial Times.

— Poland Plans to Increase Tax on Fuels Amid Social-Spending Drive. Bloomberg.

— State Science Adviser Resigns Early, Amid Departmental Reorganization. Government Executive.

— U.S. Cities, States and Businesses Pledge to Measure Emissions. New York Times.

HAPPENING TODAY

9:45 a.m. — Meeting to consider various nominees and legislation, Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — "U.S. Fire Administration and Fire Grant Programs Reauthorization: Examining Effectiveness and Priorities," House Science Research and Technology Subcommittee, 2318 Rayburn

10:00 a.m. — "Evaluating federal offshore oil and gas development on the outer continental shelf," House Natural Resources Subcommittee on Energy and Mineral Resources, Longworth 1324

10:00 a.m. — Alliance for Innovation and Infrastructure electric grid discussion, Participant Dial-In: 877-888-4312

10:30 a.m. — House Appropriations Committee markup of Energy and Water Development legislation, 2359 Rayburn

2:00 p.m. — "The Uncertain Transition Away From Coal—Stories from China and the United

States," Wilson Center, 1300 Pennsylvania Ave. NW

3:00 p.m. — Markup of the FY18 Interior Appropriations Bill, House Appropriations Subcommittee on Interior, Environment, and Related Agencies, 2007 Rayburn

3:00 p.m. — Lawmakers Host Roundtable on Consequences of Climate Change on National Security, 340 Cannon

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/07/energy-environmental-funding-hits-house-spotlight-023697

Stories from POLITICO Pro

ARPA-E gets an extra $80 million Back

By Darius Dixon | 07/14/2011 06:14 PM EDT

The Energy Department's high-risk research program won a surprise victory on the House floor Thursday afternoon when lawmakers agreed — by one vote — to add $80 million to its account.

The House approved an amendment from Rep. Adam Schiff (D-Calif.) to shift $80 million from DOE's administrative accounts to the Advanced Research Projects Agency- Energy.

The vote was 214-213.

Lawmakers also passed, 297-130, a mostly symbolic amendment from Rep. John Shimkus (R-Ill.) to boost funds for the license review of the Yucca Mountain nuclear waste site by $10 million.

Amendments to increase funds for non-defense nuclear cleanup efforts were split.

The House accepted a measure by Rep. Tom Reed (R-N.Y.) to increase cleanup funds by removing money from agency administrative accounts but shut down one by Jim Matheson (D-Utah) that sought to move funds from DOE's weapons division, the National Nuclear Security Administration.

Republican efforts to cut funding to DOE's Science Office and its Advanced Technology Vehicles Manufacturing Loan Program also failed.

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House bill would cut EPA budget, reduce state grants Back

By Alex Guillén and Annie Snider | 07/11/2017 05:59 PM EDT

The House's EPA spending bill would shrink the embattled agency's fiscal 2018 funding by $528 million to the lowest level in a decade, but a far more modest cut than the one sought by the Trump administration.

The bill would provide EPA with $7.5 billion, according to the House Appropriations Committee, its lowest funding level since 2008.

The proposal would cut the State and Tribal Assistance Grants, which make up a major portion of EPA's budget and doles out money to states for implementing and enforcing environmental laws, as well as for specific projects.

STAG would get just under $3.3 billion, down from the $3.5 billion spent in 2017 but significantly more than the $2.9 billion requested by the White House. Many states, facing their own budget crunches, oppose serious cuts to those grants.

One category of STAG grants, however, would see funding held steady with current levels: the popular state revolving funds that support sewer and drinking water infrastructure projects level, which would receive a combined budget of $2 billion.

The bill would also raise funding for the new Water Infrastructure Finance and Innovation Act — a new funding mechanism that has yet to make its first awards — by $5 million to a total of $25 million.

The measure also offers a rebuke of the Trump administration's move to end funding for popular regional watershed programs across the country, providing $397 million for such cleanup efforts. Details on how the dollars are allocated, from the Great Lakes to the Chesapeake Bay, are included in the yet-to-be-released bill report.

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House spending bill takes aim at EPA, Interior rules Back

By Alex Guillén, Annie Snider and Esther Whieldon | 07/11/2017 04:59 PM EDT

The House's fiscal 2018 Interior-EPA spending bill would prevent the Trump administration from completing a court-ordered rule on hardrock mining and block delay several other key regulations.

As part of a settlement the Obama administration reached with environmentalists, EPA must produce a rule by December requiring hardrock miners to have enough cash on hand to clean up their sites once work is complete. The settlement came a few months after the 2015 Gold King mine spill, although the lawsuit at issue was filed before that disaster. Republicans and industry oppose the rule, and the Forest Service has raised concerns that it will duplicate similar regulations issued by that agency.

The bill also includes a rider that would shield EPA's effort to withdraw the Waters of the U.S. regulation from legal challenges, mirroring a provision from the House's proposed fiscal 2018 spending bill for the Army Corps of Engineers.

House Republicans also included several other appropriations riders that mirrored earlier proposals but did not make it into the existing omnibus spending law, including delaying implementation of the 2015 ozone standard until 2025. EPA Administrator Scott Pruitt has already said he will miss a key implementation deadline for that rule.

A handful of riders in existing law are carried over as well, including language preventing the Interior Department from listing the sage grouse as an endangered or threatened species, a provision classifying electricity generated using biomass as carbon neutral and limits on climate change rules for agriculture.

WHAT'S NEXT: The Appropriations subcommittee with jurisdiction over Interior and EPA plans to mark up the bill on Wednesday.

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BOEM budget gets modest boost under House proposal Back

By Ben Lefebvre | 07/11/2017 05:11 PM EDT

The Interior Department's Bureau of Ocean Energy Management would get a modest increase under the House Appropriations Committee fiscal 2018 budget proposal released today.

The proposal that would fund the Interior Department at $11.9 billion next year — a cut of about 7 percent from current funding levels — would spend $171 million on the the agency charged with leasing out federal waters for oil and gas development. That's up slightly from the $169 million Congress allocated for 2017 and matches the figure the White House proposed as part of President Donald Trump's push to increase offshore energy production.

The budget for BLM, the agency that manages Interior's onshore land and energy production leases, is reduced by 4 percent to $1.2 billion under the appropriations proposal. Most of that cut would be through reductions in BLM's land acquisition budget.

Appropriations for BSEE, the agency charged with overseeing safety on offshore oil and gas rigs, would remain essentially flat at $136 million.

The U.S. Geological Survey budget would fall by 4 percent, to $1.04 billion.

The House would fund Chemical Safety Board funded at $11 million, rejecting a White House proposal to scrap the board that investigates accidents at refineries and other industrial sites.

WHAT'S NEXT: Senate spending committee leaders will hold their first subcommittee markups later this week.

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POLITICO-Harvard poll: Just 30 percent approve of Trump's Paris pullout Back

By Anthony Adragna | 07/12/2017 05:01 AM EDT

A majority of people disapprove of President Donald Trump's decision to withdraw the U.S. from the Paris climate accord, but opinions are sharply divided by party, according to a new poll by POLITICO and the Harvard T.H. Chan School of Public Health.

Just 30 percent of the public backs Trump's intent to leave the landmark climate accord while 53 percent disapprove, according to the poll. But 65 percent of Republicans support the president's move compared to just 9 percent of Democrats.

The poll found 59 percent of the public broadly supports more interaction between the U.S. and other countries on climate issues, including 39 percent of Republicans and 75 percent of Democrats. Only 12 percent of adults said they favor less effort by the U.S. on climate issues.

Views were split on U.S. spending to help developing countries address to the effects of climate change. Thirty-six percent of respondents told pollsters they wanted the government to spend more, while 26 percent said the U.S. should spend less and 34 percent called for funding to remain about the same.

But climate change appears unlikely to alter many votes on its own. Just 30 percent of voters said the decision to pull out of Paris was "extremely important" to their voting decision, placing it behind other issues like terrorism and health care.

The survey was conducted by SSRS, an independent research company, for POLITICO and Harvard from June 14-18. It used cellphones and landlines among a nationally representative sample of 1,011 U.S. adults.

WHAT'S NEXT: Public views of these issues are likely to play a role in upcoming

congressional action and the 2018 midterms.

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Trump taps JP Morgan, Berkshire officials for DOE posts Back

By Darius Dixon | 07/11/2017 07:13 PM EDT

President Donald Trump plans to nominate Paul Dabbar and Mark Menezes for two open Energy Department undersecretary positions, the White House announced tonight.

Menezes, vice president for federal relations at Berkshire Hathaway Energy, has been nominated as undersecretary at DOE. He used to head Hunton & Williams' energy practice group, where disclosure records show his clients included Berkshire and Southern Co., and before that he served as chief counsel for the House Energy and Commerce Committee. Berkshire lobbying disclosures show he de-registered as a lobbyist in January of this year.

Dabbar, a former submarine officer who is managing director for mergers and acquisitions at JPMorgan Chase, is Trump's pick for undersecretary for science at DOE. He serves on the advisory board for DOE's environmental management program, which runs the agency's defense nuclear cleanup programs.

WHAT'S NEXT: The White House also formally sent the nominations to the Senate tonight. It's up to the Senate Energy and Natural Resources Committee to schedule a hearing on the nominees.

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Oil companies seek to rein in Russia sanctions Back

By Ben Lefebvre | 07/11/2017 04:07 PM EDT

U.S. oil companies nervous about the damage tougher Russian sanctions could do to their bottom lines are rallying around a proposal that could allow them to stay in business with Russian partners.

Major players like Exxon Mobil worry they could get locked out of a new wave of massive international oil fields if House Republicans do not amend a sanctions bill making its way through Congress. Industry representatives and lobbyists say they are asking lawmakers to establish a threshold level on the size of the stake in a project a Russian company would have to

own before penalties kick in.

The Senate passed the bill by a 98-2 vote in mid-June as a way to punish Russian meddling in the 2016 U.S. presidential election. As written, it would require U.S. oil companies to leave certain projects where Rosneft, Lukoil or other Russian companies own even the slightest share.

Exxon and other U.S. companies worry their global competitors could weaponize the sanctions, investing just enough in a new project to force U.S. oil companies out and then buying their vacated stakes at a discount.

While the effect on energy projects is a relatively minor issue in the bill, the industry's concerns could still exacerbate an already politically fraught process of getting President Donald Trump to sign it into law. The bill faces additional hurdles in the House and growing resistance from the White House over provisions restricting Trump's power over sanctions policy. House Foreign Affairs Chairman Ed Royce (R-Calif.) is considering writing his own Russia sanctions legislation if the impasse persists.

Senate Minority Leader Chuck Schumer on Tuesday called on the House to pass the sanctions bill, and he accused "Republicans and oil companies" of trying to "water the bill down."

One fix that companies are pushing — and that has attracted interest from House Rules Chairman Pete Sessions (R-Texas) — is setting an ownership level bar that Russian companies have to meet before triggering the sanctions, lobbyists and a senior GOP aide said.

"Maybe make it 50 percent threshold, something to say, 'Yeah, the Russians are here,'" the aide said, emphasizing that no percentage has been agreed on as the idea is still in the early stage of discussion. House leadership was expected to discuss possible fixes to the sanctions bill late Tuesday, the aide added.

Even the hint of instability from tougher sanctions targeting energy companies could convince banks and foreign companies to avoid U.S. partners in developing an oil field, said Daragh McDowell, the principal Russia analyst at Verisk Maplecroft, a global risk consulting firm.

"The big risk to U.S. companies is something like this passes, with either similar or stronger language, and banks and other market players see what direction this is taking and [say], 'This is too risky for us,'" McDowell said. "If you have the U.S. Congress passing sanctions that apply to U.S. companies ... then basically, you just placed a prohibition for U.S. companies while providing plenty of work for any other country that has an oil major that wants to get involved."

Supporters of the Senate bill have said the Trump administration could interpret its language in a way that does not harm energy companies, but the House aide said that would not be enough, stressing that clear language would be needed to prevent future administrations from using their own, rival interpretations later.

Oil companies fear that, as currently written, the sanctions bill would block U.S. firms from participating in future offshore drilling projects in South America, Europe and the Middle East —

regions where Russian companies could be expected to play a role.

Brazil is one example of a country where the sanctions could block U.S. companies from future business opportunities. The country's government invited global oil companies to help develop its reserves as part of its goal to reach of 3.4 million barrels a day of oil and natural gas production by 2021.

Houston-based oil fields service company Halliburton has already worked the region, helping to drill wells for oil companies working off Brazil's east coast. Exxon is reportedly in talks with the Brazilian government and New York-based oil driller Hess to obtain stakes in Brazil's offshore oil fields.

But now that Rosneft has shown interest in developing the area, the sanctions bill as written could throw a wrench in the American companies' plans. The Brazilian government has occasionally asked companies working in adjacent fields to pool resources, sources said, something that could cause Exxon, Halliburton or Hess to run afoul of sanctions laws if Rosneft became a mandated partner.

"We've been providing information to legislators on the potential impact on investments," Exxon spokesman Alan Jeffers said. "There's a potential there to actually benefit Russian companies if they were squeezing U.S. companies out of bidding on projects." Jeffers declined to say if Exxon is pursuing Brazilian oil projects.

The bill would also further inhibit Exxon's efforts to eventually regain access to an Arctic oil field it was in the process of developing with Rosneft before the 2014 sanctions forced them to suspend drilling, analysts said. That's because in addition to its limits on energy partnerships, the Senate bill would also allow Congress to prevent presidents from lifting existing sanctions.

Rex Tillerson, the former Exxon chief executive now heading the State Department, criticized the sanctions last month. Tillerson described the bill as possibly harming communication between the White House and Russia, saying, "I think what I wouldn't want to do is close the channels off with something new."

The American Petroleum Institute, the industry's top lobbying group, has also raised concerns about unintended consequences from the bill. "It has the potential to penalize U.S. interests across the globe and advantage Russia and other countries or entities," API spokeswoman Sabrina Fang said in a statement.

Multiple energy lobbyists and consultants said an ownership bar was being pushed as a way to soften the bill's blow on the industry, portraying it as a narrow fix that would not undermine the bill's overall goal of strengthening sanctions on Russia.

"No one has realistic expectations that the bill may go away," said David Goldwyn, president of Goldwyn Global Strategies energy consultancy and a former U.S. State Department special envoy and coordinator for international energy affairs from 2009 to 2011. But, as written, the current version "just essentially cedes the Russian market to Europeans," he said.

The question Goldwyn says companies are now asking as they lobby both sides of Congress: "Who will take the hit for 'watering down' the bill? It's not clear who's in charge."

How high a percentage Russian companies would own before triggering an American exit is an open question, however.

"Establishing a non-arbitrary ownership threshold any lower than control will be a difficult task for legislators," said Josh Zive, a senior partner at Bracewell who represents energy companies on trade issues. "Modern business structures make simple rules much more difficult in practice, and a poorly drafted standard could cause unnecessary instability and uncertainty among U.S. companies involved in global markets, particularly energy markets."

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House and Senate Dems play Russia sanctions blame game Back

By Elana Schor and Heather Caygle | 07/11/2017 07:16 PM EDT

Democrats veered into internal sniping Tuesday over a stalled Russia sanctions bill that would limit President Donald Trump's power to go easy on Moscow.

Even as House leaders continued bipartisan talks over how to resolve concerns that are holding up the popular Senate-passed sanctions bill, Democrats on both sides of the Capitol pointed fingers at each other over how they managed to miss an alteration that limited the power of the House minority to tie Trump's hands on relations with Russia.

The ongoing procedural drama over the sanctions bill, which cleared the Senate 98-2 last month, threatened to distract Democrats as House Republicans continue to struggle with their own intra-party tension over the proposal to punish Russia. Senate Democrats also seized on the president's deepening Russia scandal Tuesday to push the House to quickly pass the sanctions bill, citing Donald Trump Jr.'s meeting with a Russian government lawyer to discuss damaging information about Hillary Clinton.

House GOP leaders are feeling pressure to act quickly on sanctions to avoid looking weak on Russia, despite the White House's lobbying to secure changes to the bill that are more favorable to Trump. But until Majority Leader Kevin McCarthy (R-Calif.) and House Minority Whip Steny Hoyer (D-Md.) can resolve the latest partisan dispute, the sanctions legislation remains stuck in the House — and senators in both parties are growing impatient.

"We've worked out our process — they have to work out their process," the Senate Foreign Relations Committee's top Democrat, Ben Cardin of Maryland, told reporters. "But don't use that as a justification to hold this bill up. This bill needs to pass."

Two House Democratic aides laid blame at Senate Democrats' feet for failing to catch the change to the bill that allows only Republicans to force a vote on blocking Trump from easing sanctions.

House Democrats raised concerns with the Senate before the upper chamber unanimously approved the changes to the sanctions bill, according to a third aide.

"The Senate knew they were changing House procedure and did not consult with us and that's on them," the third House Democratic aide said. "We were never okay with the procedural change that House Republicans made that would prevent the minority from forcing consideration."

One House Democratic lawmaker familiar with the negotiations also said the Senate was at fault: "We trust that the other body knows what it's doing when it sends its own bill to us. Everyone should've caught it, but it's your bill. You should've caught it; you voted for it."

But Senate Democrats say the burden rested with the House to recognize that the change, which Republicans have billed as creating parity between the two chambers, would end up robbing House Democrats of power.

"That any House staff would point the finger at the Senate is laughable at this juncture," one Senate Democratic aide said. "Even if the Senate had written a bill that in part contained a problem for the House, it would be up to the House as the resident expert on their own rules and procedures to be aware of it, flag it, and ask for it be corrected before the Senate passes the bill."

And senators on both sides of the aisle continue to urge the House to pass the Senate-passed bill as written.

"I think they'll pass a Russia sanctions bill, and I think it'll look almost identical to what we have," Senate Foreign Relations Chairman Bob Corker (R-Tenn.) told reporters, describing his work with House Foreign Affairs Chairman Ed Royce (R-Calif.) as "hand in glove."

Senate Majority Leader Chuck Schumer sought Tuesday to put the onus back on House Republicans who are also getting pressed by the oil industry to change elements of the sanctions bill, charging that they "have come up with excuses to avoid moving forward" on the legislation.

"The House, right now, needs to pass the tough, strong sanctions bill that the Senate sent them on a bipartisan 98-2 vote," Schumer told reporters. "Between these revelations and the president's horrendous handling of the meeting with Mr. Putin, it's clear that Congress needs to step in and sanction Russia."

House Republicans, for their part, say House Democrats are now the only ones holding up the sanctions package from moving forward.

"House Democrats are now standing in the way of progress on this sanctions package," said AshLee Strong, spokeswoman for Speaker Paul Ryan (R-Wis.), noting that the Senate crafted the original House procedural provision "without consulting with the House on the front end."

But House Democrats say that's false, accusing Republicans of hiding behind the Democratic finger-pointing while trying to slow walk the sanctions package at the behest of the White House.

Hoyer even offered a potential fix palatable to Democrats during negotiations over the recess — allowing either the majority leader or the minority leader to offer a resolution of disapproval that would stop Trump from easing sanctions — but Republicans have yet to agree to that, according to a source.

The Maryland Democrat said in a statement Tuesday that negotiations are ongoing despite the hang-up, adding that he hopes for action on the bill later this week.

"I continue to oppose the process House Republicans included in the bill that would only allow the Speaker of the House to force consideration of whether to allow the administration to waive sanctions," Hoyer said.

"I believe this is an issue that we can quickly resolve, and I hope that Republican leadership will work with us to address this issue and bring the bill to the floor for a strong, bipartisan vote this week."

A spokeswoman for House Minority Leader Nancy Pelosi (D-Calif.) declined to comment for this story, directing inquiries to Hoyer's office.

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Pruitt: 'Red team' climate review may be televised Back

By Alex Guillén | 07/11/2017 03:53 PM EDT

EPA Administrator Scott Pruitt said his plans for a "red team" review of climate change science may be televised, according to an interview with Reuters, in which he also accused climate scientists of not answering key questions.

"It is a question about how much we contribute to it. How do we measure that with precision? And by the way, are we on an unsustainable path? And is it causing an existential threat?" he told the wire service.

Pruitt did not elaborate on how scientists would be chosen, but said there should be "a robust discussion for all the world to see." That could include via television, he said, arguing that "the American people would be very interested in consuming that."

The red team review is "not necessarily" the first step toward undoing the 2009 endangerment

finding that declared climate change a threat and led to a number of Obama-era climate regulations, Pruitt told Reuters. The service reported that Pruitt believes "there may be a legal basis to challenge the finding but would prefer Congress weigh in on the matter." There are currently at least three pending petitions with EPA seeking to overturn the finding.

Several noted climate scientists have scoffed at the idea of participating in a red team review, saying it would lend unearned legitimacy to the review. The peer-review scientific process and decades of research have provided the necessary review, scientists say.

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Trump EPA moves closer to reversing Pebble Mine proposed veto Back

By Alex Guillén | 07/11/2017 03:46 PM EDT

The Trump administration is moving forward with a plan that could let the developers of the planned Pebble Mine in Alaska reapply for permits in the Bristol Bay region.

EPA is taking the first formal step toward reversing the Obama administration's effort to preemptively veto Clean Water Act permits for the mine. The agency will take public comment for 90 days on its proposal to withdraw the previously proposed veto and accompanying analysis, according to a pre-publication notice posted today on the agency's website.

The announcement is part of a court-approved deal EPA reached in May with the company behind the proposed gold, copper and molybdenum mine. Pebble's developers had alleged EPA's prior work on the matter, which halted in 2014, violated an open government law.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) last month asked EPA Administrator Scott Pruitt to accept comments for at least 90 days because of the current commercial fishing season in Bristol Bay, which she said would limit the ability of local fishers to comment.

EPA's withdrawal is the first step of carrying out the settlement agreement struck with Pebble's developers. The agency has agreed not to study related water quality issues for at least four years or until the Army Corps of Engineers finishes its own environmental study. Pebble has until late 2019 to apply for a permit.

WHAT'S NEXT: The 90-day comment period will commence once the notice is published in the Federal Register.

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Murkowski pushing for energy bill action this work period Back

By Anthony Adragna | 07/11/2017 03:08 PM EDT

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told reporters today she's hoping a broad energy package S. 1460 (115) can secure some floor time during the current work period — which Senate Majority Leader Mitch McConnell says will extend into the middle of next month.

McConnell announced this afternoon that the Senate would cancel the first two weeks of its August recess to give Republican lawmakers more time to work through their daunting to-do list, which includes repealing Obamacare and raising the debt limit.

"We have a bipartisan product that's ready to go, and why wouldn't you want to take it up?" Murkowski said, urging lawmakers to consider the package "in these spaces that we have."

She acknowledged she'd need Democratic cooperation to prevent the legislation — which is largely unchanged from a version that passed the Senate 85-12 in April 2016 — from being bogged down by procedural hurdles.

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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EPA to Seek Legislative Fixes In Place of Regulations, Pruitt Says

Posted June 15, 2017, 02:44 P.M. ET

By Brian Dabbs

The EPA will proactively reach out to seek legislative fixes to environmental laws that avoid lengthy litigation akin to the Clean Power Plan and the Clean Water Rule, Administrator Scott Pruitt told lawmakers June 15.

That strategy aims to curb agency "overreach" while providing certainty to companies, Pruitt said.

"When you disrespect rule of law, and what that fundamentally means, is when you take statutes passed by Congress and act in a way that's not authorized, it creates uncertainty," Pruitt told lawmakers. "If you have not spoken to an issue, if you have not given authority to the agency, we're not to reimagine it. We're not going to create it. We're going to let you know when those deficiencies arise."

The two high-profile regulations have been wading through legal limbo in recent years, and the Environmental Protection Agency is now reconsidering the Clean Power Plan rule. That regulation, arguably the trademark of the Obama administration's environmental legacy, would require decreased carbon dioxide emissions on the fleet of existing power plants.

EPA rules have had a "devastating impact" on coal-producing communities, Rep. Hal Rogers (R-Ky.) told Pruitt. Rogers has recently complained of the Trump administration's plan to zero out the Appalachian Regional Commission, an economic development program that is receiving $152 million this fiscal year through the Energy Department's appropriations account.

EPA Approves Dow, Monsanto Gene-Silencing Tech to Fight Pests

Posted June 15, 2017, 12:09 P.M. ET

By Tiffany Stecker

Farmers will soon have access to a novel technology to fight corn rootworm, a devastating pest that has grown resistant to traditional pesticides.

The Environmental Protection Agency on June 14 approved for sale four new corn seeds from Monsanto Co. and Dow Agrosciences engineered with ribonucleic acid interference (RNAi). The technology works by "silencing" certain genes from expressing undesirable traits. In the case of the companies' SmartStax PRO seeds, the corn plants produce a pesticide that suppresses a gene that allows the worm to survive.

"We are using innovation and emerging technologies to solve problems like infestations of corn rootworm on our nation's corn crop," EPA Administrator Scott Pruitt said in a statement. "Corn rootworm has been called the 'billion-dollar pest' because it is so expensive for corn growers to control."

Corn growers have struggled to address corn rootworms that don't die from the insecticide Bacillus thuringiensis (Bt). Almost 80 percent of corn plantings in the U.S. are genetically-engineered with Bt.

Plant geneticists and farmers tout RNAi technology as a promising alternative to other forms of plant genetic engineering, which take genes from one species and inserts them into another. This genetic modification has generated considerable controversy over the past three decades, but RNAi technology has also raised concerns.

Some environmental and health groups have raised the possibility that the technology could unintentionally shut off gene function in those who eat the foods, or could have ecological consequences past the limits of a farmer's field.

The Food and Drug Administration in 2015 approved two crops made with RNAi techniques: an apple that resists browning and potatoes that produces less acrylamide, a carcinogen. An EPA Scientific Advisory Panel in 2014 had recommended more research to better assess the health and ecological implications of using the technology.

Trump's Budget Puts Climate Research Program on Thin Ice

Posted June 15, 2017, 12:18 P.M. ET

By Catherine Douglas Moran

The U.S. could fall behind on mitigating expensive and irreversible damage from climate change domestically as a result of the White House's proposed cuts to an interagency research program's budget. Funding worries for the domestic climate and climate-related research program come at a time of uncertainty about the Trump administration's priorities for climate change as it slashes funding for that work across the government. President Donald Trump has pledged that the U.S. will exit the Paris Agreement and has proposed a fiscal year 2018 budget that would discontinue more than $100 million in funding for several climate change research and partnership programs.

Margaret Leinen, director of the Scripps Institution of Oceanography at the University of California San Diego who previously served on the National Science and Technology Council's environment committee that guides the U.S. Global Change Research Program, told Bloomberg BNA that if major cuts are made to the program, the decreased funding will not stop or alter the course of climate research. But she said it may affect the country's reputation internationally and reduce the amount of domestic research.

"Other countries are not going to do the work on impact in the U.S. for us," she said. "No one else is going to do that research for us, so that's really what's at risk when we cut the U.S. climate research."

Comprised of nearly a dozen agencies and departments, Congress created the program in 1990 under the Global Change Research Act (Pub. Law No. 101-606) to better understand human-caused and natural climate changes and to develop mitigation and adaptation policies. Every three years Congress requires the submission of a strategic plan outlining goals and priorities for the next 10 years, and no less than every four years Congress and the president receive a national scientific assessment on the research program's findings.

Funding Fluctuations

The largest contributors to the program include NASA, the Energy Department, the National Oceanic and Atmospheric Administration, and the National Science Foundation.

Some of the agencies submit requests for the research program as a part of their budgets. Others calculate their contribution to the program from allotted research grants. The program's annual report that explains and breaks down the budget request is expected in a few months.

Here are the known agency funding requests for Global Change Research Program for fiscal 2018, according to the agencies:

• National Science Foundation: $264 million—a decrease of $66 million from its actual fiscal 2016 amount

• Smithsonian: $8 million—largely steady from fiscal 2014 to fiscal 2018 request

• Energy Department: $84.2 million—a decrease of $144.7 million from its fiscal 2017 enacted appropriation

• EPA: Global Change Research listed as a proposed eliminated sub-program along with other science programs

"I think it's really important that people understand that there are real risks, and the risks are not just for polar bears or for coral reefs," Leinen said. "They are for us and our economy and what our livelihood is like."

Leinen said the collaboration between the agencies is only as good as the budgets provided. The research program has tried to recover from funding dips by accepting proposals from scientists who were turned away at other agencies, but one agency will not assess the impacts of climate and environmental change for another agency's mission, she said.

Congress Could Rescue Funding

While Congress and the administration set the priorities for climate change research, Congress probably won't eliminate or "massively" cut funding for the program in the upcoming fiscal year, Leinen said.

"Each administration comes in seeing the problem of climate change with their own lens and may have different priorities," Leinen said. "I think that one of the things that was quite, quite clear in the 2017 deliberations was that Congress did protect, Congress did acknowledge the importance of

climate change research and made sure that it was funded to the best of their ability."

Overall, funding for Global Change Research Program grew 30.2 percent from fiscal 2000 to the fiscal 2017 request, peaking in 2003, according to the American Association for the Advancement of Science. After declining during President George W. Bush's administration, the program was revitalized in fiscal 2009 when the American Recovery and Reinvestment Act provided an additional $641 million.

Anthony Janetos, a Boston University biologist and next chairman of the National Academies of Science advisory committee for the U.S. Global Change Research Program, told Bloomberg BNA that there is "nothing concrete to put our fingers on" financially for fiscal 2018, until the multiple appropriations committees that handle the agency budgets piece together the funding.

"Even small changes can make a difference in what gets done," he said. "The accumulation of the kind of scientific knowledge is best served by budgets that don't radically change from year to year."

Agency Overlap and Collaboration

Two Republican committee aides familiar with the research program's reports told Bloomberg BNA that it will probably not face funding problems. However, one of the aides said the cuts might be justified by potential duplication of climate modeling and other resources at the agencies.

"Is this funding cut in one place? Is there an offset somewhere else where the federal government is already doing research into that topic?" the aide said. "The federal government doesn't need to be spending money on any sort of competing research."

One of the reasons that Congress created the research program was to reduce the redundancy between agencies, John Furlow, the deputy director for humanitarian assistance and international development at Columbia University's International Research Institute for Climate and Society, told Bloomberg BNA. He was a USAID representative to the climate change research program.

"There might be a little bit of redundancy, but I think there's more complementarity," he said. "If you cut something that NASA is doing, it might make it more difficult for NOAA to do its piece. So I mean just as a very coarse example, if NASA doesn't launch satellites, NOAA can't stick instruments on those satellites."

He said he is concerned about the uncertainty for climate funding and what that will mean for the program's future if the budgets for the EPA, NOAA, and National Science Foundation plummet.

If the climate research program's funding is slashed, Furlow said public outreach, website maintenance, and production of reports for Congress may be constrained.

"It probably would not be the end of the world but just reduce the amount of outreach that GCRP can provide," Furlow said. "I don't know what happens if the funding were to become so constrained that they couldn't pass the smell test of meeting the requirements of that law."

Political Controversies

This is not the first time that the Global Change Research Program has faced funding cuts and encountered concerns about potential political influence on its science.

One of the majority committee aides said the reports were used to further the agenda of the Obama administration by narrowly focusing on human-caused climate change instead of global change.

"I think we could agree that the politics has influenced the work of GCRP over the years," the aide said. "I think the conclusions of the National Climate Assessment are used to support climate policies specifically of the last administration and that's its job, that's its goal, that's its duty. Support the president."

Leinen said she thinks politics influence the funding, but not the science.

"Although there can be political push, there are so many other forces that I don't think the science gets steered," she said. "Does the politics get steered by the science? Sometimes."

—With assistance from Dean Scott.

EPA Isn't Reviewing California's Clean Air Act Waiver: Pruitt

Posted June 15, 2017, 03:49 P.M. ET

By Jennifer A. Dlouhy

EPA Administrator Scott Pruitt said the agency isn't reviewing a Clean Air Act preemption waiver granted to California that allows the state to impose air pollution control requirements that are stricter than those of the federal government.

"Currently, the waiver is not under review," Pruitt said during a June 15 House Appropriations subcommittee hearing.

Some conservatives want EPA to pull back the waiver, which would threaten California's historically influential role driving auto-emissions standards and other environmental regulations. The waiver also gives California leverage in any negotiations over standards for cars and light trucks through model year 2025, which the Trump administration is reviewing.

Pruitt said the waiver goes "back to the beginning of the Clean Air Act."

"Because of the leadership that California demonstrated it was actually preserved in the original writing of the Clean Air Act," Pruitt said. "It's important we recognize the role of the states in achieving good air quality standards, and that's something we're committed to in the agency."

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EPA Task: Balance Chemical Trade Secrets With Public Data

Posted June 15, 2017, 7:00 A.M. ET

By Pat Rizzuto

The EPA says it's hard pressed to withhold the identities of certain chemicals while also making public any health, worker safety, or environmental risk information about the chemicals under the amended toxics law passed last June.

The law gave the EPA a difficult dual obligation, Derek Swick, regulatory and scientific affairs manager for the American Petroleum Institute, told Bloomberg BNA. "It's unclear how EPA will do this," Swick said.

The agency is accepting comments through July 7 on its initial ideas about fulfilling a confidentiality requirement in the 2016 Frank R. Lautenberg Chemical Safety Act. The agency must shield from public disclosure the specific identities of certain chemicals it determines qualify for that protection to guard trade secrets such as market share while at the same time making non-confidential information about the same chemicals available to the public.

"Protecting confidential business information is the bread and butter of any company," Christina Franz, senior director of regulatory and technical Affairs at the American Chemistry Council, told Bloomberg BNA. "It's critical to innovation, to creating new, important products and to maintaining or gaining a competitive advantage." For chemical makers, confidential business information (CBI) can mean keeping secret the specific identity or unique performance attributes of a chemical, she said.

But Richard Denison, lead senior scientist with the Environmental Defense Fund, told Bloomberg BNA the law's requirement is not as hard to achieve as industry and the EPA have suggested. Congress' intent was to have the EPA review CBI claims more strictly and often favor disclosure of risks the public involuntarily faces from air, water and soil pollution. The agency has navigated similar situations involving confidential identities in the past, he added.

Shift in Thinking

Thus far, it has been easy for companies to overbroadly shield many different types of information—including chemical identity—as confidential, which bars agency public disclosures, Denison said. Companies got accustomed to asserting such claims without challenge.

Information chemical manufacturers often claim as confidential includes: their manufacture or importation of a particular chemical; production or import volumes; the number of workers they estimate are exposed to it; and whether children or consumers are exposed to it.

Companies can continue to assert that much of this information as confidential under the Lautenberg Act, which overhauled the Toxic Substances Control Act. The amended law, however, requires them to provide more detailed substantiations of a company's need for confidentiality.

The TSCA amendments, however, raised the bar chemical makers will have to clear to prove to the agency that the public must be denied knowledge that a chemical exists, Denison said.

Many concerns that information disclosure could cause competitive harm can be addressed, for example, by claiming a company's relationship to a particular chemical is confidential, Denison said. This may take some getting used to for companies that have traditionally claimed everything possible as confidential, he said.

Emphasis on Public Right-to-Know?

The amended statute directs the EPA to use what the law calls a "unique identifier" for "each specific chemical identity for which the administrator approves a request for protection from disclosure." The agency can decide a chemical's identity warrants such protection if its manufacturer proves disclosure would cause competitive harm to the company by revealing, for example, commercially sensitive market share information.

EPA must apply the unique identifier consistently across data received on a compound. The agency also has annual reporting requirements for CBI-protections and related health information.

By requiring a unique identifier, Congress sought to maximize public access to information about such a chemical, Denison said. Congress "resolved any possible conflict in favor of the public's right to know," he said.

The unique identifier allows industrial hygienists, public health officials, labor organizations, first responders, researchers and the general public to link together any health, safety, and environmental effects the agency receives for the same chemical, he said.

Compiling the non-confidential safety information about a chemical can allow researchers and organizations to recognize that some chemical is raising concerns—even if they don't know the specific identity of the chemical, Denison said.

That knowledge would allow the public to demand the agency look into unwarranted health and environmental risks.

When CBI claims expire in 10 years—unless re-substantiated—then the previously submitted non-confidential health and safety information could be matched to the specific chemical.

Disclosure to Competitors

The EPA said in a May 8 Federal Register notice that it isn't sure it can both design a unique identifier that fully shields chemical identities from disclosure and use that same identifier on all non-confidential information (82 Fed. Reg. 21,386).

"EPA has identified several situations where applying the same unique identifier to every instance where information pertaining to the same chemical substance is reported under TSCA could cause confidential business information, including specific chemical identity, to be revealed," the agency wrote.

EPA's notice described scenarios where it envisions complying with the dual obligation could result in competitors being able to follow a paper trail and figure out the confidential chemical identities.

First Option

The agency discussed two possible strategies for balancing CBI with the public's right to know at a May 24 meeting.

The agency's first option would require it to review all non-confidential information about a trade-secret-protected chemical. The EPA would place the unique identifier on the information and remove any details that could result in disclosure of the chemical.

The agency would remove identity revealing information even if the person, organization or company that submitted the information to the agency did not claim confidential business protection, Pamela Myrick, director of information management in the EPA's Office of Pollution Prevention and Toxics, said during the meeting.

But screening and redacting the wide variety of information the agency receives for chemicals could be so burdensome that it may not be viable, she said.

Second Option

Under the second alternative, the EPA would use unique identifiers on non-confidential information, but only when it's submitted by the same company that originally asked that the chemical's identity be kept confidential, Myrick said.

"The public would be able to link some submissions on the same chemical, but not necessarily all submissions on that chemical," she said.

This would mean the same chemical could have different identifying numbers, which could be linked to different pieces of health, ecological and worker safety data.

EPA is proposing that each trade-secret-protected chemical identity would get multiple unique identifiers. Most of the industry groups and consultants that attended EPA's meeting said they favored the second alternative.

EDF: Options Inconsistent With Law

But Denison told meeting participants both of the EPA's options are inconsistent with the law's requirements.

"EPA finds an apparent conflict that doesn't exist in the law, and overstates a problem that it has successfully negotiated in the past," he said.

The agency has managed to balance the need to protect CBI with public access as it established policies in its new chemicals program and for the production volume, worker exposure and other information companies periodically report under the Chemical Data Reporting rule, Denison said. That rule requires periodic reporting of chemical production and import information.

Chemical identity should only qualify as CBI if companies carefully craft their trade secret protection rationales and demonstrate that identity disclosure would likely cause the company substantial competitive harms, Denison said.

Eventual Legal Challenge?

But Swick, from the American Petroleum Institute, said the law's requirements aren't black and white.

The provision requiring the unique identifier is in the amended TSCA, but so is the statute's "clear mandate to protect trade secrets and encourage innovation," he said. The agency should implement this legal requirement through rules to make sure all issues are flagged, Swick said.

Providing case studies describing the variety of chemical information it receives under TSCA and other statutes would be valuable, he said. That would help companies understand whether their CBI could be discovered through other types of required submissions.

Franz, from the American Chemistry Council, said EPA has a tough job ahead. Whatever path it chooses may be challenged in court, because of these different interpretations of what the law requires, she said.

Nuclear Waste Bill Set to Change After Subcommittee Markup

Posted June 15, 2017, 01:25 P.M. ET

By Rachel Leven and Rebecca Kern

A House subcommittee June 15 approved, along party lines, a draft bill to reboot efforts to make Yucca Mountain the nation's permanent repository for nuclear waste and a bill (H.R. 806) that would push back deadlines for Obama-era ozone standards.

Additionally, draft legislation that would reauthorize the EPA's brownfields program for the first time since 2006 was approved unanimously by the House Energy and Commerce's Subcommittee on Environment. That program aims to clean up and repurpose contaminated industrial and commercial sites.

Rep. John Shimkus (R-Ill.), the subcommittee's chairman, previously told Bloomberg BNA that he hopes the House will pass the three bills, along with a drinking water reauthorization bill, by August.

At the markup, Democrats expressed concern that the administration didn't testify on the bills.

"We do not know how the agencies that would implement these programs would interpret the language in these bills," full committee ranking member Rep. Frank Pallone (D-N.J.) said at the start of the markup. "We are being asked to vote on legislation without the opportunity to fully understand its effects and potential unintended consequences."

The Environmental Protection Agency and the Energy Department didn't immediately respond to Bloomberg BNA's messages asking why they didn't testify and whether they support these bills. A spokesman for the Nuclear Regulatory Commission said the committee didn't request that the agency testify at the hearing on the nuclear waste draft bill in April and that it has no stance on the draft bill.

The two draft bills will next be introduced and all will be sent to the full committee, a committee spokesman told Bloomberg BNA in an email. There could be changes from the draft bills discussed at the markup to the bills that are formally introduced, the spokesman said.

Pennsylvania Bill Would Hinder Bay Cleanup, State Official Says

Posted June 15, 2017, 01:08 P.M. ET

By Leslie A. Pappas

A proposed Pennsylvania budget bill would further cripple the state's Chesapeake Bay cleanup efforts by cutting funding to conservation districts that help farmers reduce water pollution, Pennsylvania Agriculture Secretary Russell Redding said today.

"It's an open question at this point how we would meet the requirements," Redding said in response to a question about how the cuts would affect Pennsylvania's Chesapeake Bay commitments to reduce nitrogen, phosphorus and sediment runoff.

House Bill 218 would cut several programs that support conservation districts, which currently partner with the state's environmental regulators to inspect farms and help farmers implement clean water practices.

The cuts would result in fewer clean water management plans, less technical support for farmers, fewer training programs and cuts in staff, Redding said in a media call.

Senate Committee Advances Nuclear Regulator Nominee Svinicki

Posted June 15, 2017, 10:54 A.M. ET

By Rebecca Kern

The Nuclear Regulatory Commission is a step closer to retaining its quorum as the Senate Environment and Public Works Committee advanced the nomination of current NRC Chairman Kristine Svinicki for a third term at the agency.

The committee voted unanimously by voice vote to favorably report Svinicki's nomination for another five-year term on the commission. Chairman John Barrasso (R-Wyo.) told Bloomberg BNA after the June 15 business meeting that he and others are working with Senate leadership to get a floor vote on Svinicki before July 1.

Svinicki's current term is set to expire on June 30, after which she will no longer be allowed to serve and the NRC will not have a quorum.

In addition to Svinicki, a Republican, the committee considered two other Republicans nominated by the Trump administration: Annie Caputo, a long-time energy policy adviser for the committee, and David Wright, a former chairman of the South Carolina Public Service Commission. The committee has not yet scheduled votes on those nominations.

The NRC is an independent agency that licenses and regulates the country's nuclear reactors. Its five commissioners serve staggered five-year terms, with three seats belonging to the political party in power in the White House. It currently has three commissioners: Svinicki, whom President Donald Trump named as chairman in January; Stephen Burns (I), the previous chairman in the Obama administration; and Jeff Baran (D).

EU Moves to Limit Chemicals in the Workplace, Electronics

Posted June 15, 2017, 02:04 P.M. ET

By Stephen Gardner

European Union member countries are backing a plan to establish bloc-wide workplace exposure limits on five cancer-causing substances that would protect more than 4 million workers at industrial sites producing chemicals, lubricants, plastics and pharmaceuticals.

Ministers from the EU's 28 nations June 15 approved the amending directive, which would write the exposure limits into Annex III of a 2004 law (Directive 2004/37/EC), requiring employers to reduce worker exposure to carcinogens and mutagens. The law also obliges employers to provide workers and authorities with information about the risks of carcinogenic substances in the workplace.

The five substances covered by the amending directive are 4,4'-methylenedianiline, epichlorohydrine, ethylene dibromide, ethylene dichloride and trichloroethylene. An impact assessment on the proposed exposure limits, published in January by the European Commission, the EU's executive arm, found that epichlorohydrine and trichloroethylene are estimated to cause a combined 95 cancer deaths of workers in the EU each year. The likely number of deaths caused by the other three substances is unknown.

The exposure limits are "not controversial" and should be straightforward to agree between the council and parliament, Evi Liaskou, a spokeswoman for the Council of the EU, the EU

institution that represents the governments of member countries, told Bloomberg BNA June 15. In addition to setting exposure limits, the amending directive introduces "skin notations" for the substances, meaning employers should monitor and take steps to prevent skin absorption. The amending directive would also add skin notations for used engine oils and polycyclic aromatic hydrocarbons.

The ministers' approval must be confirmed by the European Parliament, which has not yet voted on the amending directive. The council and parliament must also finalize a separate but similar amending directive that would set or tighten workplace exposure limits for 13 carcinogenic substances. The European Parliament's employment committee approved that amending directive in February.

Substances In Electronics

Council and parliament representatives are now set to meet June 21 seeking an agreement on technical amendments that would close loopholes in the EU's Restriction of Hazardous Substances Directive (RoHS Directive, 2011/65/EU). RoHS prohibits cadmium, hexavalent chromium, lead, mercury and some brominated flame retardants from household appliances, consumer electronics and other electrical and electronic products.

The European Commission proposed the RoHS update in January that would aim to correct oversights in the law that could result in certain medical and professional equipment and some spare parts becoming illegal on the EU market in July 2019.

Both the council and the parliament have provisionally approved the RoHS amendments. If the directive containing the amendments is agreed June 21, it would then require formal ratification by the two institutions.

EU Environment Agency Warns of 'Profound and Rapid' Arctic Changes

Posted June 15, 2017, 01:15 P.M. ET

By Stephen Gardner

The European Union should do more to relieve the pressures on the Arctic ecosystem or risk a breakdown of "the Arctic's role in global climate regulation," the European Environment Agency said June 15.

Specific measures for the 28-nation EU bloc to take could include initiatives to limit marine litter and black carbon, designation of more nature conservation areas in the European Arctic, phasing out the use of diesel generators in the Arctic in favor of renewable power, and designating low environmental impact shipping corridors, the agency said in a report.

The EU should also do more within international forums to promote protection of the Arctic environment and to ensure that economic exploitation of the Arctic's resources does not damage the region's ecosystems, the report said.

The current slowdown of investment in resource extraction in the Arctic, caused by low commodity prices, is a "window of opportunity" to introduce new more environmentally-friendly Arctic policies, the report added.

Global warming is leading to "profound and rapid changes" in the Arctic environment that could have worldwide consequences, the environment agency report said.

Of the eight countries with Arctic territory, Finland and Sweden are EU members, while Greenland is a territory of EU member Denmark.

U.S. Toughens Stance on Russian Gas as Engie Defends New Pipe

Posted June 15, 2017, 8:09 A.M. ET

By Elena Mazneva, Francois de Beaupuy and Anna Shiryaevskaya

As U.S. lawmakers targeted Russia's controversial $10-billion natural gas pipeline to Europe in a plan for expanded sanctions, French utility Engie SA defended the link that it says is vital for the region's fuel supplies.

The Nord Stream 2 pipeline to Germany will have "detrimental impacts on the European Union's energy security," and on reforms in Ukraine, the U.S. Senate said after voting in favor of tightening curbs against Russia June 14. The U.S. will "continue to oppose the link," according to the bill posted on the Senate website.

The proposals are a way for the U.S. "to try to favor its own gas" in Europe, Isabelle Kocher, the chief executive officer of France's former gas monopoly, told reporters in Paris June 15. "I don't think at all that the United States can stop this project."

Engie was among five European Union companies that planned to join the Nord Stream 2 project run by the Kremlin-backed Gazprom PJSC before the deal was scuppered last year when Poland's competition watchdog objected to the joint venture. The 1,220 kilometer (758-mile) link, designed to cut Russia's reliance on gas transit through Ukraine, would double the capacity of an existing route to Germany. The link is also opposed by politicians in Ukraine, Slovakia and the Baltic States.

Engie, together with Royal Dutch Shell Plc, BASF SE's Wintershall unit, Uniper SE and OMV AG agreed in April to provide loans for Nord Stream 2 to see it ready by the end of 2019.

Gazprom sees no impact from U.S. curbs on the link. Nord Stream 2 is a European project, developed in partnership with European companies that had already provided funding before the latest U.S. bill was approved, according to Alexander Medvedev, the deputy chief executive officer of Gazprom. The project is in compliance with all existing EU regulations, he said.

"If the senators believe that they can block Russian-American cooperation in energy and as a whole—God is their judge," he said at a conference in Berlin. Trade and political ties between the countries have already dropped "to a very low level."

Gazprom, which supplies about a third of the European Union's gas, has shrugged off the prospect of U.S. liquefied natural gas in Europe for years. While most analysts expected increased U.S.-Russia gas rivalry last year, only a few cargoes from North America have reached southern Europe.

The bill approved by the Senate says the U.S. government "should prioritize the export of United States energy resources in order to create American jobs, help United States allies and partners, and strengthen United States foreign policy."

Under the bill, the president gets the right to impose sanctions against companies that make investments or sell goods or services to Russia's export pipelines of $5 million or more during a year.

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China, India Seen as $4 Trillion Opportunity for Energy by 2040

Posted June 15, 2017, 8:18 A.M. ET

By Feifei Shen and Anindya Upadhyay

China and India will be the biggest recipients for new investment in power-generating capacity by 2040, representing a $4 trillion opportunity for the energy sector.

China will require $2.8 trillion of spending for 2,547 gigawatts of new capacity, while India needs $1.2 trillion, according to a Bloomberg New Energy Finance outlook forecasting how energy markets will evolve by 2040. China's wind and solar capacity will increase eightfold through to 2040, retaining the nation's role as a global powerhouse of clean energy.

India will build 10 times more solar capacity than net additions of coal to 2040 as it shifts to lower-cost renewables to meet a more than threefold rise in energy demand. Coal generation will increase by 78 percent as the country becomes the second-biggest power system in the world.

The massive deployment of renewables in the two countries will help the region reduce its output of greenhouse gases. BNEF expects emissions from the power sector to peak at 7.2 gigatonnes in 2028 in Asia Pacific.

Interestingly, India's increasing adoption of air conditioners as it transitions to a service-oriented economy means a change in peak demand periods, aligning the nation's energy needs more closely with output from solar systems.

The London-based research company also found:

- China's coal capacity will peak in 2024 due to stricter standards for new projects and cheaper renewables.

- Renewables will attract 73 percent of the new investment spent over the next 23 years in China. Renewable capacity will account for 63 percent of the nation's overall mix in 2040, compared with 33 percent last year.

- China's electricity demand will almost double by 2040, while the electricity intensity of economic growth falls by 35 percent as the nation shifts away from an industry-heavy growth model.

- India's coal additions will be at a near-hiatus from 2023 to 2028. From 2029, new coal will be needed to meet rising demand. Even so, with an explosion in solar installations, coal is set to no longer play a dominant role in the growth of India's power-generating capacity by 2040.

- India's cumulative solar PV capacity rises from 10 gigawatts in 2016 to 670 gigawatts in 2040.

- Coal's share in India's total capacity mix falls from 59 percent in 2016 to 17 percent in 2040.

- From 2029, India's widespread use of renewables will decouple economic growth from emissions. Zero-carbon sources will provide more than half of India's electricity needs in 2040.

- India will become the Asia-Pacific's largest consumer of gas in 2038, reorienting liquefied

natural gas trade.

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Solar Power Will Kill Coal Sooner Than You Think

Posted June 15, 2017, 8:20 A.M. ET

By Jess Shankleman and Hayley Warren

Solar power, once so costly it only made economic sense in spaceships, is becoming cheap enough that it will push coal and even natural-gas plants out of business faster than previously forecast. That's the conclusion of a Bloomberg New Energy Finance outlook for how fuel and electricity markets will evolve by 2040. The research group estimated solar already rivals the cost of new coal power plants in Germany and the U.S. and by 2021 will do so in quick-growing markets such as China and India.

The scenario suggests green energy is taking root more quickly than most experts anticipate. It would mean that global carbon dioxide pollution from fossil fuels may decline after 2026, a contrast with the International Energy Agency's central forecast, which sees emissions rising steadily for decades to come. "Costs of new energy technologies are falling in a way that it's more a matter of when than if," said Seb Henbest, a researcher at BNEF in London and lead author of the report.

The report also found that through 2040:

• China and India represent the biggest markets for new power generation, drawing $4 trillion, or about 39 percent all investment in the industry.

• The cost of offshore wind farms, until recently the most expensive mainstream renewable technology, will slide 71 percent, making turbines based at sea another competitive form of generation.

• At least $239 billion will be invested in lithium-ion batteries, making energy storage devices a practical way to keep homes and power grids supplied efficiently and spreading the use of electric cars.

• Natural gas will reap $804 billion, bringing 16 percent more generation capacity and making the fuel central to balancing a grid that's increasingly dependent on power flowing from intermittent sources, like wind and solar.

BNEF's conclusions about renewables and their impact on fossil fuels are most dramatic. Electricity from photovoltaic panels costs almost a quarter of what it did in 2009 and is likely to fall another 66 percent by 2040. Onshore wind, which has dropped 30 percent in price in the past eight years, will fall another 47 percent by the end of BNEF's forecast horizon.

That means even in places like China and India, which are rapidly installing coal plants, solar will start providing cheaper electricity as soon as the early 2020s.

"These tipping points are all happening earlier and we just can't deny that this technology is getting cheaper than we previously thought," said Henbest.

Coal will be the biggest victim, with 369 gigawatts of projects standing to be cancelled, according to BNEF. That's about the entire generation capacity of Germany and Brazil

combined.

Capacity of coal will plunge even in the U.S., where President Donald Trump is seeking to stimulate fossil fuels. BNEF expects the nation's coal-power capacity in 2040 will be about half of what it is now after older plants come offline and are replaced by cheaper and less-polluting sources such as gas and renewables.

In Europe, capacity will fall by 87 percent as environmental laws boost the cost of burning fossil fuels. BNEF expects the world's hunger for coal to abate starting around 2026 as governments work to reduce emissions in step with promises under the Paris Agreement on climate change.

"Beyond the term of a president, Donald Trump can't change the structure of the global energy sector single-handedly," said Henbest.

All told, the growth of zero-emission energy technologies means the industry will tackle pollution faster than generally accepted. While that will slow the pace of global warming, another $5.3 trillion of investment would be needed to bring enough generation capacity to keep temperature increases by the end of the century to a manageable 2 degrees Celsius (3.6 degrees Fahrenheit), the report said.

The data suggest wind and solar are quickly becoming major sources of electricity, brushing aside perceptions that they're too expensive to rival traditional fuels.

By 2040, wind and solar will make up almost half of the world's installed generation capacity, up from just 12 percent now, and account for 34 percent of all the power generated, compared with 5 percent at the moment, BNEF concluded.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 11/1/2017 9:49:53 PM
Subject: Senate EPW to take up White, Wheeler nominations next week

By Anthony Adragna

11/01/2017 05:48 PM EDT

The Senate Environment and Public Works Committee plans to hold a confirmation hearing on Nov. 8 regarding Kathleen Hartnett White's nomination to run the White House Council on Environmental Quality.

In addition, the panel plans to consider Andrew Wheeler's selection to serve as EPA deputy administrator on the same day.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/senate-epw-to-take-up-white-wheeler-nominations-next-week-095093

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From: POLITICO
Sent: Mon 6/12/2017 5:25:36 PM
Subject: BREAKING NEWS: Ninth Circuit upholds block on Trump's travel ban

President Donald Trump's travel ban executive order suffered another legal blow Monday as a second federal appeals court weighed in against the legality of the directive.

A three-judge 9th Circuit panel unanimously turned down a Trump administration request to lift an injunction blocking key parts of Trump's revised order from taking effect.

Trump "exceeded the scope of the authority delegated to him by Congress" to oversee immigration, the court ruled. "Immigration, even for the President, is not a one-person show," the three judges wrote in a joint opinion.

Last month, another federal appeals court-the 4th Circuit-also rebuffed Trump's effort to move forward with the directive, which he contends is an anti-terrorism measure.

The Supreme Court is already considering the Justice Department's requests to consider the issue and allow Trump's order to take effect in the meantime.

Read more: http://www.politico.com/story/2017/06/12/ninth-circuit-upholds-block-on-trumps-travel-ban-239433

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EHS Federal Regulatory Alert

August 28, 2017 - Number 165

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Summaries

AIR
Alaska SIP/Minor Source Permitting, Transportation Conformity
AIR

Final rule of the EPA approves revisions to the Alaska SIP that update the version of incorporated federal regulations, update minor source permitting requirements, and remove obsolete source-specific requirements. The revisions also update certain general conformity and transportation conformity provisions concerning interagency consultation and public involvement. The rule is effective Sept. 27, 2017. Contact: Randall Ruddick; EPA Region 10, Office of Air and Waste; 206-553-1999; ruddick.randall@epa.gov. Citations: 40 CFR 52.70

82 FR 40712 (08/28/2017)

Regulatory Update

AIR
Kentucky SIP/Louisville Metro Air Pollution Control District
AIR

Final rule of the EPA approves portions of revisions to the Kentucky SIP concerning the Louisville Metro Air Pollution Control District's stationary source emissions monitoring and reporting requirements. The revisions authorize the district to require emissions monitoring at stationary sources and require specified sources to maintain emissions records and provide annual emissions statements to the district. The rule is effective Sept. 27, 2017. Contact: Richard Wong, EPA Region 4, Air Planning and Implementation Branch; 404-562-8726; wong.richard@epa.gov. Citations: 40 CFR 52.920

82 FR 40701 (08/28/2017)

Regulatory Update

AIR
Maryland SIP/National Gypsum Co. Permit
AIR

Direct final rule of the EPA approves revisions to the Maryland SIP concerning alternative volatile organic compound (VOC) emission standards for the National Gypsum Co. facility near Baltimore. The revisions concern an alternative VOC emission limit in the state permit-to-construct and the conditions to ensure that National Gypsum remains a minor stationary source of VOCs. The rule is effective Nov. 27, 2017, unless adverse comments are received by Sept. 27, 2017. Contact: Gregory Becoat; EPA Region 3; 215-814-2036 becoat.gregory@epa.gov. Citations: 40 CFR 52.1070

82 FR 40715 (08/28/2017)

Regulatory Update

AIR
Maryland SIP/National Gypsum Co. Permit
AIR

Proposed rule of the EPA would approve revisions to the Maryland SIP concerning alternative volatile organic compound (VOC) emission standards for the National Gypsum Co. facility near Baltimore. The revisions concern an alternative VOC emission limit in the state permit-to-construct and the conditions to ensure that National Gypsum remains a minor stationary source of VOCs. A concurrent direct final rule adopts the revisions, effective Nov. 27, 2017. Comments are due Sept. 27, 2017. Contact: Gregory Becoat; EPA Region 3; 215-814-2036 becoat.gregory@epa.gov. Citations: 40 CFR 52.1070

82 FR 40743 (08/28/2017)

Regulatory Update

AIR
Maryland SIP/Permitting
AIR

Final rule of the EPA approves revisions to the Maryland SIP regarding procedures for issuance, denial, and appeal of permits. The revisions eliminate the contested case process and the Office of Administrative Hearings' adjudicatory hearing process for major permits and substitute direct judicial review. The revisions also expand standing for challenges to major permits and include public notice requirements for certain sources. The rule is effective Sept. 27, 2017. Contact: David Talley; EPA Region 3; 215-814-2117; talley.david@epa.gov. Citations: 40 CFR 52.1070

82 FR 40710 (08/28/2017)

Regulatory Update

AIR
Tennessee SIP/Knoxville PM-2.5 Nonattainment Area
AIR

Final rule of the EPA redesignates the Knoxville-Sevierville-La Follette, Tenn., fine particulate matter (PM-2.5) nonattainment area to attainment for the 2006 24-hour PM-2.5 NAAQS. The agency has determined that the area has attained the NAAQS based on 2013-2015 monitoring data. The rule also approves and incorporates into the SIP the state's reasonably available control measures determination for the area. In addition, the rule approves the maintenance plan, including motor vehicle emission budgets for nitrogen oxides and PM-2.5 for 2014 and 2028. The rule is effective Sept. 27, 2017. Contact: Sean Lakeman; EPA Region 4, Air Planning and Implementation Branch; 404-562-9043; lakeman.sean@epa.govCitations: 40 CFR 52.2220, 81.343

82 FR 40718 (08/28/2017)

Regulatory Update

AIR
Virginia SIP/Major New Source Review
AIR

Final rule of the EPA approves revisions to the Virginia SIP regarding major source new source review (NSR) standards. The revisions allow the use of a 10-year lookback period to calculate pre-change emissions for sources other than electric utility steam generating units and the use of different lookback periods for different regulated NSR pollutants. The revisions also extend the effective period for plantwide applicability limits to 10 years and allow replacement units to be treated as existing units, providing the ability to use baseline actual and projected actual emissions when determining applicability. The rule is effective Sept. 27, 2017. Contact: David Talley; EPA Region 3; 215-814-2117; talley.david@epa.gov. Citations: 40 CFR 52.2420

82 FR 40703 (08/28/2017)

Regulatory Update

COASTAL ZONE
Puerto Rico/Jobos Bay National Estuarine Research Reserve
COASTAL ZONE

Notice of NOAA, Office for Coastal Management, announces a request for comments on the revised management plan for the Jobos Bay National Estuarine Research Reserve in Puerto Rico. The revised plan describes the administrative structure, research and monitoring, stewardship, education and training programs, and priorities of the reserve; plans for a proposed boundary expansion through future land acquisition; and facility development priorities. The revised plan also reflects a reduction in the acreage within the reserve to 2,800 acres and updates to monitoring, education, and other programs since the last plan was approved in 2000. Comments are due Sept. 27, 2017. Contact: Nina Garfield; NOAA, Office for Coastal Management; 240-533-0817

82 FR 40752 (08/28/2017)

Regulatory Update

COASTAL ZONE
Washington State/Padilla Bay National Estuarine Research Reserve
COASTAL ZONE

Notice of the Office for Coastal Management announces a meeting to discuss the performance evaluation of the Padilla Bay National Estuarine Research Reserve in Washington state. The office will consider the extent to which the state has met national objectives and adhered to its approved management plan and the terms of financial assistance under the Coastal Zone Management Act. The meeting is scheduled for Sept. 27, 2017, in Mount Vernon, Wash. Comments are due Oct. 6, 2017. Contact: Ralph Cantral; NOAA, Office for Coastal Management; 240-533-0729; Ralph.Cantral@noaa.gov

82 FR 40750 (08/28/2017)

Regulatory Update

FOOD SAFETY

National Advisory Committee on Microbiological Criteria for Foods Nominations
FOOD SAFETY

Notice of the Food Safety and Inspection Service announces the reopening of the nomination period (81 FR 88197; 12/07/2016) for membership on the National Advisory Committee on Microbiological Criteria for Foods. The committee advises the secretaries of the departments of Agriculture and Health and Human Services on the development of microbiological criteria for the assessment of the safety and wholesomeness of food. Nominations are sought from individuals with expertise in the fields of epidemiology, food technology, microbiology, toxicology, risk assessment, infectious disease, biostatistics, and related sciences. The agency has reopened the period due to an increase in committee vacancies from 15 to 17. Nominations submitted during the original period do not need to be resubmitted. Nominations now are due Sept. 27, 2017. Contact: Karen Thomas-Sharp; FSIS; 202-690-6620; karen.thomas-sharp@fsis.usda.gov

82 FR 40744 (08/28/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Affirmative Procurement of Biobased Products
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Defense Department, General Services Administration, and National Aeronautics and Space Administration to seek OMB approval for a continuing information collection request regarding affirmative procurement of biobased products under services and construction contracts. The collection addresses requirements for prime contractors to annually report product types and dollar values of Agriculture Department-designated biobased products purchased to the System for Award Management website. The information collected allows federal agencies to annually report to the Office of Federal Procurement Policy on actions taken to implement and measure progress in carrying out the preference for biobased products. Comments are due Oct. 27, 2017. Contact: Charles Gray; GSA, Office of Governmentwide Acquisition Policy; 703-795-6328; charles.gray@gsa.gov. Citations: 48 CFR 52.223-2

82 FR 40769 (08/28/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Bone, Reproductive and Urologic Drugs Advisory Committee Meeting

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Bone, Reproductive and Urologic Drugs Advisory Committee. The agenda includes discussion of appropriate patient selection criteria and clinical trial design features and acceptable endpoints for demonstrating clinical benefit for drugs intended to treat interstitial cystitis and bladder pain syndrome. The agenda also includes discussion of whether bladder pain syndrome and interstitial cystitis reflect overlapping or different populations and whether it is appropriate to assess efficacy in the same way for both conditions. The meeting is scheduled for Dec. 7, 2017, in Silver Spring, Md. Comments are due Nov. 22, 2017. Contact: Kalyani Bhatt; FDA, Center for Drug Evaluation and Research; 301-796-9001; kalyani.bhatt@fda.hhs.gov

82 FR 40771 (08/28/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Cellular, Tissue and Gene Therapies Advisory Committee Meeting

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Cellular, Tissue and Gene Therapies Advisory Committee to discuss a biologics license application for voretigene neparvovec (BLA 125610) submitted by Spark Therapeutics Inc., of Philadelphia. The proposed indication for the product is the treatment of patients with vision loss due to confirmed biallelic RPE65 mutation-associated retinal dystrophy. The meeting is scheduled for Oct. 12, 2017, in Silver Spring, Md. Comments are due Oct. 4, 2017. Contact: Prabhakara Atreya; FDA, Center for Biologics Evaluation and Research; 240-402-8006; prabhakara.atreya@fda.hhs.gov

82 FR 40770 (08/28/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Idaho/Gateway West Transmission Line Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Bureau of Land Management to prepare an environmental assessment to reconsider the Jan. 19, 2017, record of decision approving the right-of-way application from PacifiCorp, of Portland, Ore., for Segments 8 and 9 of the Gateway West 500-kilovolt Transmission Line Project in Idaho. The bureau will identify issues associated with the reconsideration, including the potential amendment of several resource management plans and management framework plans in the project area. The reconsideration is due to the enactment of the Morley Nelson Snake River Birds of Prey NCA Boundary Modification Act, which directed the bureau to issue a right-of-way grant for portions of the project specified in Alternative 1 from the 2016 final supplemental EIS (81 FR 69845; 10/07/2016). Comments are due Sept. 27, 2017. Contact: Courtney Busse; BLM, Boise District Office; 208-373-3872; cbusse@blm.gov

82 FR 40797 (08/28/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Improving Motor Carrier Safety Measurement Report
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the availability of a report by the National Academy of Sciences concerning motor carrier safety measurement. The document reviews the accuracy and methodologies of FMCSA's Compliance, Safety, Accountability program and the Safety Measurement System for identifying noncompliance and prioritizing motor carriers for interventions. The document also includes recommendations and an action plan for improvement of the system. A meeting is scheduled for Sept. 8, 2017, in Arlington, Va. Comments are due Sept, 27, 2017. Contact: Theresa Rowlett; FMCSA; 202-360-2924; Theresa.Rowlett@dot.gov

82 FR 40828 (08/28/2017)

Regulatory Update

RADIATION
Licensing for Land Disposal of Low-Level Radioactive Waste
RADIATION

Notice of the NRC announces the submission of a continuing information collection request to the OMB regarding licensing requirements for land disposal of radioactive waste. The collection addresses applications for licenses for land disposal of low-level radioactive waste by licensees, including agreement state licensees. Comments are due Sept. 27, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@nrc.gov. Citations: 10 CFR 61

82 FR 40808 (08/28/2017)

Regulatory Update

RADIATION
Registration for In Vitro Testing with Byproduct Material Under General License
RADIATION

Notice announces the intention of the NRC to seek OMB approval for a revised information collection request concerning registration for in vitro testing with byproduct material under a general license. The collection concerns one-time submittal of NRC Form 483 for registration by any physician, veterinarian, clinical laboratory, or hospital for a general license to receive, acquire, possess, transfer, or use specified units of byproduct material in certain in vitro clinical or laboratory tests. The revisions update instructions and regulatory language. Comments are due Oct. 27, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 40809 (08/28/2017)

Regulatory Update

WATER
Definition of Waters of the U.S. Under the CWA
WATER

Notice of the U.S. Army Corps of Engineers and the EPA announces meetings to hear recommendations from stakeholders on revising the definition of "waters of the United States" under the Clean Water Act. There will be 10 teleconferences, with nine tailored to specific industries and one open to the general public, and one in-person meeting with small entities. The current action is intended to lead to a proposed rule to revise the definition and is part of the second step in a two-step process to implement Executive Order 13778 (82 FR 12497; 03/03/2017). The first step is being taken in a July 27, 2017, proposed rule (82 FR 34899) that would restore the definition to what it was prior to a June 29, 2015, final rule (80 FR 37054). The teleconferences will be held every Tuesday from Sept. 19 through Nov. 21, 2017. The in-person meeting with small entities is scheduled for Oct. 23, 2017, in Washington, D.C. Comments are due Nov. 28, 2017. Contact: Damaris Christensen; EPA, Office of Water; 202-566-2428; CWAwotus@epa.gov. Citations: 33 CFR 328; 40 CFR 110 through 401 (nonconsecutive)

82 FR 40742 (08/28/2017)

Regulatory Update

WATER
Wastewater Analysis and Sampling Test Procedures
WATER

Final rule of the EPA revises the test procedures for analysis and sampling of pollutants in applications and reports required under the Clean Water Act NPDES program and state certifications under CWA Section 401. The rule adds analytical methods developed by the EPA and voluntary consensus standard bodies and updates versions of currently approved methods. The rule also approves six methods reviewed under the alternative test procedures program (ATP), clarifies the process for approval of nationwide ATP approvals and the regional ATP coordinator's role in limited use ATP approvals, and corrects previously approved methods. In addition, the rule revises the procedure for determination of the method detection limits to address laboratory contamination and to account for intra-laboratory variability. The rule is effective Sept. 27, 2017. Contact: Adrian Hanley; EPA, Engineering and Analysis Division; 202-564-1564; hanley.adrian@epa.gov. Citations: 40 CFR 136.1 through 136.6, Appendices A, B

82 FR 40836 (08/28/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Tue 6/20/2017 2:04:41 PM
Subject: POLITICO's Morning Score: Special election day: Ossoff, Handel face off in Georgia — Norman heavily favored in South Carolina — Rosen to run against Heller in Nevada

By Kevin Robillard | 06/20/2017 10:00 AM EDT

With Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

LIVE FROM MARIETTA - "Georgia special election comes to a messy end," by POLITICO's Gabriel Debenedetti: "In the final hours before voters go to the polls in Georgia's special election Tuesday, national attention focused on a polarizing ad that almost no one in this Atlanta-area district saw - a cable television spot that ties Democrat Jon Ossoff to the 'violent left' in the wake of last week's shooting of GOP House Majority Whip Steve Scalise. It's a fitting conclusion to a race that's been nationalized from the start. ... For Handel, the final day meant a three-stop rumble through friendly territory, her last-minute play to jack up turnout in GOP strongholds. The campaign supporters who surrounded her wore stickers reminding, 'REPUBLICANS who stay home elect DEMOCRATS.' ... Ossoff avoided talk of Trump during his brief remarks Monday, instead turning his focus to former Missouri Secretary of State Jason Kander, who campaigned with him Monday. Kander, who narrowly lost a Senate race in November, was one of the few national party figures whom Ossoff's team would use as surrogates given the party's tenuous brand in the district." **Full story.**

- WHAT'S THE DAMAGE? The final spending tally is over $50 million, including $750,000 from national groups in the last five days. What wasn't money spent on? The same "violent left" ad, which features House Majority Whip Steve Scalise on a stretcher and was backed by just a five-figure buy.

- BECAUSE FIVE THINGS ISN'T ENOUGH - "Georgia special election: 7 things to watch," by Elena Schneider: "How high will turnout go? ... [T]here's a big question outstanding for Handel: Did the push to get Republicans to vote early just accelerate GOP voting instead of adding to it? Handel will almost certainly do better in the early vote than Republicans did against Ossoff in April, but the Democrat could still win the election anyway. ... Ossoff's moderate message ... The national stakes ... Will last week's congressional shooting affect the vote? ... Recruitments and retirements ... Special elections are still special." **Full story.**

- Polls close in both special elections at 7 p.m. Tune in for live results from GA-06 on POLITICO.com Tuesday evening. In the meantime, we've got preview maps here.

MEANWHILE, IN SOUTH CAROLINA - "Norman favored in SC-05 special," by Kevin Robillard: "The Democratic Congressional Campaign Committee has sent just under $300,000

to the district, and some big Democrats looking at 2020 presidential bids have helped out Parnell. Sens. Cory Booker and Kamala Harris have both donated campaign cash, former Maryland Gov. Martin O'Malley and Ohio Rep. Tim Ryan have both campaigned with him and former Vice President Joe Biden recorded a robocall for him. ... Jamie Harrison, the former chair of the Democratic party in the state ... said black voters will need to make up about 35 percent of a small electorate to pull off an upset. Republicans view that as a pipe dream. 'Republican strategists are more worried about summer vacations than anything else,' said Matt Moore, a former chair of the state GOP." **Full story.**

-The script of Biden's robocall for Parnell is very Biden-y: "There's a special election for Congress coming up on Tuesday, June the 20th, and I've got to tell you, Archie Parnell is the real deal. He was born and raised in Sumter, and he's never forgotten where he came from. And Archie will fight - he'll fight to save health care, protect Social Security and make the tax code simpler and fairer for ordinary people. The choice could not be clearer. Make sure you get out and vote - and vote for Archie Parnell - on June 20."

2018 WATCH - Sources: Rosen to make 2018 Senate bid against Heller in Nevada, by POLITICO's Seung Min Kim and Burgess Everett: "Rep. Jacky Rosen (D-Nev.) plans to run against Republican Sen. Dean Heller for his Senate seat in Nevada, according to multiple people familiar with her plans. Heller ... is the only GOP senator this cycle who represents a state won by Hillary Clinton in 2016. ... The recruitment of Rosen has the strong imprint of former Senate Democratic Leader Harry Reid of Nevada, who was entrusted by the party establishment to identify the strongest candidate to challenge Heller. Reid settled on Rosen, figuring that she's a fresh face with little political baggage and would be the most formidable opponent, according to a person familiar with the matter. After Reid settled on Rosen, Senate Minority Leader Chuck Schumer (D-N.Y.) 'closed the deal' and talked to Rosen four or five times to convince her to run, that person said. Schumer's office declined to comment." **Full story.**

- Rosen's move will leave battleground NV-03 open again in 2018 , two years after Rosen captured the seat left open when GOP Rep. Joe Heck tried to move up to the Senate. This is the one of the nation's prototypical swing districts; former President Barack Obama won it twice and Heck held it down for three terms, while President Donald Trump narrowly carried it in 2016 - 48 percent to 47 percent - has Rosen won it. It was already a major target for House Republicans, but it will climb up the list now that it's an open seat. (The 2016 race for this seat also set a record for House outside spending at $16.7 million, according to the Center for Responsive Politics. Georgia's 6th has since consigned that record to the dustbin of history.)

Days until the 2017 election: 140

Days until the 2018 election: 504

Thanks for joining us.You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter:@politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

OFF MESSAGE PODCAST: Senator Ben Cardin thinks America is "absolutely" in danger of stumbling into war. Or wars. In the latest episode of Off Message, Isaac Dovere sits down with the ranking Democrat on the Senate Foreign Relations Committee, "[There are] many areas where there could be a miscalculation that could lead to a shooting war. In every one of those circumstances, the Trump administration has not given us a strategy." Listen and subscribe: iTunes | Panoply | Stitcher

HEALTH CARE FIGHT ON TAP NEXT WEEK - "Sources: Senate GOP prepares for Obamacare repeal vote next week," by Burgess Everett and Jennifer Haberkorn: "Senate Republicans are preparing to vote on Obamacare repeal next week, according to multiple sources familiar with the negotiations, potentially leaving rank-and-file lawmakers with no more than a week to review legislation that would affect millions of Americans and one-sixth of the U.S. economy. Senators are expected to see the text of the bill as soon as the end of this week, those sources said, provided this week's work goes smoothly. The timeline could change based on the response from individual senators toward the proposal at party meetings, but Republicans are increasingly optimistic they can hold a vote next week if this week's lunch talks go well." **Full story.**

- DSCC runs takeover ads vs. Heller, Flake, Cruz, Scott: The spots, part of a six-figure digital buy, are some of Google's new takeover ads. They link to the DSCC's ad, "The Price" which aims to show the cost of the GOP health care plan. The ads are targeted at Heller, Arizona Sen. Jeff Flake, Texas Sen. Ted Cruz and Florida Gov. Rick Scott. The DSCC is the first campaign group to use the ad format, which is designed to reach mobile viewers and cord cutters.

REDISTRICTING GOES TO COURT - "U.S. Supreme Court to hear Wisconsin's redistricting case but blocks redrawing of maps," by the Milwaukee Journal Sentinel's Patrick Marley: "In a related ruling Monday, the high court handed Republicans a victory by blocking a lower court ruling that the state develop new maps by Nov. 1. Democrats and those aligned with them took that order as a sign they could lose the case. The case is being watched nationally because it will likely resolve whether maps of lawmakers' districts can be so one-sided that they violate the constitutional rights of voters. The question has eluded courts for decades. ... "The grant of stay makes it considerably less likely the court will rein in partisan gerrymandering via WI case," [University of California, Irvine law professor Rick Hasen] wrote on Twitter. ... Both sides will be pitching their arguments to Kennedy. He has written that maps can be so partisan that they violate voters' rights, but that a standard has not been developed that courts can use to measure when maps should be thrown out because they result in unconstitutional political gerrymandering. ... The justices will likely hear arguments in October, according to the plaintiffs." **Full story.**

MORE 2018 WATCH - "Mike DeWine expected to announce run for Ohio governor this Sunday," by the Cleveland Plain Dealer's Andrew J. Tobias: "Republican Ohio Attorney General Mike DeWine plans to make a 'special announcement' at his annual ice-cream social event at his family's Greene County home this Sunday, a top campaign official says. The official, Dave Luketic, declined to comment further. But translating the vernacular of political campaign ritual, it's safe to say DeWine will make official his not-exactly-subtle plans to run for governor

in 2018, and shift the Republican gubernatorial primary into a more active phase." **Full story.**

- Democrat Randy Bryce announces challenge to House Speaker Paul Ryan: Randy Bryce, a veteran, cancer survivor and member of the local Ironworkers' Union, announced a run against Ryan. He's working with Democratic consultant Bill Hyers. **Watch his announcement video here.**

ADMINISTRATION SPEED READ - "Spicer searching for candidates to take over White House briefing," by POLITICO's Tara Palmeri: "Last week, Spicer and White House chief of staff Reince Priebus reached out to Fox News personality Laura Ingraham about the role of press secretary and Daily Mail editor David Martosko about the role of communications director, according to a White House official. Spicer and Priebus have had preliminary discussions with Ingraham and Martosko met with chief strategist Steve Bannon last week, according to the White House official." **Full story.**

CODA - QUOTE OF THE DAY: "It's all going to come down to turnout." - Democrat Jon Ossoff.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/06/20/special-election-day-ossoff-handel-face-off-in-georgia-220941

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/9/2017 7:00:33 PM
Subject: BREAKING NEWS: No Obamacare mandate repeal in latest House tax bill

A new version of the House Republican tax overhaul bill does not include a repeal of the Obamacare individual mandate, according to two sources familiar with the measure.

President Donald Trump has pushed for the provision as a way to get rid of the unpopular Affordable Care Act and to help pay for tax cuts. But a manager's amendment released today by House Ways and Means Chairman Kevin Brady does not include it, nor does a tax bill being released today in the Senate.

Read more here.

Read more: https://www.politico.com/story/2017/11/09/no-obamacare-mandate-repeal-in-latest-house-tax-bill-244748

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 6/26/2017 12:09:09 PM
Subject: June 26 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 26, 2017 - Number 121

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Indiana SIP/Incorporations by Reference
AIR

Direct final rule of the EPA amends regulations under 40 CFR 52.770 to approve a revision to the Indiana SIP. The revision reflects the incorporation by reference of the Code of Federal Regulations to the 2015 edition. The rule is effective Aug. 25, 2017, unless adverse comments are received by July 26, 2017. Contact: Charles Hatten; EPA Region 5, Air Programs Branch; 312-886-6031; hatten.charles@epa.gov

82 FR 28775 (06/26/2017)

Regulatory Update

AIR
Indiana SIP/Incorporations by Reference
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52.770 to approve a revision to the Indiana SIP. The revision reflects the incorporation by reference of the Code of Federal Regulations to the 2015 edition. A concurrent direct final rule adopts the provisions, effective Aug. 25, 2017. Comments are due July 26, 2017. Contact: Charles Hatten; EPA Region 5, Air Programs Branch; 312-886-6031; hatten.charles@epa.gov

82 FR 28801 (06/26/2017)

Regulatory Update

ENDANGERED SPECIES
Arizona/Pima Pineapple Cactus Recovery Plan
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the availability of the draft recovery plan for the endangered Pima pineapple cactus, a species found in southern Arizona and in northern Sonora, Mexico. The draft recovery plan includes recovery objectives and criteria, including specific threat-, habitat-, and population-based objectives. Comments are due Aug. 25, 2017. Contact: Steve Spangle; USFWS, Arizona Ecological Services Field Office; 602-242-0210; Steve_Spangle@fws.gov

82 FR 28875 (06/26/2017)

Regulatory Update

ENDANGERED SPECIES
Florida/Exemption from Threatened Species Permits
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the issuance of an exemption to threatened species permit requirements for beluga sturgeon (50 CFR 17.32 and 17.44). The exemption, which is for the Sturgeon AquaFarms aquaculture facility in Bascom, Fla., authorizes the facility to take sturgeon from its aquacultured stock for the purpose of harvesting meat and to engage in interstate commerce and export of beluga sturgeon meat. The exemption does not apply to beluga caviar or live beluga sturgeon. Contact: Rosemarie Gnam; USFWS; 703-358-1708; Rosemarie_Gnam@fws.gov

82 FR 28875 (06/26/2017)

Regulatory Update

ENDANGERED SPECIES
Giant Clam Endangered/Threatened Status Petition
ENDANGERED SPECIES

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces a 90-day finding on a petition to list 10 species of giant clam, including eight Tridacna species and two Hippopus species, as endangered or threatened under the Endangered Species Act. NMFS finds that the petition presents substantial scientific or commercial information indicating that listing may be warranted for seven of the species. The notice also announces the commencement of status review for those seven species. Comments are requested regarding historical and current distribution and abundance of the species; population trends; life history in marine environments; historical and current data on the commercial trade of giant clam products and on giant clam fisheries; current or planned activities that may adversely or positively impact the species; population structure information; and management, regulatory, and enforcement information. A finding as to whether listing the species as endangered or threatened is warranted will be made by Aug. 7, 2017. Comments are due Aug. 25, 2017. Contact: Lisa Manning; NMFS, Office of Protected Resources; 301-427-8403

82 FR 28946 (06/26/2017)

Regulatory Update

ENDANGERED SPECIES

Taiwanese Humpback Dolphin Endangered Status
ENDANGERED SPECIES

Proposed rule of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, amends regulations under 50 CFR 224.101 to list as endangered the Taiwanese humpback dolphin, a subspecies of the Indo-Pacific humpback dolphin that occurs in a restricted area off the western coast of Taiwan. The agency seeks public comment on the range, distribution, and abundance of the subspecies; the genetics and population structure of the subspecies; habitat within the range that was present in the past but may have been lost over time; threats to the subspecies and protection efforts; current or planned activities within the range and their possible impact on the subspecies; and recent observations or sampling of the subspecies. Hearing requests are due Aug. 10, 2017. Comments are due Aug. 25, 2017. Contact: Chelsey Young; NMFS, Office of Protected Resources; 301-427-8403

82 FR 28802 (06/26/2017)

Regulatory Update

FOOD SAFETY
Extralabel Drug Use in Animals
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval of a continuing information collection request regarding extralabel drug use in animals (21 CFR 530.22(b)). The collection addresses the submission of analytical methods for the detection of residues of the drugs above established safe levels. Comments are due Aug. 25, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

83 FR 28858 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Application to Export Electric Energy/MAG Energy Solutions
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Energy, Office of Electricity Delivery and Energy Reliability, announces the receipt of an application from MAG Energy Solutions Inc., of Montreal, for authority to transmit electric energy from the U.S. to Mexico as a power marketer for a five-year term using existing international transmission facilities. The energy proposed for export will be purchased from third parties and federal power marketing agencies under voluntary agreements. The agency will make a final decision after an environmental impact assessment and a determination that the action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system. Comments are due July 26, 2017. Contact: Angela Troy; DOE, Office of Electricity Delivery and Energy Reliability; 202-586-1411; Angela.Troy@hq.doe.gov

82 FR 28833 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Application to Export Electric Energy/Rainbow Energy Marketing
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Energy, Office of Electricity Delivery and Energy Reliability, announces the receipt of an application from Rainbow Energy Marketing Corp., of Bismarck, N.D., to renew its authority to transmit electric energy from the U.S. to Canada as a power marketer for a five-year term using existing international transmission facilities. The notice specifies that the energy proposed for export will be purchased from third parties and federal power marketing agencies under voluntary agreements. The notice also specifies that the agency will make a final decision after an environmental impact assessment and a determination that the action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system. Comments, protests, and motions to intervene are due July 26, 2017. Contact: Angela Troy; DOE, Office of Electricity Delivery and Energy Reliability; 202-586-1411; Angela.Troy@hq.doe.gov

82 FR 28834 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Application to Export Electric Energy/Talen Energy Marketing LLC
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Energy, Office of Electricity Delivery and Energy Reliability, announces the receipt of an application from Talen Energy Marketing LLC, of Allentown, Pa., to renew its authority to transmit electric energy from the U.S. to Canada as a power marketer for a five-year term using existing international transmission facilities. The notice specifies that the energy proposed for export will be purchased from third parties and federal power marketing agencies under voluntary agreements. The notice also specifies that the agency will make a final decision after an environmental impact assessment and a determination that the action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system. Comments are due July 26, 2017. Contact: Angela Troy; DOE, Office of Electricity Delivery and Energy Reliability; 202-586-1411; Angela.Troy@hq.doe.gov

82 FR 28833 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Arthritis Advisory Committee Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a meeting of the Arthritis Advisory Committee to address biologics drug application 761057 for sirukumab injection, submitted by Janssen Biotech Inc., of Horsham, Pa. The drug is used for treatment of adult patients with moderately to severely active rheumatoid arthritis who have had an inadequate response or are intolerant to one or more disease modifying anti-rheumatic drugs. The meeting will include discussion of dose selection, efficacy, radiographic progression study, and safety. The meeting is scheduled for Aug. 2, 2017 in Silver Spring, Md. Comments are due Aug. 1, 2017. Contact: Philip Bautista; FDA, Center for Drug Evaluation and Research; 301-796-9001; AAC@fda.hhs.gov

82 FR 28861 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
California/West Santa Ana Branch Transit Corridor Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Transit Administration, in cooperation with the Los Angeles County Metropolitan Transportation Authority, to prepare an environmental impact statement for the West Santa Ana Branch Transit Corridor Project in Los Angeles. The project involves the construction and operation of a 20-mile light rail transit line that would connect downtown Los Angeles to southeast Los Angeles County. The EIS will examine positive and negative environmental impacts of the project, which is expected to increase mobility and connectivity for historically underserved, transit-dependent, environmental justice communities. Comments are due Aug. 4, 2017. Contact: Candice Hughes; FTA; 213-629-8613; candice.hughes@dot.gov

82 FR 28932 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Corrections and Removals of Medical Devices
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing information collection request to the OMB regarding reports of corrections and removals of medical devices. The collection addresses requirements for device manufacturers or importers to submit a written report to the FDA within 10 days of initiating any action to correct or remove devices to reduce health risks posed by the device or remedy a violation caused by the device (21 CFR 806.10). The collection also addresses requirements for device manufacturers or importers to maintain records of corrections or removals when such actions are initiated but not required to be reported to the FDA (21 CFR 806.20). Comments are due July 26, 2017. Contact: Amber Sanford; FDA, Office of Operations; 301-796-8867; PRAStaff@fda.hhs.gov.

82 FR 28857 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Custom Device Exemption Annual Reports
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing information collection request to the OMB regarding custom device exemptions under Section 520(b) of the Federal Food, Drug, and Cosmetic Act. The collection addresses annual manufacturer report content and submission requirements for custom devices for which, due to the rarity of the patient's medical condition or the physician's special need, it would be impractical to comply with premarket review regulations and performance standards. Comments are due July 26, 2017. Contact: Amber Sanford; FDA, Office of Operations; 301-796-8867;

PRAStaff@fda.hhs.gov

82 FR 28860 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Settlement Funds-Classification
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the IRS to seek OMB approval for a continuing information collection request concerning environmental settlement funds-classifications. The collection addresses the requirement (26 CFR 301.7701-4) that the trustee of an environmental remediation trust must provide each grantor a statement showing all items of income, deduction, and credit of the trust for the taxable year attributable to the portion of the trust treated as owned by the grantor. This statement is provided for the purpose of computing the grantor's taxable income. Comments are due Aug. 25, 2017. Contact: Laurie Brimmer; IRS; 202-317-5756; Laurie.E.Brimmer@irs.gov

82 FR 28942 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oregon/Jordan Cove LNG Terminal, Pacific Connector Gas Pipeline
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Energy Regulatory Commission to prepare an environmental impact statement for the proposed Jordan Cove Liquefied Natural Gas (LNG) Terminal in Coos County and the Pacific Connector Gas Pipeline projects in Coos, Douglas, Jackson, and Klamath counties in Oregon. The terminal would be designed to liquefy approximately 1.04 billion cubic feet per day of LNG for export to Pacific Rim markets and include construction of a gas inlet facilities, a gas conditioning plant, ship loading facilities, and a new access channel. The pipeline would be approximately 235 miles long and be capable of transporting approximately 1.2 billion cubic feet of natural gas per day. FERC is the lead agency in preparing the draft EIS in cooperation with six federal agencies and seeks general comments on the project. The U.S. Forest Service seeks comments specific to the 2012 planning requirements under 36 CFR 219.8 through .11. Hearings are scheduled for June 27, 28, and 29, 2017, in Coos Bay, Roseburg, and Klamath Falls, respectively. Comments are due July 10, 2017. Contact: FERC, Office of External Affairs; 202-502-8258; FercOnlineSupport@ferc.gov

82 FR 28837 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Rare Pediatric Disease Product Priority Review Voucher
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the issuance of a priority review voucher to the sponsor of a rare pediatric disease product application for Brineuro (cerliponase alfa),

manufactured by Biomarin Pharmaceuticals Inc., of Novato, Calif. The product is indicated to slow the progression of loss of ambulation in symptomatic pediatric patients three years of age or older with late infantile neuronal ceroid lipfuscinosis type 2, also known as tripeptidyl peptidase 1 deficiency. Contact: Althea Cuff; FDA, Center for Drug Evaluation and Research; 301-796-4061; althea.cuff@fda.hhs.gov

82 FR 28860 (06/26/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Wisconsin/Kaukauna City Plant Hydropower Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application by Kaukauna Utilities, of Kaukauna, Wis., for a new major license for the Kaukauna City Plant Hydropower Project, on the Fox River in Outagamie County, Wis. The project consists of a 14-foot-high dam that includes rubble masonry retaining wall sections, a concrete intake and powerhouse section, a gated spillway section with two spillway gates, and an overflow spillway section that includes a concrete ogee section. The project also consists of natural rock and concrete gravity sections, an impoundment, an intake structure with two head gates and two trashracks with clear-bar spacing, and a powerhouse containing two turbine-generator units. In addition, the project consists of an excavated tail race, two kilovolt generator leads that connect the turbine-generator units to the regional distribution line, and appurtenant facilities with an annual average generation of approximately 29,704 megawatt-hours. The commission seeks comments concerning Scoping Document 1 that includes the information to be addressed in the environmental assessment. Comments are due Aug. 21, 2017. Contact: Erin Kimsey; FERC; erin.kimsey@ferc.gov

82 FR 28846 (06/26/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Applications for Special Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Pipeline and Hazardous Materials Safety Administration announces the receipt of 15 applications for new special permits and eight applications for modifications of special permits related to specified hazardous materials transportation regulations under 49 CFR 171 through 180 (nonconsecutive). Comments are due July 26, 2017. Contact: Ryan Paquet; PHMSA, Office of Hazardous Materials Approvals and Permits; 202-366-4535

82 FR 28935 (06/26/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Applications for Special Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Pipeline and Hazardous Materials Safety Administration announces the receipt of six applications for new special permits related to specified hazardous materials transportation regulations under 49 CFR 172, 173, and 175. Comments are due July 26, 2017. Contact: Ryan Paquet; PHMSA, Office of Hazardous Materials Approvals and Permits; 202-366-4535

82 FR 28937 (06/26/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Applications for Special Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Pipeline and Hazardous Materials Safety Administration announces the receipt of six applications modifications of special permits related to specified hazardous materials transportation regulations under 49 CFR 171, 173, 177, and 180. Comments are due July 11, 2017. Contact: Ryan Paquet; PHMSA, Office of Hazardous Materials Approvals and Permits; 202-366-4535

82 FR 28935 (06/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Logging Operations Standard
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the submission of a continuing information collection request to the OMB regarding the logging operations standard (29 CFR 1910.266). The collection addresses the requirement for employers to make machine and vehicle operating instructions available on the device or in the operations area. The collection also addresses related certification of training requirements. Comments are due July 31, 2017. Contact: Michel Smyth; Department of Labor; 202-693-4129; DOL_PRA_PUBLIC@dol.gov

82 FR 28908 (06/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Personnel Hoisting Equipment in Mines
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the submission of a continuing information collection request to the OMB regarding personnel hoisting equipment (30 CFR 56, 57, 75, and 77). The collection addresses recordkeeping requirements for mine operators when examining hoists and appurtenances, including wire rope, for work in coal, metal and nonmetal surface, and underground mines. Comments are due July 26, 2017. Contact: Michel Smyth; Department of Labor; 202-693-4129; DOL_PRA_PUBLIC@dol.gov

82 FR 28907 (06/26/2017)

Regulatory Update

RADIATION
International Atomic Energy Agency Safeguards Agreement
RADIATION

Notice of the Nuclear Regulatory Commission announces the submission of a continuing information collection request to the OMB regarding U.S. responsibilities as a participant in the U.S./International Atomic Energy Agency (IAEA) Safeguards Agreement. The collection addresses the mandatory submission to the IAEA of a design information questionnaire and associated forms issued to licensees of facilities that appear on the U.S. eligible list and have been notified in writing by the NRC. Comments are due July 26, 2017. Contact: David Cullison; NRC; 301-415-2084; Infocollects.Resource@nrc.gov

82 FR 28911 (06/26/2017)

Regulatory Update

WATER
Delaware River Temporary Safety Zones
WATER

Proposed rule of the U.S. Coast Guard adopts regulations under 13 CFR 165.T05-0400 to establish temporary safety zones, from July 29 to Oct. 31, 2017, in portions of Billingsport Range on the Delaware River, to aid in the removal of existing pipelines along the Federal Navigation Channel river bed. The rule requires vessels desiring to enter or navigate the safety zones to contact working vessels on very high-frequency FM marine band channel 13 or 16 at least one hour before arrival. Comments are due July 11, 2017. Contact: Amanda Boone; USCG, Sector Delaware Bay; 215-271-4889; Amanda.N.Boone@uscg.mil

82 FR 28796 (06/26/2017)

Regulatory Update

WATER
Effluent Limitations and Standards for Dental Facilities/CFR Correction
WATER

Notice of the EPA announces a correction to a June 14, 2017, final rule (82 FR 27154) that adopted regulations under 40 CFR 441.10, 441.20, 441.30, 441.40, and 441.50 concerning the dental office point source category. The correction revises the definition of "new source" under 40 CFR 441.20 so that it means a dental discharger whose first discharge to a publicly owned treatment works occurs after July 14, 2027, instead of after June 14, 2017.

82 FR 28777 (06/26/2017)

Regulatory Update

WATER
National Marine Monument and Sanctuary Designations Review

WATER

Notice of the National Oceanic and Atmospheric Administration announces the review of national marine sanctuaries and marine national monuments designated or expanded since April 28, 2007, as required by Executive Order 13795 (82 FR 20815; 05/03/2017). The notice specifies 11 designated areas subject to review and seeks comments concerning acreage and the budgetary impacts of management; the adequacy of required federal, state, and tribal consultations required prior to designation or expansion; and the opportunity costs associated with potential energy and mineral exploration and production from the Outer Continental Shelf and adjacent regions. NOAA will consider public comments submitted to the Department of the Interior for review of designations under the Antiquities Act (82 FR 22016; 05/11/2017), as required by Executive Order 13792 (82 FR 20429; 05/01/2017). Comments are due July 26, 2017. Contact: William Douros; NOAA; 831-647-1920

82 FR 28827 (06/26/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Tue 7/25/2017 2:36:27 PM
Subject: POLITICO's Morning Score: Strange pummels Brooks ahead of Alabama primary — Brooks defends running ad on Scalise shooting — McCain to make dramatic return for Obamacare vote

By Elena Schneider | 07/25/2017 10:00 AM EDT

With Zach Montellaro and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

THREE WEEKS OUT - "Strange pummels Brooks ahead of Alabama primary," by Campaign Pro's Daniel Strauss: "Rep. Mo Brooks is the center of attention - and not the good kind of attention - with three weeks to go until Alabama's special Senate primaries. Sen. Luther Strange and his allies have singled Brooks out of the crowded Republican primary to complete Attorney General Jeff Sessions' Senate term, highlighting inconsistencies in his record and airing ads making Brooks out as a flip-flopper and an opponent of President Donald Trump - a cardinal sin among Alabama Republican voters. One would be forgiven for thinking Brooks was Strange's only opponent given the intense blast of news, TV ads and other attacks targeting the congressman. But it's a reflection of the theory that while former state Supreme Court Justice Roy Moore's supporters are fairly locked in, Brooks is the other main competitor for a slot in a September top-two primary runoff, and one of Strange or Brooks is considered most likely to miss out." **Full story.**

- ICYMI - "Brooks defends campaign ad on Scalise shooting," by Campaign Pro's Daniel Strauss: "Alabama Rep. Mo Brooks on Monday defended a new ad from his Senate campaign that used footage of the aftermath of the shooting rampage that wounded House Majority Whip Steve Scalise last month. Brooks, who is running in the Aug. 15 special Republican primary for Senate in Alabama, told POLITICO that the ad , which features sounds of gunshots and shouts before playing clips of a Brooks interview, was meant to highlight his support for the Second Amendment. ... But Scalise's chief of staff, Brett Horton, tweeted that the spot made his 'stomach turn,' as Brooks faced criticism for politicizing a tragedy." **Full story.**

IDENTITY ISSUES - "Democrats sidestep social issues in new economic push," by POLITICO's Heather Caygle and Elana Schor in Berryville, Va.: "Congressional Democratic leaders descended upon this rural Virginia town Monday to unveil a progressive economic package they say can win back working-class voters next November, even in red states. And noticeably missing, amid the talk of raising wages and reining in corporate interests, were the left-leaning stances on social issues that help form the backbone of the party, including immigration, abortion and LGBT rights. Senate Minority Leader Chuck Schumer (D-N.Y.) vowed that his party's red-state incumbents would largely embrace the new agenda - which, he acknowledged, purposefully avoids the social issues that have already opened a rift this year between the party's liberal base and centrist bloc." **Full story.**

ON THE HILL - "McCain to make dramatic return for Obamacare vote," by POLITICO's Burgess Everett, Seung Min Kim and Jennifer Haberkorn: "The Senate GOP bid to kill Obamacare - itself left for dead as of Monday morning - saw a flicker of life late in the day after a furious pressure campaign by President Donald Trump and Mitch McConnell heading into a critical Tuesday vote. McConnell spent the day cajoling his members and meeting with Vice President Mike Pence to plot strategy. The majority leader was still short of the votes to even open debate, and Republicans still don't know what they'd be voting to allow debate on if they agree to go along with McConnell on the procedural vote. But Sen. John McCain (R-Ariz.), recently diagnosed with brain cancer and recovering from surgery, announced that he would return to the Senate on Tuesday, giving GOP leaders a critical vote in the up-and-down battle over repealing Obamacare. But the Senate leader isn't being counted out." **Full story.**

Days until the 2017 election: 104.

Days until the 2018 election: 468.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

Playbook Exchange Denver - Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman for a special Playbook Exchange event in Denver with Colorado Gov. John Hickenlooper. Aug. 1 - 5:30 p.m. MDT / 7:30 p.m. EDT - S&P Global, 1800 Larimer St., 2nd Floor, Denver. RSVP: Here. Watch it live: Here.

2020 WATCH - "Sherrod Brown thinks he could have helped Democrats win in 2016. But what about 2020?" by The Washington Post's Ben Terris: "...'It's not out of the question that in 2020, if nothing changes, Democrats could win the popular vote by 5 million and lose the electoral college because of the Great Lakes states,' Brown said. So, because many of his constituents voted for Trump - and, frankly, because it seemed like a good reelection strategy - Brown's first instinct was to work with the president. ...He certainly is one of the Senate's most endangered Democrats. And if he loses, it could be the last anyone will hear from Sen. Sherrod Brown. But, if he wins ... 'We are constantly being asked by others if he'll run for president in 2020," Schultz said. 'In a way that we never have before.'" **Full story.**

MONEY, MONEY, MONEY - "Democratic House Freshmen Show Fundraising Edge Over GOP Classmates," by Roll Call's Sean McMinn : "With their first two fundraising deadlines behind them, Democratic newbies in the chamber are demonstrating their ability to out fundraise their Republican colleagues. Among first-term lawmakers in the chamber who will likely run for re-election next year, Democrats have taken in, on average, about 50 percent more in receipts per member than Republicans, according to a Roll Call analysis of Federal Election Commission filings. The margin between the two parties was largest during the first quarter of

the year, when Democrats raised an average of $348,000 per freshman member, compared to $226,000 among Republicans. The disparity shrank slightly in the second quarter, but Democrats kept a sizable advantage." **Full story.**

- The RGA is donating another $2 million to Republican Ed Gillespie's campaign in Virginia: The cash infusion follows $1 million delivered to the campaign shortly after he won the GOP primary.

- POLLING DATA - Monmouth poll finds Gillespie 44, Northam 44: "Democratic Lt. Gov. Ralph Northam and Republican Ed Gillespie are tied in the latest poll of Virginia's race for governor, with President Donald Trump dragging voters away from the Republican, according to a new survey from Monmouth University. Northam and Gillespie each earned 44 percent of the vote in the survey. Libertarian Cliff Hyra got 3 percent and 9 percent were undecided." **Full story.**

FUNNY BEDFELLOWS - First Family lawyer keeps donating to Democrats: Jamie Gorelick, a Democratic lawyer who is representing Jared Kushner and Ivanka Trump (and getting some grief from Democratic friends for doing so), has continued to donate to a handful of congressional Democrats in 2017, even as those candidates heavily criticize the Trump administration. Gorelick gave $1,000 to one House candidate, Lindsey Davis Stover, who's running to take on GOP Rep. Barbara Comstock in northern Virginia. Gorelick also gave to Minnesota Sen. Amy Klobuchar and Montana Sen. Jon Tester.

SHOW-ME SHOWDOWN? - "Missouri state rep eyes run against McCaskill after encouragement from Wagner," by the Kansas City Star's Bryan Lowry: "Missouri state Rep. Marsha Haefner says she's weighing a run for U.S. Sen. Claire McCaskill's seat after being encouraged by U.S. Rep. Ann Wagner. Haefner, a St. Louis Republican, said she plans to travel to Washington, D.C., in the near future to meet with national party officials about her interest in a run. 'I would hope that the Republican Party would support someone who is not a white male,' said Haefner, a 66-year-old grandmother who owns a greenhouse and garden center. ... Haefner had been planning to run for Wagner's congressional seat if Wagner had pursued a run against McCaskill, the incumbent Democrat, as most political observers in Missouri expected." **Full story.**

ADMINISTRATION SPEED READ - "Trump tests the loyalty of the Ohio Democrats he won," by POLITICO's Annie Karni: "Down-and-out Youngstown, Ohio, last year became emblematic of the power of Donald Trump's campaign. With his populist message targeting white working-class voters, he outperformed every GOP nominee since Richard Nixon won the Democratic stronghold of Mahoning County. Today, the blue-collar town represents one of the looming challenges of Trump's presidency, six months in: how to keep the support he won as a populist candidate, when he flipped disgruntled Democrats and independents to his side of the ledger, while in many cases governing like a plutocrat who has so far failed to deliver on many of his campaign promises. Trump will test the waters Tuesday night when he takes the stage in Youngstown at the Covelli Centre, a large arena that typically hosts events like ice hockey games, WWE wrestling matches, and monster truck tours. The campaign rally is designed to energize the president, excite his base, and offer Trump a chance to tack away from the Russia

scandal that never stops brewing in Washington - one that his advisers claim no regular, outside-the-beltway Americans really care about." **Full story.**

CODA - QUOTE OF THE DAY: "Who the hell wants to speak about politics when I'm in front of the Boy Scouts?" - President Trump, who later talked about politics, POLITICO reported.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/25/strange-pummels-brooks-ahead-of-alabama-primary-221505

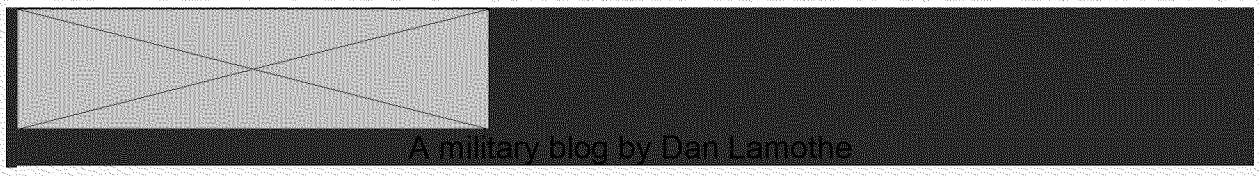
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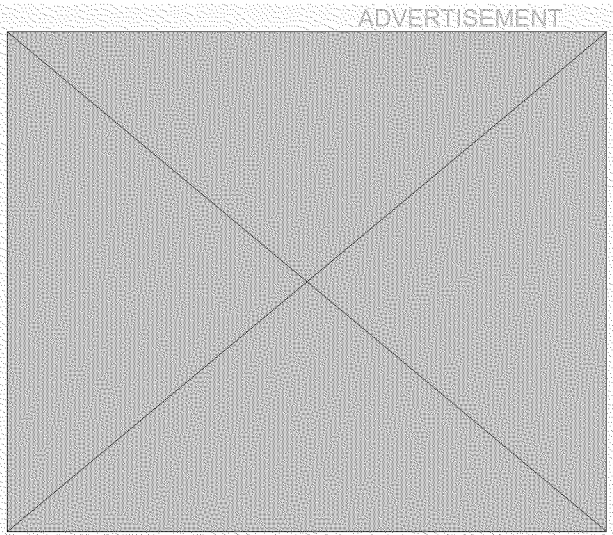
To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 6/9/2017 4:05:14 PM
Subject: [SPAM] Checkpoint: U.S. finds that March airstrike that struck building described as mosque was legal



U.S. aircraft shoots down pro-Syrian government drone, Pentagon says

It is the third strike on pro-Syrian government forces in as many weeks.
By Thomas Gibbons-Neff • Read more »

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U.S. finds that March airstrike that struck building described as mosque was legal

"This investigation found that the strike complied with operational and legal requirements," a U.S. military official said. "We are confident this was a meeting of al-Qaeda members and leaders, this was not a meeting of civilians."
By Thomas Gibbons-Neff • Read more »

U.S. conducts new strikes on pro-Syrian-government forces threatening U.S. Special Operations base

The strike marks a second time in less than a month U.S. aircraft have targeted troops aligned with Syrian President Bashar al-Assad.

By Thomas Gibbons-Neff • Read more »

For Qataris, a U.S. air base is best defense against Trump attacks

Despite the tough rhetoric, U.S. military officials said that planes continued to take off from Al Udeid in support of U.S. military operations in Iraq, Syria and Afghanistan.

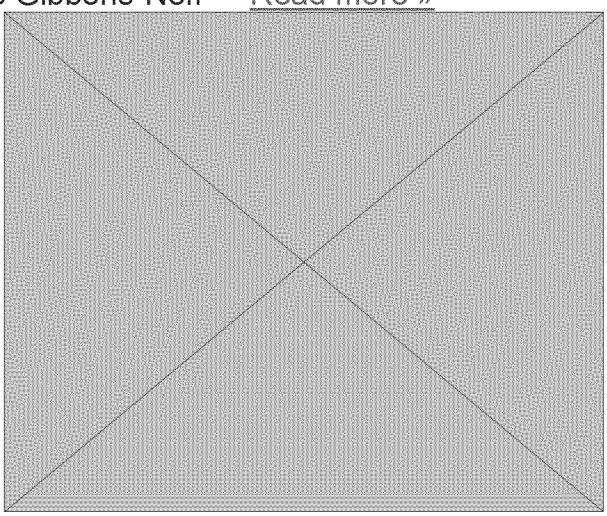
By Greg Jaffe and Thomas Gibbons-Neff • Read more »

How D-Day code words ended up in British crossword puzzles

On the 73rd anniversary of the pivotal battle, a strange slice of history.

By Thomas Gibbons-Neff • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 9/12/2017 12:12:41 AM
Subject: Sep. 11 -- Energy and Climate Report

Energy and Climate Report

September 11, 2017 - Number 175

News

Climate Regulation
EU Is Said to Draft Measures to Brexit-Proof Carbon Market
The European Union is preparing to make its emissions-trading system immune to a supply turmoil that may happen if Brexit talks fail and the U.K. leaves the world's largest carbon market.

Coal Mining
Arch Coal Closer to Expanding Mine in Colorado Roadless Area
Arch Coal is one step closer to expanding its coal mine in a roadless area of western Colorado following a U.S. Forest Service draft decision.

Energy
China Fossil Fuel Deadline Shifts Focus to Electric Car Race
China will set a deadline for automakers to end sales of fossil-fuel-powered vehicles, becoming the biggest market to do so in a move that will accelerate the push into the electric car market led by companies including BYD Co. and BAIC Motor Corp.

Energy
Irma Cuts Power to 6.4 Million, Shuts Ports, Imperils Crops
Hurricane Irma has knocked out power to at least 6.4 million customers, paralyzed tanker traffic, shuttered gasoline stations and suppressed demand for natural gas. As the stormheaded up Florida's west coast, it also threatened more than $1 billion worth of crops.

International Climate
Poland Sets Expiry Date on Its Love for Coal as EU Limits Beckon
After decades of trying to persuade the rest of Europe that coal was vital for the region's energy security, Poland is showing the first signs of admitting that it might have been wrong.

Motor Vehicles
China Set to Unveil Cap-and-Trade Auto Emission, Mileage Rules
China will soon unveil a mandatory cap-and-trade credit program for electric cars, starting the countdown for automakers to be in compliance with stricter rules on emissions and fuel economy, according to the country's state-backed auto association.

Motor Vehicles
Fuel Efficiency Standards Rule Delay Leads Five States to Sue
California has joined New York and three other states in a lawsuit against the Trump administration over vehicle fuel efficiency regulations.

Motor Vehicles

VW CEO Vows to Offer Electric Version of All Models by 2030

Volkswagen AG Chief Executive Officer Matthias Mueller announced sweeping plans to build electric versions of all models in the group's lineup as the world's largest automaker accelerates the shift away from combustion engines and tries to draw a line under the emissions-cheating scandal.

Renewable Energy

Energy Storage Permits Would Get Easier With California Bill

Local permitting of the energy storage systems California needs to help meet its clean energy goals should get easier under a bill headed to the desk of Gov. Jerry Brown (D).

Renewable Energy

Offshore Wind Costs Fall Below New Nuclear Plants in U.K.

The cost of generating electricity from offshore wind farms fell sharply in the U.K. to below the price the next nuclear reactors will charge, making the form of clean energy one of the cheapest ways to supply the grid.

Stormwater

Irma's Environmental Toll Could Be Less Than Harvey's

The environmental toll from Hurricane Irma in Florida may not be as harsh as the problems caused by Hurricane Harvey in Texas, according to scientists and water utility officials.

Toxic Substances

Abandoned Kerr-McGee Oil Well Fouled Water, Suit Says

Kerr-McGee Oil & Gas Onshore LP failed to take proper steps to clean up a crude oil leak at an abandoned Colorado oil well, according to a complaint filed Sept. 8 in the District of Colorado (Murray v. Kerr-McGee Oil & Gas Onshore, LP, D. Colo., No. 17-cv-02174, filed 9/8/17).

U.S. Solar Bracing for First Decline as Rooftop Demand Slumps

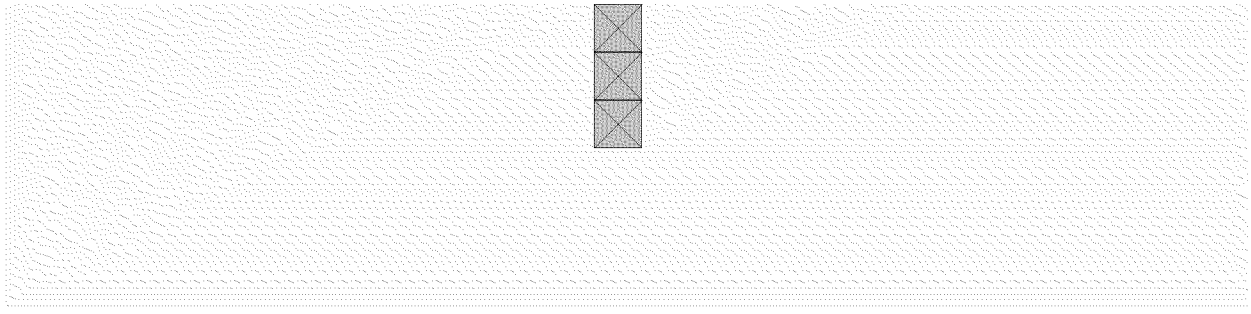
The U.S. is poised to experience its first annual decline in solar-panel installations, as a drop in rooftop demand slows growth in the world's second-biggest market.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Wed 7/26/2017 11:31:18 AM
Subject: [SPAM] DC Concealed-Carry, Danger of Unknown Powders, Collecting Drone Dig Evidence & More (Videos)





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 6/5/2017 11:43:05 PM
Subject: June 05 -- Energy and Climate Report

Energy and Climate Report

June 05, 2017 - Number 107

News

Climate Change
Hunt for Trump's Climate Views Like 'Chasing Rabbit,' Perry Says
People shouldn't focus on whether U.S. President Donald Trump believes climate change is real, according to one of his own Cabinet members.

Climate Policy
U.K. Doesn't Think Paris Climate Deal Needs to Be Renegotiated
Prime Minister Theresa May's government doesn't think the Paris climate deal needs to be renegotiated, her spokeswoman said, pitching Britain behind the position held by France, Germany and Italy.

Energy
China Is Said to Halt New Electric-Car Production Permits
China plans to halt issuing permits to produce electric vehicles pending a review of the policy because of concern additional approvals may lead to a glut in the world's biggest auto market, according to people familiar with the matter.

International Climate
Trump Exit Spurs State, Corporate Vows to Back Climate Pact
U.S. cities, states and companies vowed June 5 to try to shore up support for climate action in the aftermath of President Donald Trump's June 1 vow to exit the Paris climate pact.

Oil & Gas
EPA Taken to Court Over Methane Rule Pause
A coalition of environmental groups is taking the EPA to court over its decision to halt an Obama-era regulation on methane emissions from the oil and gas industry.

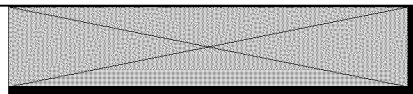
Oil & Gas
Fisheries Service Proposes OKs for Atlantic Seismic Work
Five companies are a step closer to conducting seismic surveys to identify offshore oil and natural gas prospects in the U.S. Atlantic.

Renewable Energy
Trump's Paris Exit Sidelines D.C. for Danes Blazing Wind Trail
For Denmark, which relies more on wind energy than any other nation on the planet, June 1 was a pretty bad day.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 7/27/2017 3:07:24 PM
Subject: We need your feedback! | POLITICO Pro Customer Survey



Hi Ryan,

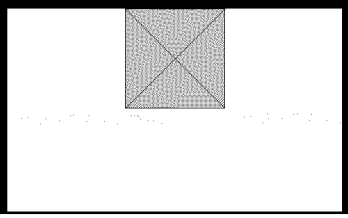
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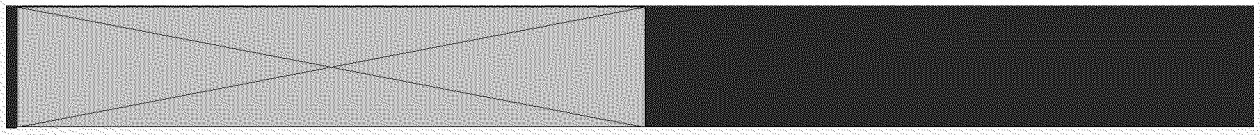
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 7/7/2017 4:00:22 PM
Subject: [SPAM] Federal Insider: Federal employee civil service protections outdated? The experts speak.



Federal employee civil service protections outdated? The experts speak.

By Joe Davidson

President Trump speaks during a bill-signing event for the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 in the East Room of the White House on June 23. (Jabin Botsford/TWP)

The Department of Veterans Affairs Accountability and Whistleblower Protection Act is a game-changer for the federal workforce and a reason to worry about the future of due process for federal employees.

At the legislation's recent White House signing ceremony, President Trump put the government's workforce in general on notice when he said "outdated laws kept the government from holding those who failed our veterans accountable."

Trump is not alone when complaining about outdated civil service laws. While they might not agree with him, it's notable that only 29 percent of feds think "steps are taken to deal with a poor performer who cannot or will not improve," according to the 2016 Federal Employee Viewpoint Survey.

The new law is the latest move to fire feds faster by cutting their appeals process. It seriously damages civil service protections for VA employees, especially senior executives, and opens the door for similar measures to spread across the government. By eliminating the right of VA Senior Executive Service members to appeal adverse actions such as terminations, suspensions and demotions to an outside agency, the law eviscerated the long-standing principle of neutral review by a third party.

The time to appeal adverse actions was cut for all department staffers. Managers now can base those actions on weaker evidence than was allowed previously. It's important to note that fired employees are off the rolls

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and not paid before appeals are considered by the Merit Systems Protection Board (MSPB), an independent agency that hears claims from federal employees.

Significantly, the bill won overwhelming bipartisan support. It passed the House 368 to 55, with Democrats providing all but one of the dissenting votes.

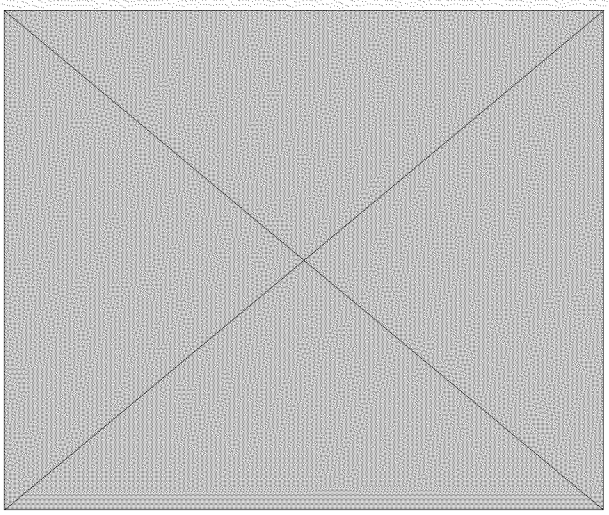
But with 137 Democrats approving the legislation, federal employee unions that strongly opposed the measure must know they can't always count on their blue congressional allies.

One way to speed the process is to boost the MSPB, which rules against employees about 84 percent of the time. The average case processing time for initial appeals jumped from 89 days in fiscal 2010 to 499 days in 2015. Thousands of furlough appeals caused the increase, and there was a drop to 331 days in 2016. Yet, with layoffs planned under Trump's proposed budget, appeals could rise again. Increasing MSPB staffing could speed the process.

As part of the Federal Insider's ongoing look at efforts to undermine federal workplace protections, we sought the views of several experts, including those who might disagree with that characterization. We asked if civil service protections are "outdated" and how the federal disciplinary process could improve.

Here is some of what they had to say.

Teresa W. Gerton, the National Academy of Public Administration: "Civil service protections remain an absolutely essential bedrock for our professional public service workforce… With that premise, it is absolutely essential that we stop conflating the term 'accountability' in the public workforce with 'the ability to fire.' Instead, we should reclaim the idea that our leaders should be held responsible for achieving results and provide them a civil service system that allows them to get hiring, training, and retaining right."



Robert M. Tobias, American University: “The question is whether increasing the speed of reviewing decisions to discharge VA employees will increase organizational performance? I think the answer is no.” Existing law is not “a barrier to promptly discharging poor performers.”

Dan G. Blair, former Office of Personnel Management acting director under former president George W. Bush: “Firing and disciplining a federal employee can be done … Yet the current process is tilted in favor of the employee … Due process and fundamental fairness can be … achieved by streamlining this process.”

Matt Biggs, International Federation of Professional and Technical Engineers: “The point is that managers already have the authority to discipline and ultimately fire employees, but in order to do so they actually need to use the many authorities they already have. The due process protections are correctly there so good employees are not victims of unjust retaliation.”

Randy L. Erwin, National Federation of Federal Employees: “Federal Civil Service protections are absolutely not outdated. In this political climate and with this Administration … the apolitical federal workforce needs better protections so the work being done for the American people is not compromised for personal or political gain.”

Bill Valdez, Senior Executives Association: “While due process protections for civil servants are critical, a federal manager should not need lawyers involved to effectuate minor discipline. More important than the accountability processes is organizational culture that supports and enables

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managers holding all employees accountable — both the positive and negative sides of accountability."

James Pfiffner, George Mason University: "My advice would be to shorten the time to appeal and ensure that agency and MSPB criteria were based on a 'reasonable person' standard. But this is premised on ensuring the MSPB is as nonpartisan as possible, which may be impossible, given the current state of polarization in Congress."

Max Stier, Partnership for Public Service: "If the focus is on modernizing the way government hires and engages its employees, we will have fewer instances of needing to fire poor performers … it is important to understand that the government's outdated personnel system is the real barrier to greater accountability … A core principle of the federal civil service rules is and should continue to be that we have a merit-based system in which politically motivated actions are treated as improper. The current disciplinary process is not necessary in all of its elements to support this principle."

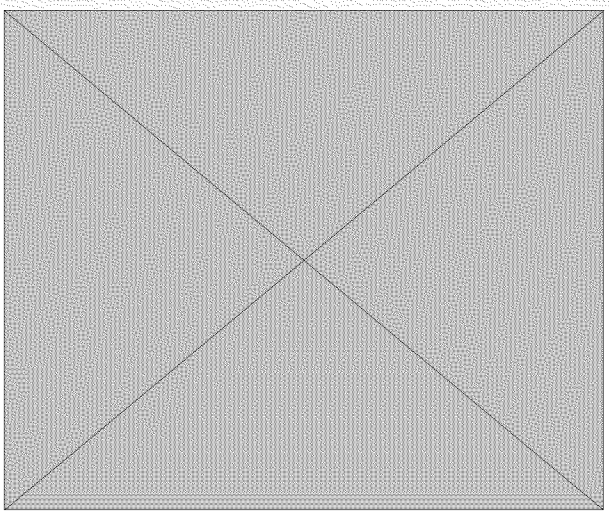
This is not the last word. Tell us what you think. Do civil service protections need updating, and if so, how? Send your thoughts to joe.davidson@washpost.com with "civil service protections" in the subject line.

Read more:

[New VA law sets stage for government-wide cut in civil-service protections]

[VA story has a lesson for unions: Don't sleep on civil-servicereform]

[Nation needs due process for feds that Comey didn't get]



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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/15/2017 7:58:38 PM
Subject: EPA urges court not to lift stay of methane rule for new oil, gas wells

By Alex Guillén

06/15/2017 03:55 PM EDT

EPA today urged the D.C. Circuit Court of Appeals not to reverse its decision to pause leak detection and repair requirements and other key parts of the agency's rule limiting methane emissions from new oil and gas wells.

Environmental groups sued last week and filed an emergency motion seeking the court's reversal of EPA's stay. The agency this week proposed a two-year delay of those requirements, increasing this lawsuit's tension.

"There is no emergency," and the environmental groups cannot meet the requirements to obtain court action, EPA argued in its brief today.

The leak detection requirements would prevent just 0.046 percent of annual oil and gas industry methane emissions, according to EPA. And pausing other requirements dealing with equipment and certification requirements does not present any imminent harm, the agency said.

EPA called the green groups' request "a sideways effort to attack EPA's decision to convene reconsideration proceedings" on the methane rule.

The public interest goes beyond environmental concerns to include economic growth and "productive capacity," the agency argued.

"EPA's short-term stay strikes a balance among these interests by allowing the Agency to consider whether to refine aspects of the 2016 Rule to better account for issues that the Agency did not consider and concerns among the regulated community that EPA did not foresee," the agency wrote.

WHAT'S NEXT: The green groups' response is due June 20, with a court decision likely sometime after that.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-urges-court-not-to-lift-stay-of-methane-rule-for-new-oil-gas-wells-089186

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Mon 6/12/2017 5:19:19 PM
Subject: BREAKING NEWS: Gianforte sentenced to 40 hours of community service for assaulting reporter

Congressman-elect Greg Gianforte was sentenced on Monday to 40 hours of community service and 20 hours of anger management as well as a $385 fine after he pleaded guilty to a misdemeanor assault charge connected to an altercation with a reporter.

The Montana Republican apologized to Guardian reporter Ben Jacobs for assaulting him the night before his election, after initially denying that he "body slammed" him.

Read more: http://www.politico.com/story/2017/06/12/gianforte-sentenced-to-40-hours-of-community-service-for-assaulting-reporter-239431

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 8/28/2017 12:13:53 PM
Subject: Aug. 28 -- EHS State Regulatory Alert

EHS State Regulatory Alert

August 28, 2017 - Number 165

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Colorado

WATER
Water Resources/Water Well Construction
Colorado WATER

Notice of the Department of Natural Resources, Division of Water Resources, announces corrections to a June 10, 2016, final rule to amend regulations under 2 CCR 402-2 regarding water well construction. The rule revised groundwater protections; set forth minimum standards for construction, repair, plugging, sealing and abandonment of wells, pumps and cisterns; and allowed certain types of monitoring holes and wells to be constructed by persons other than licensed contractors. The rule also specified dewatering well construction and abandonment standards, revised new well permitting requirements, revised minimum distances from contamination sources, specified minimum casing requirements, added notification requirements, and updated references and definitions. The corrections revise erroneous references and update figure labels. Contact: Kevin Donegan; DNR, Division of Water Resources; 303-866-3581

—Colorado Register (08/23/2017)

Regulatory Update

Indiana

WATER
Water Well Drillers and Pump Installers
Indiana WATER

Notice of the Natural Resources Commission announces corrections to regulations under 312 IAC 13-2-1-3 through 312 IAC 20-1-2 (nonconsecutive) to update references to the address of the Division of Hearings in the commission's administrative provisions, including enforcement

provisions concerning water well driller or pump installer licensing. The corrections are effective Sept. 30, 2017. Contact: NRC; 317-232-4699

—Indiana Register (08/23/2017)

Regulatory Update

Kansas

RADIATION
Radiation Control
Kansas RADIATION

Proposed rule of the Department of Health and Environment amends regulations under KAR 28-35-135 through -504 (nonconsecutive); adopts regulations under KAR 28-35-181, -192, -197, and -700; and repeals regulations under KAR 28-35-197 and -230 regarding radiation control to comply with Nuclear Regulatory Commission standards. The rule adds requirements for the initial transfer of source material for use under the small quantities of source material general license, establishes exemptions for certain industrial devices, adds Schedule B exempt quantities of radioactive material, and adopts standards for physical protection of byproduct material. The rule also specifies exemptions for carriers; adds requirements for general licenses for uranium and thorium; updates requirements for general licenses for certain units of radium-226; and clarifies provisions concerning designation of an authorized nuclear pharmacist, including positron emission tomography (PET) radioactive drugs. In addition, the rule clarifies requirements for financial assurance for decommissioning, adopts standards for certain specific licenses, requires notification of Indian tribes regarding certain material shipments, and clarifies general monitoring requirements for personnel dosimeters. Finally, the rule removes redundant and conflicting requirements for individual monitoring. A hearing is scheduled for Nov. 2, 2017, in Topeka. Comments are due Nov. 2, 2017. Contact: Kimberly Steves; DHE, Bureau of Community Health Systems; 785-296-4359; Kim.Steves@ks.gov

—Kansas Register (08/24/2017)

Regulatory Update

Kentucky

MINING
Division of Mine Permits/Assessment of Civil Penalties
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 7:095 regarding assessment of civil penalties. The rule revises provisions concerning extent of potential or actual damage to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30,

2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Division of Mine Permits/General Hydrologic Requirements
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, adopts regulations under 405 KAR 18:060 regarding general hydrologic requirements to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that underground mining activities should be planned and conducted to minimize disturbance of the hydrologic balance and should include shadow area in these considerations. A hearing is scheduled for Sept. 21, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Division of Mine Permits/In Situ Processing Activities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 20:080 regarding in situ processing activities to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that regulated entities should include shadow areas when considering performance standards related to in situ processing activities. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Division of Mine Permits/Mining Support and Transportation Facilities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:260 regarding design, construction, and maintenance requirements for certain support and transportation facilities to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that permit applications should continue to include shadow area information when minimizing damage, destruction, or disruption of services provided by oil, gas, and water wells; oil, gas, and coal-slurry pipelines; railroads; electric and telephone lines; and

water and sewage lines. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Division of Mine Permits/Surface and Groundwater Monitoring
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:110 regarding surface and groundwater monitoring to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that permit applications should continue to include shadow area information when providing information related to sudden releases of water accumulated in underground workings. A hearing is scheduled for Sept. 21, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Inspection and Enforcement/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 12:001 concerning definitions for inspection and enforcement of permitted surface coal mining and reclamation operations. The rule clarifies the definition of "permit area" to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Performance Standards for Surface Mining Activities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 16:001 regarding definitions related to performance standards for surface mining activities. The rule clarifies the definition of "permit area" and adds a definition of "shadow area" to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are

due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Permits for Special Categories of Mining
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:050 regarding permits for special categories of mining to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule establishes requirements for permits for underground only coal mining operations. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Special Performance Standards/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 20:001 regarding definitions relating to special performance standards for surface mining and reclamation operations. The rule revises the definition of "permit area" and adds a definition for "shadow area" to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 10:001 regarding definitions related to bond and insurance requirements for surface coal mining and reclamation operations. The rule revises the definitions of "active area" and "permit area" to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 7:001 regarding definitions related to surface coal mining and reclamation operations. The rule revises several definitions to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:001 regarding definitions related to surface coal mining and reclamation operations. The rule revises several definitions to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Surface Mining/Surface and Groundwater Monitoring
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 16:110 concerning surface mining requirements for monitoring and reporting of surface water quality and quantity, groundwater quality and quantity, and aquifer conditions. The rule updates the requirements to include shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Coal Mining Permits
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:040 regarding underground coal mining permits. The rule adds provisions concerning shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Coal Mining/Permits
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:010 to revise general provisions for underground coal mining permits. The rule adds language concerning shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Mining Activities/Casing and Sealing
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:040 concerning requirements for temporary and permanent casing, sealing, or other management of drill holes, boreholes, shafts, wells, or other exposed underground openings. The rule requires permit applications to include information on shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Mining Activities/Performance Standards
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:001 concerning definitions relating to performance standards for underground mining activities. The rule clarifies the definition of "permit area" and adds a definition for "shadow area" to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Mining/General Provisions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:010 concerning performance standards for underground mining activities. The rule updates the requirements to include shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING
Underground Only Mining Permits
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, adopts regulations under 405 KAR 20:090 to establish performance standards for underground only mining permits. The rule specifies requirements for coal recovery, permanent abandonment of operations, and the temporary cessation of operations. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Annual Retraining Program for Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:030 to reflect the transition of authority from the Department of Mines and Minerals to the DNR to establish the requirements of the annual retraining program. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Contact: Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Imposition, Enforcement of Sanctions Against Certified Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:030 to reflect the transition of authority from the Mining Board to the division to establish criteria for the revocation, suspension, or probation of a miner's certificate upon an adjudication by the Mine Safety Review Commission. The rule also authorizes the division to grant or deny an application for reinstatement of certification. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Imposition, Enforcement of Sanctions Against Licensees
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:040 to reflect the transition of authority from the Mining Board to the department to establish criteria for the imposition of civil penalties and other consequences upon an adjudication by the Mine Safety Review Commission that an owner or part-owner of a licensed premises has violated mine safety laws. The rule also authorizes the division to grant or deny license applications. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Imposition, Enforcement of Sanctions Against Noncertified Personnel
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:050 to reflect the transition of authority from the Mining Board to

the department to establish criteria for the imposition of civil penalties and other consequences upon an adjudication by the Mine Safety Review Commission that a noncertified person has violated mine safety laws. The rule also authorizes the division to grant or deny applications for foreman and inspector certificates. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Training Program and Examination for Miners on New Work Assignments
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:050 to reflect the transition of authority from the Mining Board to the department to establish a program of training and examination for miners who receive new work assignments. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Training Program for Newly Employed Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:040 to reflect the transition of authority from the Mining Board to the division to establish a training program for newly employed miners. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Contact: Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Training and Certification of Inexperienced Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:020 to reflect the transition of authority from the Mining Board to the division to establish a program for training for inexperienced miners. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Training and Education of Inexperienced Underground and Surface Coal Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:060 to reflect the transition of authority from the Mining Board to the department to establish a program of training and education of inexperienced underground and surface coal miners. The rule also authorizes the division to approve training programs. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

WATER
Best Management Practices for Timber Harvesting Operations
Kentucky WATER

Proposed rule of the Department of Natural Resources, Division of Forestry, amends regulations under 402 KAR 3:030 regarding best management practices for timber harvesting operations. The rule provides a reference to the current version of the Agriculture Water Quality Management Plan and the related statutory requirement. A hearing is scheduled for Sept. 21, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

Minnesota

ENDANGERED SPECIES
Wildlife Management Areas
Minnesota ENDANGERED SPECIES

Emergency rule of the Department of Natural Resources amends regulations under MCAR 6230.0200 through MNR 6236.0700 (nonconsecutive) regarding wildlife management areas. The rule specifies restrictions for the Sandstone wildlife management area, clarifies the hunting season and requirements for dogs in the Vermillion Highlands wildlife management area, and updates provisions concerning several state game refuges. The rule also updates requirements for open sanctuary areas and for overnight use of wildlife management areas, reduces the white-tailed jackrabbit daily and possession limit, and updates registered furbearer bag limits and registration procedures. In addition, the rule adds a season and bag limit for short- and long-tailed weasels and revises provisions concerning the fall turkey season, pelt tagging and

registration, and the take of fisher and pine marten. The rule is effective Aug. 21, 2017, and expires Jan. 31, 2018. Contact: Tom Landwehr; DNR; 651-296-6157; info.dnr@state.mn.us

—Minnesota State Register (08/21/2017)

Regulatory Update

ENDANGERED SPECIES
Wildlife Management Areas
Minnesota ENDANGERED SPECIES

Emergency rule of the Department of Natural Resources amends regulations under MNR 6234.0300, 6237.0400, and 6237.0550 and adopts regulations under MNR 6230.0400 regarding wildlife management areas. The rule specifies the trapping season for the Butterball and Little Rice game refuges in St. Louis County to reflect beaver population management efforts. The rule also specifies the harvest zones and the open season for sharp-tail grouse. In addition, the rule specifies the harvest zones, open areas, open season, and permit areas for prairie chickens. The rule is effective Aug. 21, 2017, and expires Dec. 31, 2017. Contact: Tom Landwehr; DNR; 651-296-6157; info.dnr@state.mn.us

—Minnesota State Register (08/21/2017)

Regulatory Update

Nevada

AIR
Inspection Procedures for Certain Older Model or Heavy-Duty Motor Vehicles
Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to amend regulations under NAC 445B.580 concerning inspection procedures for certain motor vehicles of model year 1995 or older and heavy-duty vehicles of model year 1996 or newer. The rule requires reinspection of vehicles that have failed an inspection for an improper gas or fuel cap. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

AIR
Local Agency Motor Vehicle Pollution Control Grants
Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to repeal regulations under NAC 445B.859 through .873 to delete provisions concerning local air pollution control grants. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

AIR
Testing of Certain Motor Vehicles Powered by Diesel Engines
Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to amend regulations under NAC 445B.589 concerning testing of certain motor vehicles powered by diesel engines. The rule requires reinspection of vehicles that have failed an inspection for an improper gas or fuel cap. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

Oregon

AIR
Monetary Offset Rate for Nongenerating Energy Facilities
Oregon AIR

Proposed rule of the Department of Energy, Energy Facility Siting Council, amends regulations under OAR 345-024-0580 and -0620 regarding the monetary offset rate for carbon dioxide (CO2) emissions from nongenerating energy facilities. The rule increases the the monetary offset rate to $1.90 per ton of CO2 and specifies that the rate would remain the same for at least two years following the rule's effective date. The rule also increases the methane equivalency weight to 25 pounds of CO2 and the nitrous oxide equivalency rate to 298 pounds of CO2. A hearing is scheduled for Sept. 21, 2017, in Boardman. Comments are due Sept. 21, 2017. Contact: Jason Sierman; DOE, Energy Facility Siting Council; 503-378-4040

—Oregon Bulletin (08/23/2017)

Regulatory Update

ENDANGERED SPECIES
Cougar Management
Oregon ENDANGERED SPECIES

Proposed rule of the Department of Fish and Wildlife amends regulations under OAR 635-180 to update the cougar management plan. The rule incorporates various management objectives into the plan. A hearing is scheduled for Oct. 13, 2017, in Prineville. Comments are due Oct. 13, 2017. Contact: Michelle Tate; DFW; 503-947-6044

—Oregon Bulletin (08/23/2017)

Regulatory Update

ENDANGERED SPECIES
Fish and Wildlife/Administrative Fees
Oregon ENDANGERED SPECIES

Proposed rule of the Department of Fish and Wildlife amends regulations under OAR 635-001 through -200 (nonconsecutive) to increase certain hunting, angling, and commercial fishing fees, effective Jan. 1, 2018. The rule increases the fees for wildlife site inspection, falconry, cervid propagation, hide and antler dealer permits, and wild bird seals. The rule also increases fees for bobcat and otter record cards, wildlife area parking, taking permits, and various hunting and fishing activities. A hearing is scheduled for Oct. 13, 2017, in Prineville. Comments are due Oct. 13, 2017. Contact: Michelle Tate; DFW; 503-947-6044; michelle.l.tate@state.or.us

—Oregon Bulletin (08/23/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Energy, Waste Disposal Facility Site Certificates
Oregon GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Energy, Energy Facility Siting Council, amends regulations under OAR 345-021-0010, -022-0020, -027-0020, and -050-0060 regarding the structural, geologic, and seismic related issues and hazards the council considers when issuing site certificates or amendments to site certificates for energy facilities and waste disposal facilities. The rule clarifies the relationship and consultation requirements between applicants and the Department of Geology and Mineral Industries (DOGAMI). The rule also adds factors for applicants to consider in their assessments and explanations of how they will design, engineer, construct, and operate a facility to avoid related issues and hazards. Such factors include the environment, resiliency, rapid recovery, future climate conditions, and tsunami hazards. A hearing is scheduled for Sept. 21, 2017, in Boardman. Comments are due Sept. 21, 2017. Contact: Jason Sierman; DOE, Energy Facility Siting Council; 503-378-4040

—Oregon Bulletin (08/23/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carrier Safety/Transportation of Hazardous Materials
Oregon HAZARDOUS MATERIALS TRANSPORTATION

Final rule of the Department of Transportation, Motor Carrier Transportation Division, amends regulations under OAR 740-100-0010 through -110-0010 (nonconsecutive) regarding motor carrier safety and hazardous materials transportation. The rule updates the version of the federal and international standards incorporated by reference, including federal motor carrier safety and hazardous materials transportation standards and international standards for driver, vehicle, and hazardous materials out-of-service requirements. The rule is effective July 25, 2017. Contact: Lauri Kunze; DOT, Motor Carrier Transportation Division; 503-986-3171

—Oregon Bulletin (08/23/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 6/20/2017 2:04:19 PM
Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: Tesla crash details emerge — Clearing the decks for infrastructure? — Securing Mar-A-Lago

By Lauren Gardner and Tanya Snyder | 06/20/2017 10:00 AM EDT

With help from Brianna Gurciullo and Stephanie Beasley

TESLA CRASH DETAILS: The NTSB published its factual docket Monday on the deadly Tesla crash in Florida last May that ratcheted up fears about the safety of self-driving car systems. At the time of the crash, suspicions of fault were on the driver and what appeared to be over-reliance on the autopilot system - a theory that appears to be reinforced by data released by NTSB Monday. For the vast majority of the trip - more than 37 minutes - the driver assistance system status was " hands required not detected." A visual warning came on seven times, followed by auditory chimes. The driver's hands were only on the wheel for 25 seconds of that time. At the time of the crash - and even immediately afterward - the car was going 74 mph. In January, NHTSA ruled that Tesla wasn't to blame for the crash.

System failure: Still, NTSB's report revives serious questions about the car's key collision-avoidance features - forward collision warning and automatic emergency braking - which didn't kick in to keep the Tesla from crashing into a tractor-trailer that was turning into its path. The airbags also failed to deploy when the car crashed into the truck, engaging only later, after it ran into a pole. NTSB's information dump Monday contained no conclusions about the crash's cause. But considering industry officials predict that fully autonomous cars will be on the road within two to three years, reports like these will continue to make the public jittery about self-driving cars, which boosters say will reduce fatalities.

'Well, the car didn't stop': A witness interview included in the docket describes how the Tesla kept going, even after the car emerged from under the truck with the driver "flopped" over. At first, the witness said, he thought the Tesla driver had ducked and escaped the crash unscathed - "I just thought he ducked and he was going to stop. Well, the car didn't stop ... I mean, my first thought was it's not stopping." The witness turned around to follow the out-of-control Tesla until it finally drove off the road and into a pole.

IT'S TUESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren and Tanya are sharing MT duties, so please send us tips, feedback and lyrics: tsnyder@politico.com or @TSnyderDC and lgardner@politico.com or @Gardner_LM.

Stickshifts and safetybelts / Bucket seats have all got to go / When we're driving in the car / It makes my baby seem so far / I need you here with me / Not way over in a bucket seat." h/t Bill Higgins, California Association of Councils of Governments

Want to keep up with MT's song picks? We only need four more followers to hit 100 on our Spotify playlist - get listening!

CLEARING THE DECKS? Senate Republicans are planning to vote on a bill to repeal Obamacare next week, provided talks this week go well, POLITICO's Burgess Everett and Jennifer Haberkorn report. Should everything go according to plan, that clears the Senate schedule of one of the GOP's priorities that's keeping an infrastructure plan on the back bench. But remember that a tax code overhaul is still on Republicans' minds as next in line. Senate Majority Leader Mitch McConnell "has made clear to associates he prefers not to let the bill linger so the Senate can turn to funding the government, raising the debt ceiling and rewriting the tax code, according to people that speak with him regularly," per Burgess and Jen.

DHS BILL MANIA ON HOUSE FLOOR: The House is expected to vote today on six homeland security-related bills, including a measure (H.R. 2132) sponsored by Rep. John Katko (R-N.Y.) that would require TSA to devote more resources to responding to individuals who have frequently been selected for additional airport screening. Language from the bill was also included in a DHS authorization bill approved by the House Homeland Security Committee last week and that Chairman Michael McCaul (R-Texas) said might also reach the floor later this month.

Lawmakers take aim at DHS oversight: Also up for a vote is a bill (H.R. 2131) that would establish a DHS-wide policy for investigating employee misconduct and another (H.R. 2283) that would create a DHS employee engagement steering committee. And H.R. 1282 would establish a board to oversee the department's acquisition review process.

DMV CHUGS ALONG ON WMATA SAFETY: FTA is urging 30 states to get moving to meet an April 15, 2019, deadline to establish state safety oversight agencies that comply with new federal requirements, and the Washington region is actually further along than other areas with large rail transit systems, Lauren reports for Pros. Nine states - including Illinois, New Jersey and New York - still haven't passed legislation to ensure their oversight bodies align with requirements outlined in the 2012 highway and transit law that bestowed upon FTA new regulatory powers on safety matters. Regulators are warning states that it takes time to get through the feds' certification process, and that they legally can't funnel transit funds to transit agencies within their borders if they blow the deadline.

NO WAKE ZONE: The Coast Guard is taking public comment on proposed limits on boat traffic near President Donald Trump's Mar-a-Lago resort in Florida, POLITICO's Josh Gerstein writes. The service is suggesting security restrictions in three zones, but only when those requiring Secret Service protection - like the president and the first lady - are visiting the "winter White House."

** **A message from Delta Air Lines:** Delta is committed to raising the standard of air travel. This commitment includes a continued investment in all 80,000 of their employees globally. Learn more at delta.com/dca **

MISSION: CERTIFICATION: The Eno Center for Transportation recommended Monday that the FAA delegate some of its aircraft certification authority to manufacturers. Together with the proposal to spin air traffic control out of the FAA - another Eno priority - this suggestion would

take some authority away from the FAA and hand it over, at least in part, to industry. This would allow the agency to "focus on its core mission: overseeing the safety of the national airspace," Eno said. Eno acknowledges the FAA's "stellar," "impeccable" safety record but says "the aviation industry is rapidly changing and growing, and the FAA is not equipped to respond to these challenges."

KEEP CLIMBING: A Delta Air Lines executive may be in the mix for a Republican seat on the Federal Trade Commission, Pro Technology's John Hendel and Ashley Gold report. Christine Wilson, a senior vice president at the airline, served as chief of staff to former FTC Chairman Tim Muris.

MT MAILBAG: A bipartisan group of nine senators, led by Sen. Deb Fischer (R-Neb.), sent a letter Monday to Transportation Secretary Elaine Chao, asking for her support for the Essential Air Service program, instead of cutting it as the administration proposed in its budget. At a Commerce Committee hearing earlier this month, Chao expressed her disappointment at the way EAS is structured but said she was "working within the administration to see how we can address that" and was "hopeful that I will have a partial solution, very shortly."

- The National Air Transportation Association wrote to House appropriators Monday to reiterate its opposition to splitting up the FAA.

ARRIVALS AND DEPARTURES: Brittany Bramell started this week at TSA as assistant administrator of public affairs after a stint at Uber (h/t POLITICO Playbook). And Mike Joyce recently left the American Trucking Associations.

IT'S NOT GOODBYE: After 14 years as president of the Transportation Trades Department, AFL-CIO, Ed Wytkind will step aside on July 18. TTD plans to hold a reception for Wytkind on that day. MT is staying tuned for word on where he is heading.

THE AUTOBAHN:

- "A new type of drone, neither military nor civilian, is emerging." The Economist.

- "Qatar Airways fires back at Arab neighbors with 'no borders' ad." CNN Money.

- "Baggage fee collections exceed $1 billion in first quarter of 2017." AviationPros.

- "Europe plans to have drone rules in place by 2019." Recode.

- "Flight attendants say angry passengers are creating a big safety problem on planes." Time.

- "Cuomo calls for 'summer of hell' transit discount." Crain's New York.

- "For the business traveler worried about security: you're not alone." The New York Times.

- "UPS to add delivery surcharges for Black Friday, Christmas orders." The Wall Street Journal.

- "Boeing launches new plane as rivalry with Airbus continues." The Wall Street Journal.

THE COUNTDOWN: DOT appropriations run out in 103 days. The FAA reauthorization expires in 103 days. Highway and transit policy is up for renewal in 1,199 days.

** **A message from Delta Air Lines:** Delta believes that doing right by employees is essential to creating an exceptional customer experience. That's why Delta has an industry-leading employee wide profit-sharing program and has increased employee pay by 40% since 2008. Because happier employees lead to happier customers. Learn more at delta.com/dca **

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 11/9/2017 6:04:30 PM
Subject: Playbook Power Briefing, presented by Morgan Stanley: SENATE TAX BILL to delay corporate tax cuts until 2019 -- GOODLATTE to retire -- SCOOP: 1,000-plus ex-Hill staffers sign letter pushing for sex harassment policy overhaul

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Today's Playbook Power Briefing presented by Morgan Stanley

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Thursday afternoon. TAX REFORM UPDATE -- THE MANAGER'S AMENDMENT to the tax reform bill -- a big package of changes -- is expected this afternoon. Ways and Means is expected to pass the bill shortly after that. And the Senate tax bill -- which will be quite different than the House's -- is expected this afternoon.

-- UPDATE ON THE OTHER SIDE OF THE DOME: "Senate tax bill expected to delay corporate rate cut until 2019," by Ben White and Josh Dawsey: "The Senate tax reform bill expected today will likely include a delay in the implementation of a lower corporate tax rate until 2019, two people familiar with the matter said. The change from the House bill, which would institute a 20 percent corporate rate in 2018, is likely to upset President Donald Trump and the White House, which wants the change to happen as soon as possible." http://politi.co/2hnMwAX

THE DOW DROPPED more than 200 points on this news.

DELAYING THE CORPORATE CUT would be a huge problem for many House Republicans. As would dropping the state and local tax deduction. Keep an eye on those two provisions.

-- SUNDAY SO FAR: "Fox News Sunday": Ways and Means Chairman Kevin Brady (R-Texas). Panel: Michael Needham, Julie Pace, Gillian Turner and Charles Lane.

AND... ANOTHER ONE BITES THE DUST -- VIRGINIA REP. BOB GOODLATTE announced this morning that he will not seek reelection. We announced that he would retire a few days ago in Playbook. He was term limited as chairman of Judiciary at the end of the Congress. *His letter*

-- WHAT DOES THIS MEAN -- Republican operatives signaled to us earlier this week that we should expect a number of retirements in the coming days. This week alone, Reps. Ted Poe (Texas), Frank LoBiondo (N.J.) and Goodlatte have all called it quits.

None of those exits are surprising. But we are watching closely if other members make the move after Republicans' disappointing election results on Tuesday.

FIRST IN PLAYBOOK -- More than 1,200 former Capitol Hill staffers have signed a letter asking congressional leaders to overhaul the sexual harassment policies on Capitol Hill. The co-signers urge House and Senate leaders to change its policy to require mandatory harassment training, make counseling available and mediation voluntary if individuals file a complaint with the Office of Compliance. It also asks Congress to survey congressional staff every two years to better understand harassment on Capitol Hill and figure out how well the programs are working, according to the letter organized by Travis Moore with Tech Congress.

In asking former aides to sign onto the effort, Moore wrote that "it would be extremely difficult for current staff to advocate for changes themselves, given the political constraints, some of us decided to organize a letter from former staff asking for reform." *The letter* http://politi.co/2iletA9

SCOOP -- "White House chief of staff tried to pressure acting DHS secretary to expel thousands of Hondurans, officials say," by WaPo's Nick Miroff: "On Monday, as the Department of Homeland Security prepared to extend the residency permits of tens of thousands of Honduran immigrants living in the United States, White House Chief of Staff John F. Kelly called Acting Secretary Elaine Duke to pressure her to expel them, according to current and former administration officials. Duke refused to reverse her decision and was angered by what she felt was a politically driven intrusion by Kelly and Tom Bossert, the White House homeland security adviser, who also called her about the matter, according to officials with knowledge of Monday's events, who spoke on the condition of anonymity to discuss internal deliberations. ... Duke, who was confirmed by the Senate in April, has informed Kelly she plans to resign, said the officials. Hoffman said there is 'zero factual basis' to the claim that Duke has said she'll step down." http://wapo.st/2AozmYg

THE FEUD THAT NEVER ENDS -- STOP ME IF YOU'VE HEARD THIS BEFORE .... "Bannon: Mitch McConnell should resign," by Louis Nelson: "'I'm to the point that I think Mitch McConnell, to really bring unity to the Republican Party and get things done, I think Mitch McConnell ought to tender his resignation,' Bannon, who returned to his job heading the conservative media outlet Breitbart News upon leaving the White House, told Fox News's Sean Hannity on Wednesday. 'What he ought to do is offer to resign as soon as taxes are done. We can't do it in the middle of taxes... Because I've got to tell you, there needs to be a sense of urgency in the Senate.'" http://politi.co/2home1B

HMM -- "Trump voter fraud panel sued by its own member," by Josh Gerstein: "President Donald Trump's beleaguered voter-fraud commission was hit with a new federal lawsuit Thursday, but this time from an unusual source: one of the panel's own members. Maine Secretary of State Matt Dunlap, one of four Democrats on the 11-member board, filed a suit claiming that he's being denied access to the commission's records and effectively frozen out of its activities.

"The suit, which is at least the sixth legal case filed against the panel, comes as questions are swirling about the commission's future and whether the Trump administration might simply abandon the effort. A commission meeting in New Hampshire led to a high-profile dispute between the board's vice chairman, Kansas Secretary of State Kris Kobach, and another panelist, New Hampshire Secretary of State Bill Gardner, over allegations of voting by non-residents in the Granite State's first-in-the-nation primary." http://politi.co/2zpS0C3

ON RUSSIA -- "Russia Twitter trolls deflected Trump bad news," by AP's Ryan Nakashima and Barbara Ortutay: "Disguised Russian agents on Twitter rushed to deflect scandalous news about Donald Trump just before last year's presidential election while straining to refocus criticism on the mainstream media and Hillary Clinton's campaign, according to an Associated Press analysis of since-deleted accounts. Tweets by Russia-backed accounts such as 'America_1st_' and 'BatonRougeVoice' on Oct. 7, 2016, actively pivoted away from news of an audio recording in which Trump made crude comments about groping women, and instead touted damaging emails hacked from Clinton's campaign chairman John Podesta.

"Since early this year, the extent of Russian intrusion to help Trump and hurt Clinton in the election has been the subject of both congressional scrutiny and a criminal investigation by special counsel Robert Mueller. In particular, those investigations are looking into the possibility of collusion between the Trump campaign and the Russians. AP's analysis illuminates the obvious strategy behind the Russian cyber meddling: swiftly react, distort and distract attention from any negative Trump news." http://bit.ly/2yLdwSu

--"He Solved The DNC Hack. Now He's Telling His Story For The First Time," by BuzzFeed's Jason Leopold: "One late morning in May 2016, the leaders of the [DNC] huddled around a packed conference table and stared at Robert Johnston. The former Marine Corps captain gave his briefing with unemotional military precision, but what he said was so unnerving that a high-level DNC official curled up in a ball on her conference room chair as if watching a horror movie.

"At 30, Johnston was already an accomplished digital detective who had just left the military's elite Cyber Command, where he had helped stanch a Russian hack on the US military's top leadership. Now, working for a private cybersecurity company, he had to brief the DNC - while it was in the middle of a white-knuckle presidential campaign - about what he'd found in the organization's computer networks. Their reaction was 'pure shock,' Johnston recalled. 'It was their worst day.'" http://bzfd.it/2hVaTD2

AFTERNOON READ -- MICHAEL GRUNWALD in POLITICO Magazine, **"How Trump Learned to Love the Swamp:** A year after the election he's still campaigning as a populist, but he's governing for the big interests he ran against": "One year after Trump's rhetorical war on elites produced a shocking electoral victory, the president still talks and tweets like a populist, promising lower taxes, better health care and terrific

infrastructure for hardworking families. But ... a review of his executive orders, personnel picks, budget choices and regulatory actions, as well as the legislation he has backed from the White House, show that he has mostly governed as a corporatist, siding with big businesses, wealthy individuals, and the Republican establishment on almost every domestic issue.

"His agenda has neatly fit the playbook of the K Street lobbyists and conservative ideologues he attacked and mocked last year on the campaign trail, pushing to slash funding for nursing homes and student loans, gut rules protecting workers from toxic chemicals, and cut taxes for the rich." http://politi.co/2m8w6xZ

AIR WARS - 45Committee, which is partly backed by Sheldon Adelson and Joe Ricketts, started running TV ads today urging constituents to call Sens. Heidi Heitkamp (D-N.D.), Joe Donnelly (D-Ind.) and Joe Manchin (D-W.Va.) and urge them to support tax reform. The ads are part of an 8-figure campaign, according to a spokesman for the group. *One of the spots* http://bit.ly/2Anmr96

ON THE WORLD STAGE -- "U.K. Minister Resigns Over Unauthorized Meetings With Israeli Officials," by WSJ's Jenny Gross: "The second minister in just over a week resigned from Prime Minister Theresa May's government, as the British leader tried to regain command after a series of blunders by members of her cabinet. Mrs. May summoned Priti Patel, the international development secretary, back to London from an official trip to Uganda after details emerged about unauthorized meetings Ms. Patel had in August and September with Israeli officials, including Prime Minister Benjamin Netanyahu. Mrs. May said in a letter to Ms. Patel that work with Israel should be done 'formally and through official channels.'

"The development is the latest in a quick succession of challenges for Mrs. May, who has struggled to contain political fires and rein in ministers since losing her party's majority in a June election gamble." http://on.wsj.com/2hlDOmN

--"Lebanon believes Saudi holds Hariri, demands return," by Reuters' Laila Bassam and Tom Perry in Beirut: "Lebanon believes Saad al-Hariri is held in Saudi Arabia, from where he resigned as prime minister, two top Lebanese government officials said, amid a deepening crisis pushing Lebanon onto the frontlines of a power struggle between Saudi Arabia and Iran. A third source, a senior politician close to Saudi-allied Hariri, said Saudi Arabia had ordered him to resign and put him under house arrest." http://reut.rs/2jgTatu

--"Saudi Billionaires Look to Move Funds to Escape Asset Freeze," by Bloomberg's Archana Narayanan, Matthew Martin, Zainab Fattah, and Ruth David: https://bloom.bg/2AwIsTF

RAHM EMANUEL and **BRUCE REED** in WaPo, **"Democrats can keep winning:** Just copy (Bill) Clinton": "Fix your party's problems or you'll never fix the country's. ... Show Americans what you're for. ... Leave no vote unturned." http://wapo.st/2zv9QBs

INTERESTING -- "This lawmaker isn't sure that God exists. Now, he's finally decided to tell people," by WaPo's Michelle Boorstein: "On Thursday, [Rep. Jared Huffman (D-Calif.)] will release a statement saying he is a humanist, a loose philosophy based on the idea that humans should work to improve society and live ethically, guided by reason, not necessarily by anything supernatural. While there are some humanist organizations and congregations, generally it describes a worldview, not an affiliation.

"The definition of 'atheism' is simply the absence of belief in any deities. Experts on religious identity in Congress say Huffman seems to be only the second member in contemporary records to describe his ethical system as not being God-based." http://wapo.st/2hmVG0n

****** **A message from Morgan Stanley:** Startup Landit seeks to launch a technology platform that would enable companies to further the success of women in the workplace. Through the Morgan Stanley Innovation Lab, the firm's in-house technology startup accelerator program, Landit was able to access our networks and resources to connect with investors. Read more. ******

PARADISE PAPERS -- "Endowments Boom as Colleges Bury Earnings Overseas: American universities are using offshore strategies to swell their coffers, skirt taxes and obscure investments that could spark campus protests," by NYT's Stephanie Saul: "A trove of millions of leaked documents from a Bermuda-based law firm, Appleby, reflects some of the tax wizardry used by American colleges and universities. Schools have increasingly turned to secretive offshore investments, the files show, which let them swell their endowments with blocker corporations, and avoid scrutiny of ventures involving fossil fuels or other issues that could set off campus controversy. Buoyed by lucrative tax breaks, college endowments have amassed more than $500 billion nationwide." http://nyti.ms/2jbByix

MEDIAWATCH -- "Fox, facing new competitors, clings tighter to Trump," by Jason Schwartz: "The network's new prime-time lineup, featuring [Laura] Ingraham, Sean Hannity and Tucker Carlson, who was added in April, forms a three-hour nightly block of solid Trump cheerleading. Factor in the Trump-friendly morning show, 'Fox & Friends,' on from 6 a.m. to 9 a.m., and during the network's most-watched hours, seldom is heard a discouraging Trump word.

"'I've read the stories about how the Murdochs have soured on Donald Trump, but you would not know it from their programming decisions,' said Charlie Sykes, the longtime conservative radio host and MSNBC contributor. 'It certainly reflects the business model of conservative media right now. Pro-Trump viewers want a safe space. They want a reliable outlet that will defend the president and attack his critics and Fox has apparently decided that it's going to give them that.'" http://politi.co/2hnv0wM

COMING ATTRACTIONS - JAKE TAPPER will host the third annual Veterans Awards Jan. 20 at the Mayflower.

RET. ADM. MIKE MULLEN, J.D. VANCE, RICHARD HAASS, and **JOE KLEIN** are among the advisory board members of a new organization that launched today called With Honor that is recruiting post-9/11 veterans to run for Congress.

VALLEY TALK -- "Uber whistleblower Susan Fowler has a book deal" - AP: "Viking told The Associated Press on Thursday that it had acquired a memoir by Susan Fowler. The book is currently untitled and a release date has not yet been determined. Fowler is an engineer based in the Bay Area who in February detailed how she was propositioned by her boss at Uber and her complaints to human resources were ignored." http://bit.ly/2hWZ8vN

TRANSITIONS -- Rachel Nagler, who has spent six years heading communications for Bloomberg Businessweek, is moving to lead communications at Bloomberg Philanthropies. ... **Jason Phelps** has started as national press secretary for Giffords, formerly Americans for Responsible Solutions. He previously was communications director for Rep. Derek Kilmer (D-Wash.). ...

... Bart Oosterveld has been named the new director of the global business and economics program and the C. Boyden Gray Fellow on global finance and growth at the Atlantic Council. He most recently was managing director and chief credit officer for the Americas at Moody's Investors Service. ... **Todd Davenport** has joined Buckley Sandler as chief of communications and client development. He most recently led communications and marketing at Promontory Financial Group, and was previously an editor and columnist at the American Banker.

SPOTTED: Sens. Todd Young (R-Ind.) and Jeff Merkley (D-Ore.) getting the Humanitarian Hero Awards last night from Mercy Corps last night at the Whittemore House in Dupont Circle

OUT AND ABOUT -- SPOTTED at last night's D.C. premiere at the Newseum of HBO's upcoming documentary "The Newspaperman: The Life and Times of Ben Bradlee," hosted by Richard Plepler and Sally Quinn: Carl Bernstein, Bob Woodward, Reps. Nancy Pelosi (D-Calif.) and Debbie Dingell (D-Mich.), Sen. Ed Markey (D-Mass.) and Susan Blumenthal, John Maggio, Richard Cohen, Peter, George, and Teddy Kunhardt, Quinn Bradlee, Wolf Blitzer, Chris Dodd , Robert Kaiser, Tammy Haddad, Laura Meckler, Peter Nicholas, Fred Ryan, Ruth Marcus, Bob Costa, Patrick Steel, Hilary Rosen, Fred Hiatt, Polson Kanneth, Maureen Orth, Tony Kornheiser, Len Downie, David Simon, Sheila Johnson, Bob Barnett, Annie Linskey, Ryan Williams, Kellie Meyer, Michael Falcone, Ruby Mellen and Meridith McGraw.

SPOTTED at the kickoff last night of the new Jewish Democratic group JDCA, which is being run by Steve Rabinowitz, Fran Katz Watson, Aaron Keyak and Lauren France: House Minority Leader Nancy Pelosi (*pic* http://politi.co/2yoFCyr), Israeli Amb. to the U.S. Ron Dermer, Sens. Bob Casey (D-Pa..), Maria Cantwell (D-Wash.), Ben Cardin (D-Md.), Michael Bennet (D-Colo.), Sherrod Brown (D-Ohio), Tim Kaine (D-Va.), Chris

Murphy (D-Conn.), Debbie Stabenow (D-Mich.), and Chris Van Hollen (D-Md.), House Minority Whip Steny Hoyer, Reps. Charlie Crist (D-Fla.), Eliot Engel (D-N.Y.), Joe Kennedy III (D-Mass.), Nita Lowey (D-N.Y.), Jerry Nadler (D-N.Y.), Jared Polis (D-Colo.), Debbie Wasserman Schultz (D-Fla.) and Brad Sherman (D-Calif.).

****** **A message from Morgan Stanley:** How can technology help drive success? In the Morgan Stanley Innovation Lab, our in-house technology startup accelerator program, startup Landit seeks to use their tech platform to enable companies to further the success of women in the workplace. One of five startups participating in the program, Landit believes the partnership has the potential to accelerate their curve and expand their opportunities. "Only a small fraction of all venture capital money is given to multicultural and women entrepreneurs," explains Carla Harris, a Vice Chairwoman of Morgan Stanley and Head of its Multicultural Client Strategy Group. "Meanwhile, Morgan Stanley is a leader at the intersection of what these companies need: capital, connections, and investment banking content. We have the resources, access to relationships, and the expertise that can help refine these businesses and hopefully attract capital to scale up in size." Read more. ******

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TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 26, 2017

Latest News

Backing EPA's SEP Policy, DOJ Seeks To Ease Fears Over Settlement Bar

The Justice Department (DOJ) is seeking to ease fears that Attorney General Jeff Sessions' recent memo barring third-parties from receiving monetary payments in legal settlements will undercut EPA's popular supplemental environmental projects (SEPs), saying that projects that comply with EPA policy, which already prohibits third-party payments, will not be affected by Sessions' memo.

Court Urged To Reject EPA 'Determination' In Novel Water Standards Suit

Environmentalists are urging a federal court to reject EPA's recent "determination" that changes to California's rules during the state's drought did not amount to a change in water quality standards (WQS), in a bid to set a precedent that could expand the universe of state water rules that are subject to mandatory federal review under the Clean Water Act (CWA).

Beech-Nut Resists Cleanup UAO, Posing Rare Test For EPA Superfund Power

Baby food manufacturer Beech-Nut Nutrition Company is taking the rare step of refusing to comply with a unilateral EPA order to clean up a contaminated property it once owned, prompting a risky legal fight under the Superfund law, though one source says the company's actions suggest an "aggressive posture" that could be emboldened by signs of eased enforcement from the Trump administration.

Nanotech Sector Urges Trump EPA To Delay, Revise TSCA Reporting Rule

Nanomaterial users and producers are urging the Trump EPA to further delay and overhaul an Obama administration nanotech reporting rule, arguing that the agency's recent draft guidance on the rule fails to adequately clarify compliance obligations and saying EPA's delays of other Obama-era rules help to justify their request on the nano rule.

Latest EPA Drafts Of ETBE, TBA Assessments Maintain Risk Estimates

The Trump EPA has released updated draft Integrated Risk Information System

(IRIS) assessments for two petro-fuels chemicals that include only minor differences from earlier drafts released last year by the Obama administration, a finding that is likely to disappoint industries that have lobbied EPA to drop the assessments.

Daily Feed

Court denies rehearing on Puerto Rico cities' coal ash bans

The 1st Circuit let stand a decision that blocked local governments' ability to ban coal ash disposal after state regulators issue rules allowing the practice.

D.C. Circuit sets argument in Trump '2-1' order lawsuit

Judge Randolph Moss schedules Aug. 10 arguments in litigation over President Trump's order that requires EPA to repeal two rules for every new measure issued.

EPA unveils highly anticipated TSCA framework rules

EPA releases it TSCA framework rules for “existing” chemicals.

Judge signals looming decision on CWA coal ash appeal timing

A federal district court judge could soon decide whether a fight over Clean Water Act restrictions on coal ash disposal will move quickly to appellate court.

Excess nutrient levels seen nationwide

In today's Ewire: From the Gulf of Mexico, to the Chesapeake Bay and beyond, concerns are growing nationwide about excess nutrient levels -- though the issue appears to be on EPA's backburner.

D.C. Circuit sets argument in ozone implementation rule suit

The U.S. Court of Appeals for the District of Columbia Circuit will hear argument Sept. 14 in litigation over the Obama EPA's rule for implementing the 2008 ozone air standard.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 7/25/2017 2:35:44 PM
Subject: POLITICO's Morning Transportation, presented by American Public Transportation Association: PFC watch — NTSB meets on grade-crossing crash — Out with the old

By Lauren Gardner and Stephanie Beasley | 07/25/2017 10:00 AM EDT

With help from Kathryn A. Wolfe

HEADS UP: The Senate Appropriations subcommittee in charge of transportation spending will mark up its draft fiscal 2018 funding bill today, and according to an action alert distributed by the American Association of Airport Executives and obtained by POLITICO, the mark may contain a long-sought hike for the cap on Passenger Facility Charges. The group says they're expecting the draft to raise the cap from $4.50 to $8.50 - along with a $250 million bump for the Airport Improvement Program, with some caveats. The alert calls on members to press their senators to keep the language, as the "airlines and their allies are already hard at work trying to make sure any proposed PFC increase is defeated soundly."

Someone else got the message: Americans for Tax Reform reiterated its opposition to a fee hike in a letter to appropriators Monday. Read it here.

Check's in the mail: Based on that subcommittee's recent hearing on transportation spending, we're expecting some big differences (per usual) from the House measure. For one, don't expect subcommittee cardinal Susan Collins (R-Maine) to sacrifice the TIGER grant program, which has been consistently funded at the $500 million mark annually, for other priorities - she's on-record as a big booster of the program despite the Trump administration's desire to do away with it. That being said, we'll be looking for the panel to propose some way - as the House did - to send a chunk of money to the Gateway program, a top priority for Senate Minority Leader Chuck Schumer (D-N.Y.) and other Northeast lawmakers. While the Senate subcommittee has a few billion more to play with than the House did at about $60.1 billion total, keep in mind this bill also has to fund housing programs.

Trains and planes: Collins has been historically friendly to Amtrak, which has a state-supported route running through her home state, and to transit grant programs. Once the text is released (later this week, after the full committee marks up on Thursday), we'll be watching for how the committee words DOT's responsibilities for carrying out the Capital Investment Grant program, which the administration has suggested winding down. And the Essential Air Service, another rural-focused program Trump proposed for the chopping block, is unlikely to be slashed dramatically, if at all.

About that recess ... : Meanwhile, House GOP appropriators are agitating for leadership to delay the August recess so the chamber can consider a trillion-dollar omnibus spending package catering to the party's base, POLITICO's Rachael Bade, John Bresnahan and Sarah Ferris write. "If leadership decides to reverse course and pursue a full GOP spending package, it's likely the House will stay in session for another week, delaying the first week of recess," they report.

IT'S TUESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren is in the MT driver's seat with Steph, so please send along tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

"They call me Baby Driver/And once upon a pair of wheels/I hit the road and I'm gone/What's my number?/ I wonder how your engines feel."

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with tunes (picked by us and readers) that are all about flying, driving, commuting and sailing?

NTSB MEETS ON GRADE-CROSSING CRASH: The NTSB meets this morning to determine the probable cause of a 2015 train crash in suburban New York that killed five Metro-North passengers and the driver of an SUV that had stopped on the tracks at a grade crossing. The meeting has been a long time coming - NTSB investigations typically take between 12 months and 18 months to complete, and this one clocks in at nearly 18 - and The Journal News has a primer here with background and some things to expect. Sarah Feinberg, the most recent FRA administrator, focused a significant portion of her tenure on improving safety at grade-crossings. Ron Batory, who's been nominated as her successor for the Trump administration, appears before the Senate Commerce Committee Wednesday, and we wouldn't be surprised if someone like Sen. Richard Blumenthal (D-Conn.) decides to interrogate him about how he plans to address NTSB's recommendations for improving rail safety (in this case or for any number of train accidents that have happened in the last few years - including many in his state).

WAY BETTER DEAL? Congressional Democrats unveiled their "Better Deal" agenda (which House Republicans wasted little time ripping for sounding a lot like Speaker Paul Ryan 's "Better Way" platform) Monday in exurban Northern Virginia. They vowed to propose at least one more infrastructure-focused policy idea in the coming weeks that could be bolted onto the $1 trillion plan Senate Democrats unveiled months ago. "Now, in future weeks we'll offer additional ideas, from rebuilding rural America to fundamentally changing our trade laws to benefit workers, not multinational corporations," Schumer said. House Minority Leader Nancy Pelosi (D-Calif.) also couldn't resist dinging President Donald Trump for not yet following through on his infrastructure pledge. "We are here with no jobs bill, no infrastructure bill, no tax reform legislation, no plan to avert the debt default," she said.

** **A message from American Public Transportation Association:** Public transportation is a vital part of an integrated transportation network that drives our economy forward, creating 50,000 jobs for every $1 billion invested. Without public transit, America simply can't move forward. And in order to improve our public transportation systems, states and localities need continued federal investment. Learn more at APTA.com/InvestNow. **

OUT WITH THE OLD ... : Transportation Secretary Elaine Chao on Monday appointed David Horner and Steve McMillin to the board of directors for the Washington Metropolitan Area Transit Authority, replacing two Obama-era appointees that had not finished their terms, our Brianna Gurciullo reports . Horner is a partner at Hunton & Williams and focuses on public-private partnerships. McMillin is a partner at U.S. Policy Metrics and former deputy director of

the Office of Management and Budget. The two take over for Carol Carmody and David Strickland, both former federal transportation safety officials and both appointed to multi-year terms last year by former DOT Secretary Anthony Foxx. They were asked to step down from their positions as two of the board's eight voting members.

Chao's stamp: Board members told the Washington Post that they were aware of Chao's plans to make the switch this week. Chao said in a statement that she was pleased to have appointed two "distinguished and experienced individuals" who would help "improve the performance and reliability of this vital transit system in the nation's capital." However, former Metro Special Advisor Katie Thomson (who was also appointed by Foxx) said replacing former NTSB member Carmody, in particular, was a "huge mistake" if safety was a priority for DOT.

TOOT TOOT: Tugboats, towboats and barges are moving about 763 million tons of cargo and generating more than $33.8 billion in gross domestic product, according to a new study from the American Waterways Operators and Pricewaterhouse Coopers highlighting the importance of waterway infrastructure. AWO has been pressing lawmakers to include funding for inland and coastal waterway repairs in any infrastructure package that might be developed over the next year. The group also has pressed Congress to pass legislation that would put the U.S. Coast Guard in charge of determining how commercial vessels should get rid of wastewater, the American Waterways Operators said. The group issued a list of policy priorities that included passage of the Commercial Vessel Incidental Discharge Act (S. 168 (115)) - a bill introduced by Sen. Roger Wicker (R-Miss.) that would give the Coast Guard authority to consolidate and issue new federal regulations for ballast water discharge standards.

MT MAILBAG: The U.S. Chamber of Commerce sent House Energy and Commerce leaders a letter Monday voicing support for their draft self-driving vehicle bill, which a subcommittee approved last week. "This legislation is a critical step towards capitalizing on the opportunities of this technology as long as it continues to be technologically neutral, promote coordination in legislation, and support innovation and market competition," Chamber reps wrote to committee Chairman Greg Walden (R-Ore.) and ranking Democrat Frank Pallone of New Jersey.

SHIFTING GEARS: The National Restaurant Association has hired Jessica Falborn as a senior adviser and Adam Hasley as director of advocacy research and insights. Roy Charles Brooks, the commissioner of Texas' Tarrant County, is now president of the National Association of Counties.

THE AUTOBAHN:

- "New York Rail Design Cited for Boosting Death Toll in 2015 Crash." Bloomberg.

- "New distracted driving law in Washington makes it illegal to hold phone while driving." USA Today.

- "U.S. charges driver after dead discovered in stifling truck in Texas." Reuters.

- "Iowa firm tied to truck deaths has history of legal problems." The Associated Press.

- "NASA has a way to cut your flight time in half." Bloomberg.

- "The TSA is fighting United on Twitter over ... comic books?" New York Magazine.

THE COUNTDOWN: DOT appropriations run out in 67 days. The FAA reauthorization expires in 67 days. Highway and transit policy is up for renewal in 1,163 days.

** **A message from American Public Transportation Association:** Our nation's public transit systems do more than carry Americans to work-they're a critical part of an integrated transportation network that drives our economy forward. That's why states and localities have partnered with the federal government for more than 35 years to repair and expand services. But President Trump's budget would eliminate funding for vital public transportation projects-and put 800,000 jobs at risk, including more than 500,000 construction-related jobs. Communities can't improve public transportation alone. To protect our future, we need continued federal investment in public transportation. Congress: Fully fund the FAST Act, and include public transportation in any infrastructure bill. Visit APTA.com/InvestNow to learn more. **

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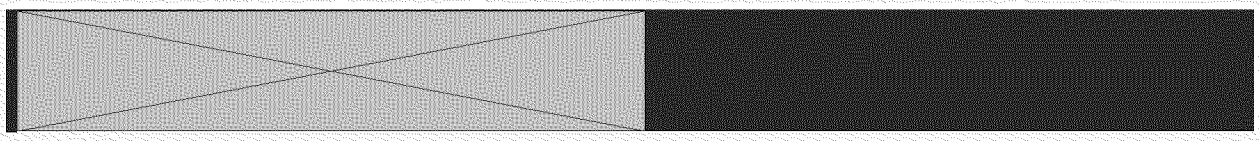
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Special Counsel Lerner leaves office as Trump rejects highly praised whistleblower advocate

By Joe Davidson

Shirine Moazed and Elizabeth McMurray (L-R) look on as Special Counsel Carolyn Lerner hands whistleblower James Parsons an honorary award in 2012. Parsons works at the Dover Mortuary. The whistleblowers' case resulted in major changes in the way soldiers' remains are treated at the Dover Air Force Base mortuary. (Photo by Daniel C. Britt / The Washington Post)

The defining moment for the Office of Special Counsel (OSC) after Carolyn Lerner became head of the agency was a gruesome one about body parts and a dismembered Marine.

It's not the usual fare for the office on M Street NW that deals with Hatch Act violations and prohibited personnel practices. But protecting whistleblowers is where OSC makes its reputation — as in the 2011 case involving the Defense Department's Port Mortuary in Dover, Del.

Soon this little but powerful office will have a new special counsel. Rejecting the advice of Republicans and Democrats to keep Lerner, President Trump has nominated Henry Kerner to take her place. He is a former Republican congressional staffer and currently assistant vice president at the Cause of Action Institute, a small-government advocacy organization.

Lerner, who leaves office on June 14, had been on the job only a few months when she revealed reports by federal employees of grisly transgressions at the morgue operated by the Air Force. Body parts were lost in two cases, and in another, the office reported that the mangled body of a Marine "was dismembered with a saw in order to make the body fit inside a military uniform, without the consent or notification of the family."

With a staff that wouldn't begin to fill one Pentagon hallway, Lerner humbled and embarrassed the Defense Department, the government's largest agency. Lawmakers were appalled. The Air Force secretary at the time

expressed his sincere “regret” for “lapses in our standards at Dover,” a non-apologetic understatement.

The action of the Office of Special Counsel — no relation to a special prosecutor or to Robert S. Mueller III, the special counsel investigating Russian meddling in the 2016 presidential election — secured mortuary reforms and protected the employees who were targets of Air Force retaliation.

“I think that we have sent the federal community a message that whistleblowers should be valued,” Lerner said Monday in her office overlooking St. Matthew’s Cathedral. “Whistleblowers now feel comfortable coming forward, and that is helping our government.”

The Port Mortuary case “really helped the federal community understand that OSC was robust enforcer of whistleblower laws,” she added.

Considering the widespread retaliation against federal whistleblowers, her assessment of their comfort might be optimistic, but there is no doubt that the Office of Special Counsel is a more robust agency than the moribund place they found before she got there.

It moved “from last-resort option to first choice for getting relief for whistleblowers,” said Tom Devine, legal director of the Government Accountability Project, a whistleblower advocacy organization.

Relief for individual whistleblowers also can mean systemic improvements for federal agencies and taxpayers. The Department of Veterans Affairs is the obvious example. Congress approved VA improvements following a 2014 scandal over the coverup of long patient wait times, which was revealed by whistleblowers. Whistleblower disclosures also led to a new overtime pay system for Border Patrol agents. Lerner’s office was instrumental in both.

Devine’s strong praise for OSC is not unqualified. “The bad news is they operate at a molasses pace” in some instances, he said. He added that he would like Lerner to be more aggressive about taking legal action against federal agencies that violate whistleblower rights.

Despite the slow pace, agency statistics show impressive gains. There were 276 favorable actions for whistleblowers and other victims of PPPs.

Ironic criticism comes from James J. Wilson, the agency’s chief human capital officer. He filed a whistleblower retaliation complaint against Lerner with the Merit Systems Protection Board after failing to find success before the Council of the Inspectors General on Integrity and Efficiency. Regarding his complaints to the council, Wilson, who previously filed grievances against former employers at two other agencies, signed an affidavit saying, “I received final decisions closing these four matters with no further action being taken.”

Whatever the criticism of Lerner, it is outweighed by praise from whistleblowers and members of Congress.

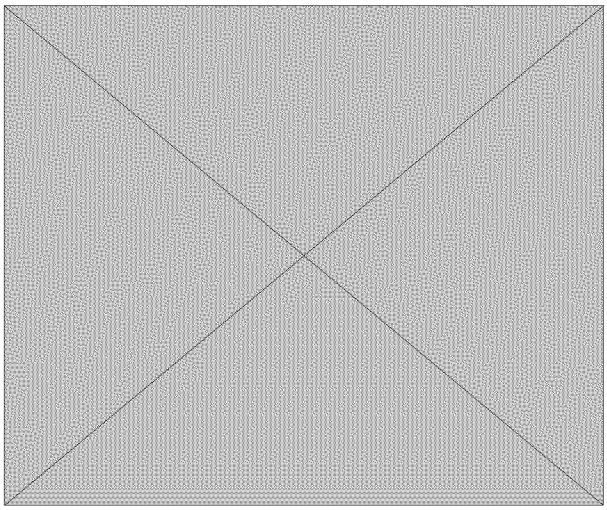
“She’s fearless,” Robert MacLean, an air marshal whistleblower, told me earlier this year. His was the first federal whistleblower case heard by the Supreme Court and MacLean credits his victory largely to work done by OSC.

Unusual in this era of hyper-polarization, she is lauded by both sides of the aisle.

“Leading the Office of Special Counsel requires a deep appreciation for the patriotic work that whistleblowers do to shine a light on fraud or misconduct in government. Carolyn Lerner has been a steadfast advocate for government whistleblowers, and I am grateful for her service at OSC,” said

[prohibited personnel practices] this past year, more than double the annual average," the office said in its budget justification to Congress. "In the last two years, OSC has achieved *five* times the number of favorable actions in whistleblower retaliation complaints than in any prior two-year period in agency history…. In FY 2016, for the second straight year, OSC received upwards of 6,000 new matters, a 25 percent increase over the prior two-year period."

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Sen. Charles E. Grassley (R-Iowa), chairman of the Senate Judiciary Committee. "Her leadership should be a road map for future leaders of this office."

The Senate Whistleblower Protection Caucus, founded by Grassley and Sen. Ron Wyden (D-Ore.), had urged the Trump administration to retain Lerner.

"I am disappointed the president chose not to take Sen. Grassley's and my recommendation to renominate Carolyn Lerner, who is an experienced leader with bipartisan support," said Wyden.

It's also bicameral. Before Trump's decision, Rep. Rod Blum (Iowa), Republican chairman of the House Whistleblower Protection Caucus, led a bipartisan House letter saying Lerner deserved another term. Among those who signed was Rep. Elijah Cummings (Md.), the ranking Democrat on the House Oversight and Government Reform Committee.

Lerner turned the Office of Special Counsel "into a model agency and set the bar as the head of that office," Cummings said by email Monday. "She

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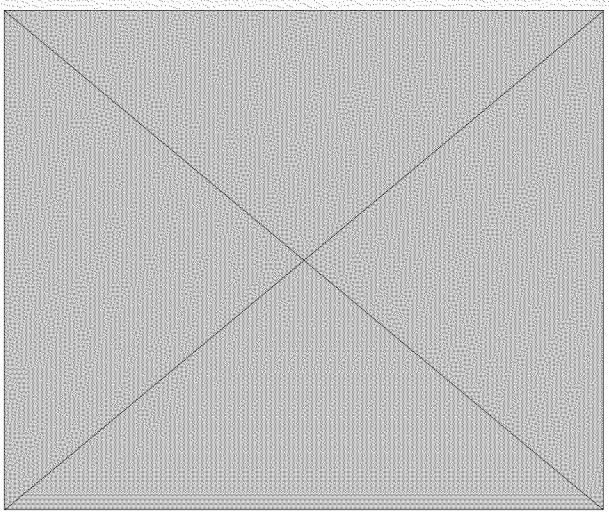
served with independence and tenacity to hold agency officials accountable when they retaliated against whistleblowers."

Read more:

[Trump's new VA office to help fire feds faster also could hurt, not protect, whistleblowers]

[Energy Department whistleblower finally gets justice, despite agency neglect]

[Trump withdraws reappointment nomination of popular whistleblower advocate]



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From: InsideEPA.com/climate
Sent: Wed 6/28/2017 9:34:08 PM
Subject: Exclusive: Carper Weighs Bipartisan Letter Seeking Talks On 2030 Vehicle GHG Rules

June 28, 2017

EXCLUSIVE

Carper Weighs Bipartisan Letter Seeking Talks On 2030 Vehicle GHG Rules

Sen. Tom Carper (D-DE) is said to be in the early stages of developing a bipartisan letter that could urge the Trump administration to negotiate light-duty vehicle greenhouse gas and fuel economy limits out to 2030 -- potentially offering an eased political path to giving automakers some flexibility in current rules through 2025 in exchange for continued progress in later years.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 6/30/2017 5:10:16 PM
Subject: Playbook Power Briefing, presented by the Coalition for Affordable Prescription Drugs (CAPD): TRUMP meets with South Korea's president, will visit country later this year -- Germany approves same-sex marriage -- JAKE and ANNA on 'This Week' on SUNDAY

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Today's Playbook Power Briefing presented by the Coalition for Affordable Prescription Drugs (CAPD)

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

THIS MORNING was a perfect encapsulation of what drives Republicans in Washington absolutely nuts. **PRESIDENT DONALD TRUMP** tweeted this morning: "If Republican Senators are unable to pass what they are working on now, they should immediately REPEAL, and then REPLACE at a later date!" **TOP REPUBLICANS** considered and dismissed this idea a long time ago. They've proceeded on another track, which is a simultaneous repeal and replace of Obamacare that was actually pushed by many conservatives, and embraced by Trump.

BUT TRUMP has revived the repeal then replace strategy - without telling GOP leaders. The hurdles are plentiful: Republicans hardly have any idea what their replace would look like in this context. There are procedural issues. The politics of repealing now and replacing later is tricky - Republicans got walloped for a half-dozen years for repealing and not replacing. This episode is yet another example of the shifting winds that drive Republicans crazy.

-- SNEAK PEEK from **@mikedebonis** of WaPo, who interviewed Ways and Means Chairman Kevin Brady (R-Texas) today for CSPAN's "Newsmakers." Brady essentially says isn't happening. http://bit.ly/2us7Vtv

ALSO -- It almost doesn't matter what Trump says on this, since he doesn't really have control of congressional strategy.

FIRST TIME IN A LONG TIME? NOT WHAT WE HEAR! -- @realDonaldTrump at 8:55 a.m.: "Watched low rated @Morning_Joe for first time in long time. FAKE NEWS. He called me to stop a National Enquirer article. I said no! Bad show."

BEHIND THE SCENES -- GABE SHERMAN in **N.Y. MAGAZINE:** "In mid-April, Scarborough texted with Trump son-in-law Jared Kushner about the pending Enquirer story. Kushner told Scarborough that he would need to personally apologize to Trump in exchange for getting Enquirer owner David Pecker to stop the story. (A spokesperson

for Kushner declined to comment). Scarborough says he refused, and the Enquirer published the story in print on June 5, headlined 'Morning Joe Sleazy Cheating Scandal!'" http://nym.ag/2sZo77A

-- WHAT THE WHITE HOUSE THINKS: "Conway: Media coverage of Trump 'neither productive nor patriotic,'" by Louis Nelson: "Counselor to the president Kellyanne Conway said Friday that she supports President Donald Trump's use of social media to attack his opponents, especially when so much of the media coverage of him is 'neither productive nor patriotic.' ...

"'I like the fact that the president uses social media platforms to connect directly with Americans and in this case, what [White House spokeswoman] Sarah Sanders said yesterday is true, that the president normally does not draw first blood. He is a counterpuncher as he said on the campaign trail,' Conway said. 'There are personal attacks about his physicalities, about his fitness for office. He's called a goon, thug, mentally ill, talking about dementia, armchair psychologists all over television every day. 'It doesn't help the American people to have a president covered in this light,' she continued. 'I'm sorry. It's neither productive nor patriotic. The toxicity is over the top.'" http://politi.co/2sYVqbc

-- @AaronBlake: "Kellyanne Conway saying tough media coverage isn't 'patriotic' is a hugely dangerous thing to say"

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study projects pharmacy benefit managers (PBMs) will save Medicare Part D $896 billion over ten years. PBMs drive savings for taxpayers and seniors by negotiating discounts from drug manufacturers; by encouraging the use of lower cost, clinically equivalent drugs; and by providing clinical programs that improve health outcomes. Learn more at affordableprescriptiondrugs.org ******

HERE'S JARED -- "Jared Kushner Told Joe Scarborough: Talk to President Trump About 'Enquirer' Dirt," by The Daily Beast's Lachlan Markay and Asawin Suebsaeng: "On Friday, MSNBC hosts Mika Brzezinski and Joe Scarborough made the explosive claim that three of President Donald Trump's most senior White House aides 'warned' the couple that the tabloid The National Enquirer would publish dirt on them unless they "begged" the president to intervene. The Morning Joe co-hosts declined to name the multiple White House officials involved in this bizarre, ongoing feud. But one of those 'top White House staff members' was senior advisor and Trump's son-in-law Jared Kushner, two White House officials confirmed to The Daily Beast.

"According to these officials, Kushner and Scarborough had spoken 'many weeks ago' regarding a then upcoming negative Enquirer article on Scarborough and Brzezinski. Scarborough had 'calmly sought' advice from Kushner, who 'recommended he speak with the president.' But White House sources' accounts of the conversation differed from Scarborough's description and suggestions of more sinister interactions. No hostile threat or attempt at blackmail was made, according to these officials."

http://thebea.st/2u7pvnd

PLAYBOOK POLL -- ANY GUESSES on who is the Trump campaign official Joe and Mika wrote in their WaPo op-ed had complained about their boss' "erratic behavior" and is "as close to the Republican candidate as anyone"? ***Take our anonymous Playbook poll:*** http://bit.ly/2tsxLAi

TRUMP'S MEETING WITH THE SOUTH KOREAN PRESIDENT -- President Trump greeted South Korean President Moon Jae-in outside the White House a little after 10:15 a.m., and the pool was quickly ushered into the Oval Office.

-- PRESIDENT TRUMP: "We are renegotiating a trade deal right now with South Korea, and hopefully it will be an equitable deal. It will be a fair deal for both parties. It's been a rough deal for the U.S., but I think that it will be much different and will be good for both parties," per pooler Anita Kumar of McClatchy. The president also addressed North Korea, saying "we have many options with respect to North Korea." The pair later gave a joint statement in the Rose Garden.

TRUMP is going to South Korea this year, according to President Moon Jae-In.

JAKE and **ANNA** will be on **ABC's "This Week"** Sunday from Washington.

-- TONIGHT ON PBS's Washington Week, hosted by Robert Costa: The New York Times' Yamiche Alcindor, Vox's Sarah Kliff, CBS News' Nancy Cordes and TIME's Michael Scherer.

JARED and **IVANKA** appear to be heading out of town. http://dailym.ai/2survUv

D.C. SUMMER CAMP - DANIEL'S POSTCARD FROM ASPEN IDEAS FESTIVAL - Theo Padnos, the freelance journalist who was in captivity for years in Syria, yesterday told David Bradley (who helped with securing his release) to describe when he knew he was in trouble: "There is no marker on the ground. When you cross into that dangerous place, you don't see it until it's much too late. I didn't know what was going on until they were hitting me in the face and I heard somebody say ... 'bring the handcuffs.' And 'where is your pistol?' And I was like: This isn't good. [Laughter] It's a very invisible and hard to detect change and by the time you notice it, it's too late."

-- JULIA IOFFE, an Atlantic staff writer, on a national security panel with David Petraeus and Peter Feaver yesterday: "Trump has been in our lives for about two years. Can we please stop with the battered girlfriend syndrome? ... [T]his constantly waiting for him to become another man at age 70-something, it's just not going to happen. He'll get the nomination, he'll become more presidential. OK. He'll win, he'll become more presidential. Never mind. Once he's inaugurated, he'll certainly become more presidential because he's the president in fact. No, it doesn't happen. The learning curve is steep because throughout his seven decades on this earth, he's been profoundly incurious about the world in which he lives. On which we all live,

unfortunately, with him."

-- SPOTTED IN ASPEN: David Petraeus having dinner last night at American bistro Element 47 in the Little Nell hotel. David Bradley dined at a separate table outside.

-- PETRAEUS ASPEN INTERVIEW - Daniel yesterday interviewed former CIA director Gen. David Petraeus for a Facebook Live video, asking him about ISIS, Syria, Afghanistan and how he would respond if he was asked to serve in the Trump administration: http://bit.ly/2t9dqy0

IN GERMANY -- "Germany's Bundestag passes bill on same-sex marriage," by Deutsche Welle's Timothy Jones: "The German parliament, or Bundestag, on Friday passed a bill legalizing same-sex marriages in a snap vote that made it onto the agenda before the summer break after a surprise shift by Chancellor Angela Merkel. The bill passed by 393 to 226, with four abstentions. Merkel herself voted against the bill, although her comments helped bring it about.

"However, more than 70 members of Merkel's conservative bloc must have voted in favor of the bill for it to pass. Merkel later explained her 'no' vote by saying that she understood the definition of marriage in the German constitution as referring solely to unions between men and women. She said, however, that she hoped the vote to approve gay marriage would lead to 'more social peace.'" http://bit.ly/2txNcbv

HMM... -- @EricHolder: "To the career men & women at DOJ/FBI: your actions and integrity will be unfairly questioned. Be prepared, be strong. Duty. Honor. Country." ... **@blakehounshell:** "Mysterious 3 a.m. tweet from former attorney general. What's he warning about?"

AFTERNOON READ -- "The Short, Unhappy Life of a Libertarian Paradise," by Caleb Hannan in the July/August issue of POLITICO Magazine: "For a city, like the country at large, that was hurting economically, Steve Bach seemed like a man with an answer. What he promised sounded radically simple: Wasteful government is the root of the pain, and if you just run government like the best businesses, the pain will go away. Easy. Because he had never held office before and because he actually had been a successful entrepreneur, people were inclined to believe he really could reinvent the way a city was governed.

"The city's experiment was fascinating because it offered a chance to observe some of the most extreme conservative principles in action in a real-world laboratory. Producers from '60 Minutes' flew out to talk with the town's leaders. The New York Times found a woman in a pitch-black trailer park pawning her flatscreen TV to buy a shotgun for protection [http://nyti.ms/2ursZAj]. 'This American Life' did a segment [http://bit.ly/2t8XWKe] portraying Springs citizens as the ultimate anti-tax zealots, willing to pay $125 in a new 'Adopt a Streetlight' program to illuminate their own neighborhoods, but not willing to spend the same to do so for the entire city. ...

"But it has been five years since 'This American Life' packed up its mics. A lot has changed in that time, not least of which is that the local economy, which nearly drowned the city like a concrete block tied around its balance sheet, is buoyant once again. Sales tax revenue has made the books plump with surplus. Enough to turn those famous streetlights back on. Seven years after the experiment began, the verdict is in-and it's not at all what its architects planned. One of the lessons: There's a real cost to saving money." http://politi.co/2txtblg

REMINDER FOR THE FOURTH -- "Here Are Some of the Worst Fireworks-Related Injuries Ever Recorded," by Gizmodo's Ryan Mandelbaum http://bit.ly/2ty6gWV

TRANSITIONS -- Tom Perriello, the former congressman and gubernatorial candidate from Virginia, joined Win Virginia -- a PAC looking to elect Democrats to Virginia's House of Delegates -- as CEO.

WELCOME PARTY -- The Ambassador of the Kingdom of Belgium, Dirk Wouters and Mrs. Katrin Wouters last night hosted at their Foxhall Road residence a welcome to the neighborhood party for American University President Sylvia Burwell. **SPOTTED:** Ambassador of Cyprus and Mrs. Diane Konstantinidi, Ambassador of Afghanistan and Mrs. Lael Mohib, Susan Rice and Ian Cameron, Coach Kathy Kemper, Ambassador of Austria and Mrs. Gudrun Waldner, Ambassador of Kazakhstan and Mrs. Kazykhanov, Rep. Debbie Dingell (D-Mich.), Greg Myre, Ann and Lloyd Hand, Ambassador of Switzerland and Mrs. Anita Dahinden, Ambassador of the Principality of Liechtenstein and Mrs. Jaeger, Al Hunt, Alphonso and Marcia Jackson.

OUT AND ABOUT -- Democracy Fund celebrated its third anniversary last night with an Independence Day party on the rooftop of its downtown office. Guests enjoyed red, white and blue sunglasses, specialty cocktail "Americana" and ice pops. **SPOTTED:** Democracy Fund's Joe Goldman, Lauren Strayer and Karla McLean, Ashley Spillane, Mo Elleithee, Adrienne Elrod, Garance Franke Ruta, Veronica Wilson, Todd Flournoy, Christina Sevilla, Neil Grace, Shawna Thomas, Andrea Hailey and David Williamson, Francesca Chambers, David Becker, Mark Strand

SPOTTED at the National Confectioners Association and FamousDC's National Candy Month celebration at Sonoma last night: Rep. Dutch Ruppersberger (D-M.D.), Rep. Jackie Walorski (R-Ind.), Rep. Derek Kilmer (D-Wash.), Tony Fratto, Michael Steel, Matt Wolking, Megan Whittemore, Katie Boyd, Amos Snead, Stephanie Genco, Andrew Kovalcin, Joe Maloney, Ben Jenkins, Nathan Imperiale and Josh Schultz.

WELCOME TO THE WORLD -- Ben Marter , communications director for Senate Minority Whip Dick Durbin (D-Ill.), and his wife, **Jean Marter**, director of committee operations for House Foreign Affairs Chairman Ed Royce (R-Calif.), welcomed baby Kerry Jane on Wednesday. "It's our second and a good thing big brother George already knows the words to Let It Go..." ***Pic*** http://politi.co/2u5wP2F (h/t Huddle)

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A

new study estimates that Medicare Part D costs would be 58 percent higher without pharmacy benefit managers' (PBMs') clinical tools and price negotiations with drug manufacturers and pharmacies. The study shows PBMs significantly lower premiums and out-of-pocket costs for Medicare beneficiaries. In fact, PBMs are projected to save Medicare Part D $896 billion over the next decade. Thanks to PBMs, Medicare Part D continues to drive savings and value for taxpayers and beneficiaries, ensuring that more than 39 million American seniors can access the prescription drugs they need. Learn more at affordableprescriptiondrugs.org ******

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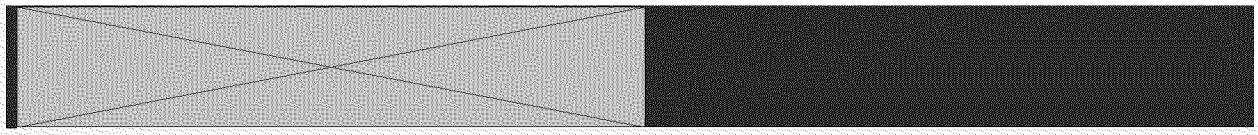
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Sent: Mon 7/10/2017 4:00:21 PM
Subject: [SPAM] Federal Insider: VA fires more than 500 feds under Trump, even before new accountability law



VA fires more than 500 feds under Trump, even before new accountability law

By Joe Davidson

President Trump signs the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017, aiming to innovate veterans' health care access on June 23. (The Washington Post)

The agency that has been the main target of efforts to fire feds faster dismissed more than 500 employees this year — even before a new accountability law took effect.

Since the Department of Veterans Affairs (VA) shamed itself in 2014 with a scandal over the coverup of long patient wait times, Capitol Hill politicians have demanded that the agency accelerate sacking — as if that were the main measure of good personnel administration. Department leaders joined the call and perpetuated the impression that life would be better if only more derelicts could be dumped.

Now we know that VA has dumped plenty.

Its first public posting, released Friday, of adverse actions against employees, terminations, suspensions and demotions, showed that the department fired 525 staffers from Jan. 20, when President Trump took office, through July 3.

The number of staffers dismissed should not be confused with effective human resource management. A certain percentage of terminations is inevitable in any organization, particularly during probationary periods. Yet, an excessive and perverse focus on firing makes that a valued metric, instead of more attention on measures encouraging the agency, its managers and its employees to succeed.

VA's 26-page list is filled with "removals," which is government-speak for

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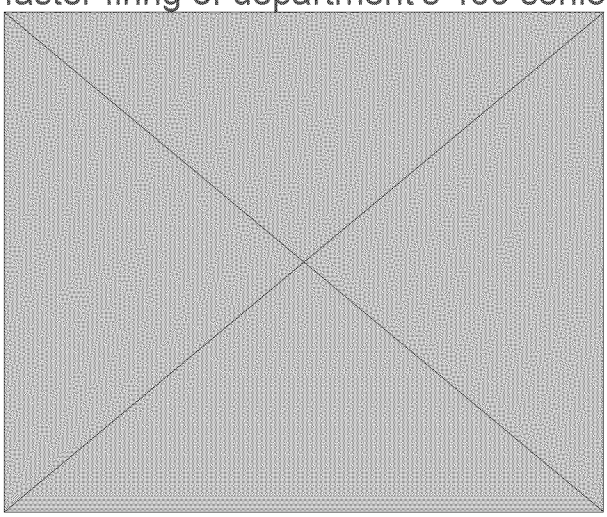
firings, of staffers, including doctors, nurses, housekeepers, grave diggers.

"Under this administration, VA is committed to becoming the most transparent organization in government," Secretary David Shulkin said. "… Veterans and taxpayers have a right to know what we're doing to hold our employees accountable and make our personnel actions transparent. Posting this information online for all to see, and updating it weekly, will do just that."

This transparency also busts the myth that feds can't be fired. Terminating more than 500 people in less than six months, even from a 345,000-strong department workforce, should be enough to make the cruelest boss content.

Governmentwide, more than 77,000 feds were fired for performance or conduct issues during fiscal 2000-2014, according to the Merit Systems Protection Board (MSPB), an average of more than 5,000 a year. Out of a current workforce of about 2 million, that's not much, but it's not supposed to be. Plus, 5,000 is not nothing.

The list of adverse actions was compiled before Trump signed the VA Accountability and Whistleblower Protection Act last month. It erodes civil service due process protections for all VA employees and pointedly facilitates faster firing of department's 469 senior executives.



"Some of the employees involved in these [wait list] scandals remained on the payrolls," Trump lamented at the signing ceremony. "Outdated laws kept the government from holding those who failed our veterans accountable."

But the adverse-action list demonstrates than many VA employees were held accountable before the act became law, despite comments by Trump and Shulkin giving the opposite impression.

"It is clear that there is sadly a pervasive lack of accountability," Shulkin said at a Senate Veterans' Affairs Committee hearing in May. He cited an employee who "was caught watching pornography on the job." That employee, a psychiatrist, was fired, just not as quickly as Shulkin wanted.

Like democracy, due process takes time.

Under the new accountability law, due process for VA employees, such as it is, will take less time and they can be bounced on less evidence. Shulkin can design an in-house process that makes him the prosecutor, judge and appellate court for senior executives. He is responsible for charging them with an offense, determining the punishment and hearing employee appeals of the sentence. The law abolished their right, available to other federal employees, to a neutral, third-party review by the MSPB or another agency. "This change will make it more difficult for employees to appeal adverse actions," spokesman James Hutton, "and to more easily defend its actions on appeal, as [MSPB administrative] judges must now afford deference to VA's choice of penalty and must uphold actions when VA proves misconduct by substantial evidence," a lower bar than the previously required "preponderance of evidence."

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Leaders of employee organizations differ on Shulkin's decision to release the list of adverse actions.

J. David Cox Sr., president of the American Federation of Government Employees, which represents more than 70 percent of VA's employees, said the list "isn't transparency. It's an intimidation tactic. … As former VA Secretary Bob McDonald said, you can't fire your way to excellence."

I side more with Bill Valdez, president of the Senior Executives Association. Rather than intimidation, the list demonstrates "it's not so hard to remove feds and it happens all the time," he said. "Why in the world did they need more authority to fire feds when they can to it at this rate?"

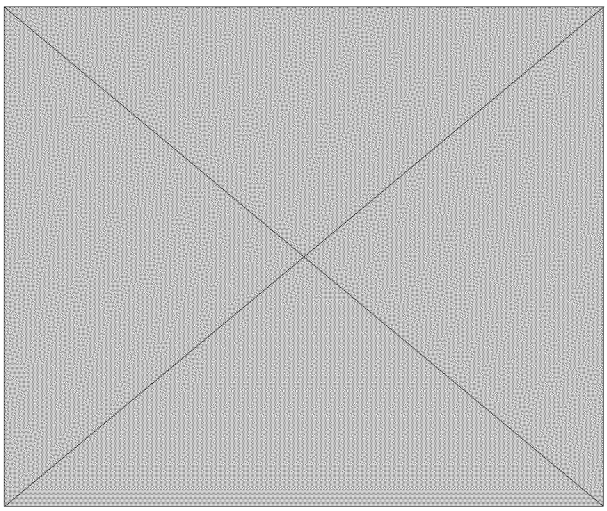
The list, Valdez added, is "a great demonstration to the American public that

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feds are held accountable and can be held accountable."

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TRUMP'S EPA: Agency at a crossroads -- Complete coverage

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Pruitt Endorses Sweeping Superfund Overhaul Using Cleanup Incentives

EPA Administrator Scott Pruitt is endorsing 42 recommendations from an agency task force for a sweeping overhaul of the Superfund program that would rely heavily on the novel use of third-party investments in cleanups and seek to accelerate site projects with incentives such as reducing oversight costs charged to responsible parties.

Trump DOJ Environment Pick Vows To 'Vigorously Enforce' Federal Law

Jeffrey Clark, the Trump administration's pick to head the Department of Justice's (DOJ) environment division, is offering general assurances to senators that he will "vigorously enforce federal law," while at the same time cooperating with states on environmental enforcement.

Democratic States Defend Legal Standing For Role In Ozone NAAQS Suit

A coalition of Democratic-led states is defending its legal standing to intervene in litigation to defend the Obama EPA's stricter ozone national ambient air quality standard (NAAQS), saying the states face harm if an appellate court vacates the standard and rejecting the Trump administration's claim that they face a strict test to win a role in the suit.

Schnare, Former Transition Official, On His Departure, EPA Climate Science Review

Editor's Note: *David Schnare, the former EPA transition official who wrote this article, left the agency earlier this year over concerns about infighting among administration appointees and Administrator Scott Pruitt's alleged lack of engagement. In it, his first since departing the agency, he discusses his reasons for leaving and his views on EPA's upcoming climate science review. The views expressed here are his.*

Former EPA Transition Official Questions Pruitt's Plan For Climate Debate

A former Trump EPA transition team official is taking issue with EPA Administrator Scott Pruitt's plans to conduct a "red team, blue team" debate of climate change science, arguing the approach would politicize the issue, is outside of EPA's authority and would result in too shallow of a critique of mainstream findings that human-released greenhouse gases are the primary cause of global warming.

Daily Feed

Lawsuit claims Trump's infrastructure panel violates FACA

Environmentalists claim President Donald Trump's advisory panel on environmental policy and infrastructure violates the Federal Advisory Committee Act (FACA).

House Democrat open to bill reforming EPA consent decrees

A House Democrat is voicing support for potential legislation to reform how EPA can direct fines through enforcement settlements.

Experts outline federal role to advance CCS, nuclear technology

National laboratory experts and other researchers highlight a continued need for federal funding for research and development of CCS and nuclear, while also noting a need for regulatory certainty.

Ewire: California's Brown to sign landmark cap & trade extension

In today's Ewire: California Gov. Jerry Brown (D) will today sign landmark legislation extending the state's greenhouse gas cap-and-trade program out to 2030. Plus: A look at environmental justice in the Trump era.

Environmentalists fault EPA bid to delay ozone suit

But they stop short of asking the court to change the suit's posture.

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From: POLITICO Pro
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Subject: Black: GOP budget resolution will reach House floor

By Sarah Ferris

07/18/2017 11:59 AM EDT

House Budget Chairwoman Diane Black insists her newly unveiled blueprint will reach the House floor, but she has stopped short of committing to passage.

"I can tell you that this budget will come out of our committee tomorrow," Black told reporters this morning. "It will be a budget that will then come to the House floor."

The GOP budget resolution, unveiled today, has been stalled for months as Black struggled to win over dozens of holdouts from the divided House Republican caucus, which also failed to pass a budget resolution on the floor last year.

Black said she is still meeting with GOP lawmakers outside her committee "to help them understand" the full scope of the budget resolution — and the implications of not passing it.

"We will be working all the members and making sure they understand the significance and importance of what we put into this document," she said.

The partisan resolution stands no chance of securing Democratic votes, so Republicans can only afford 22 Republican naysayers on the floor.

Already, about 30 GOP moderates have vowed to oppose the plan because it calls for $200 billion in mandatory cuts they believe could jeopardize tax reform. The House Freedom Caucus, which has about two dozen members, has also threatened to block the budget as the group presses for steeper cuts and a clearer picture of their party's tax overhaul strategy.

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EHS Federal Regulatory Alert

September 07, 2017 - Number 172

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Maine SIP/New Motor Vehicle Emission Standards
AIR

Final rule of the EPA approves revisions to the Maine SIP concerning new motor vehicle emission standards. The revisions incorporate the California low emission vehicle (LEV II) greenhouse gas (GHG) program beginning with model year 2009 and the California LEV III program beginning with model year 2015. The revisions also incorporate the California GHG emission standard beginning with model year 2017 and the California zero emission vehicle provision updated in 2012. Updated heavy-duty diesel engine and diesel auxiliary unit emission standards are approved and all aftermarket catalytic converters are required to be certified by the California Air Resources Board as of June 1, 2018. The requirement for the state to implement the Ozone Transport Commission LEV program also has been removed because the state has satisfied the requirement, and the EPA has determined that it is obsolete. The rule is effective Oct. 10, 2017. Contact: Eric Rackauskas; EPA Region 1, Air Quality Planning Unit; 617-918-1628; rackauskas.eric@epa.gov. Citations: 40 CFR 51.120, 52.1020

82 FR 42233 (09/07/2017)

Regulatory Update

ENDANGERED SPECIES
California/Marine Mammal Incidental Takes
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the receipt of a request from Venoco LLC, of Denver, for an incidental harassment authorization to take marine mammals incidental to fender pile replacement at Casitas Pier in Carpinteria, Calif. The applicant requests authorization for take of harbor seal, California sea lions, and bottlenose dolphins by Level B harassment during the replacement of 13 fender piles in the 2017 fall season. Comments are due Oct. 10, 2017. Contact: Sara Young; NMFS, Office of Protected Resources; 301-427-8401; ITP.Young@noaa.gov.

82 FR 42306 (09/07/2017)

Regulatory Update

ENDANGERED SPECIES
California/San Lorenzo Valley Water District Incidental Take Permit
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of an application from the San Lorenzo Valley Water District for a 20-year incidental take permit. The application addresses the take of the endangered Mount Hermon June beetle and Zayante band-winged grasshopper incidental to the replacement of a water storage tank and infrastructure at the existing site in Santa Cruz County, Calif. The application also includes a low-effect habitat conservation plan that addresses impacts to the endangered Ben Lomond spineflower and Ben Lomond wallflower and includes a proposal to dedicate a conservation easement on 6.7 acres of habitat for all affected species. Comments are due Oct. 10, 2017. Contact: Chad Mitcham; USFWS; 831-768-7794

82 FR 42358 (09/07/2017)

Regulatory Update

ENDANGERED SPECIES
Texas/Guadalupe Fescue Endangered Listing and Critical Habitat
ENDANGERED SPECIES

Final rule of the U.S. Fish and Wildlife Service lists the Guadalupe fescue, a plant species from the Chihuahuan Desert of west Texas and Mexico, as an endangered species. The rule also designates approximately 7,815 acres of Big Bend National Park, in Brewster County, Texas, as critical habitat for the species. The rule is effective Oct. 10, 2017. Contact: Adam Zerrenner; USFWS, Austin Ecological Services Field Office; 512-490-0057. Citations: 50 CFR 17.12, 17.96

82 FR 42245 (09/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Atlantic Highly Migratory Species Fishery Management Plan
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Marine Fisheries Service announces the availability of the final environmental assessment for and the approval of Amendment 10 to the 2006 consolidated Atlantic highly migratory species fishery management plan (81 FR 62100; 09/08/2016). The amendment updates essential fish habitat and addresses new habitat areas of particular concern for Atlantic bluefin tuna and sandbar, lemon, and sand tiger sharks. The amendment also provides for the minimization to the extent practicable of adverse effects of fishing and nonfishing activities on essential fish habitat and identifies other actions to encourage the conservation and enhancement of essential fish habitat. The amendment is effective Aug. 30, 2017. Contact: Jennifer Cudney; NMFS; 727-824-5399

82 FR 42329 (09/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Deviation Reporting for Human Cells, Tissues, and Cellular and Tissue-Based Products
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a final guidance for industry regarding deviation reporting for human cells, tissues, and cellular and tissue-based products (HCT/Ps) regulated under Section 361 of the Public Health Service Act. The guidance provides establishments that manufacture nonreproductive HCT/Ps with recommendations and relevant examples for complying with the requirements to report HCT/P deviations. The guidance does not apply to reproductive HCT/Ps or to HCT/Ps recovered before May 25, 2005; to healthcare professionals who implant, transplant, infuse, or transfer HCT/Ps into recipients; to HCT/Ps that are regulated as drugs, devices, and/or biological products under Section 351 of the PHS Act or the Federal Food, Drug, and Cosmetic Act; or to investigational HCT/Ps subject to an investigational new drug application or an investigational device exemption. Comments may be submitted at any time. Contact: Tami Belouin; FDA, Center for Biologics Evaluation and Research; 240-402-7911. Citations: 21 CFR 1271

82 FR 42349 (09/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Ohio/Crawford Counterstorage Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a prior notice request by Columbia Gas Transmission LLC, of Houston, to install facilities and appurtenances and to make other modifications at its Crawford Compressor Station in Fairfield County, Ohio. The applicant proposes to install one Cat 3520/Ariel high-speed reciprocating compressor unit and designate as standby two existing Waukesha reciprocating compressor units. The applicant also proposes to construct a new compressor building, dehydration system, gas cooler, separators, scrubbers, control room building, and station piping that will result in an increase in counterstorage compression of 980 horsepower. The notice specifies that the agency will complete an environmental assessment or issue a notice of schedule of environmental review by Nov. 29, 2017. Protests and motions to intervene are due Oct. 30, 2017. Comments are due Oct. 31, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FercOnlineSupport@ferc.gov

82 FR 42340 (09/07/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Hours of Service Exemption/National Asphalt Pavement Association
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the receipt of an application from the National Asphalt Pavement Association for exemptions from hours-of-service requirements for all drivers of member companies transporting asphalt and related materials and

equipment. The applicant requests an exemption from the 30-minute rest break provision to enable drivers engaged in the transportation of asphalt and related materials to use 30 minutes or more of on-duty "waiting time" to satisfy the requirement for the 30-minute rest break. The applicant also requests an exemption from the requirement that short-haul drivers utilizing the record of duty status exception return to their work-reporting location within 12 hours of coming on duty to instead permit drivers to return to their work-reporting location within 14 hours. The requested exemptions are for a period of five years. Comments are due Oct. 10, 2017. Contact: Tom Yager; FMCSA, Driver and Carrier Operations Division; 614-942-6477; MCPSD@dot.gov. Citations: 49 CFR 395.1, 395.3

82 FR 42415 (09/07/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerance Exemption/Alkyl Alcohol Alkoxylates
PESTICIDES

Final rule of the EPA amends an exemption from the requirement of a tolerance for residues of specified alkyl alcohol alkoxylates to include poly(oxy-1,2-ethanediyl), α-isooctyl-ω-hydroxy (CAS Reg. No. 61723-78-2) when used as an inert ingredient in pesticide formulations applied to growing crops, animals, or food contact surfaces. The rule is issued in response to a petition filed by Spring Trading Co., of Magnolia, Texas, on behalf of Sasol Chemicals, of Houston. The rule is effective Sept. 7, 2017. Objections and hearing requests are due Nov. 6, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.910, 180.930, 180.940, 180.960

82 FR 42235 (09/07/2017)

Regulatory Update

TOXIC SUBSTANCES
Chemical Safety and Hazard Investigation Board Meeting
TOXIC SUBSTANCES

Notice of the Chemical Safety and Hazard Investigation Board announces a meeting to discuss work completed in fiscal year 2017 and the board's report on the ExxonMobil Baton Rouge Refinery incident. The meeting is scheduled for Sept. 18, 2017, in Washington, D.C., and via conference call. Comments are requested, but a due date is not specified. Contact: Hillary Cohen; CSB; 202-446-8094; public@csb.gov

82 FR 42277 (09/07/2017)

Regulatory Update

WATER
Special Use Permits/Desalination Facilities
WATER

Notice of the Office of National Marine Sanctuaries announces the adoption of a new special use permit (SUP) category for the continued presence of a pipeline transporting seawater to or from a

desalination facility. On Jan. 12, 2017, the agency proposed to adopt two new SUP categories for the construction and operation of desalination facilities near marine sanctuaries (82 FR 3751). The proposed second category for the use of sediment to filter seawater for desalination has been removed. The notice also includes background information on the use of desalination in Monterey Bay National Marine Sanctuary (MBNMS) and ONMS regulations applicable to activities that disturb submerged lands or discharge into sanctuaries. The new SUP category only applies to MBNMS. The notice is effective Sept. 7, 2017. Contact: Bridget Hoover; ONMS, Monterey Bay National Marine Sanctuary; 831-647-4217, bridget.hoover@noaa.gov. Citations: 15 CFR 922

82 FR 42298 (09/07/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Wed 5/31/2017 11:17:14 AM
Subject: The Morning Headlines from InsideEPA.com -- May 31, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

May 31, 2017

Latest News

Legal Attack On CWA Guide May Complicate EPA Jurisdiction Rule Repeal

Plaintiffs in a closely-watched Clean Water Act (CWA) jurisdiction suit are raising new claims that EPA is illegally applying George W. Bush-era guidance on the water law's scope as a rule, potentially complicating the Trump EPA's plan to formally revive the guidance while it works on repealing the Obama EPA's CWA jurisdiction rule.

Attorneys Reject Claim That Staying In Paris Deal Creates Legal Risk For Trump

Environmental attorneys are dismissing warnings from GOP senators and state officials opposed to the Paris Agreement that continued United States participation in the global climate deal creates a risk that the Trump EPA could ultimately be forced to regulate greenhouse gases through an economy-wide framework under section 115 of the air act.

D.C. Circuit Rejects Environmentalists' FOIA Suit Seeking Utility ELG Data

The U.S. Court of Appeals for the District of Columbia Circuit has rejected environmentalists' suit aiming to force release of data EPA gathered for its Clean Water Act (CWA) utility effluent rule, saying a Freedom of Information Act (FOIA) exemption against releasing “confidential” data overrides a CWA mandate on disclosing the data.

Hudson Cleanup Review May Test Pruitt’s Plan For Superfund Cleanups

EPA Administrator Scott Pruitt's promise to streamline and speed Superfund cleanups may be put to the test in the coming days as the agency decides whether to expand the scope of cleanup at the massive Hudson River, NY, site -- as sought by New York state and area lawmakers -- or to declare the sediment cleanup conducted so far to be sufficient.

Legal Fight Could Set Precedent For Expanding Citizens' Say In Cleanups

Legal advocacy groups for citizens around a high-profile Superfund site in Indiana are

asking a federal district court to set aside a magistrate judge's order rejecting their attempt to intervene in a cost recovery cleanup settlement there, with the groups seeking a ruling that could set precedent in boosting citizens' say in such cleanup accords.

Industry Argues EPA's Draft TSCA Bans Do Not Meet Law's Requirements

Chemical industry groups are arguing that the Obama EPA's proposed restrictions on certain uses of the solvent trichloroethylene (TCE) and two paint stripping chemicals do not meet legal requirements of the Toxic Substances Control Act (TSCA) and should be withdrawn, while environmentalists are urging the Trump administration to finalize the rules.

Industry Cautions EPA Against OSHA Overlap In Chemical Reporting Rule

A petrochemical industry official serving on a panel convened to inform a future EPA Toxic Substances Control Act (TSCA) rule limiting reporting requirements on certain substances is urging the agency not to encroach on the Occupational Safety and Health Administration's (OSHA) authority to protect workers and suggesting reduced reporting for substances with no consumer exposure.

Daily Feed

EPA may soon seek inter-agency review for CPP repeal

EPA's court-required status report on the review of the Clean Power Plan says the agency "may be prepared to begin the interagency review process of a resulting proposed regulatory action in the near future."

9th Circuit vacates EPA conditional registration of nano-pesticide

A federal appeals court panel has vacated EPA's conditional registration of a pesticide containing nanosilver, saying the agency failed to show the product would reduce pollution or is in the public interest.

Home builders join suits over New Hampshire stormwater permit

The National Association of Home Builders' suit increases the likelihood that the U.S. Court of Appeals for the District of Columbia Circuit will hear consolidated challenges to the permit.

California's Brown blasts vehicle GHG 'harmonization' bill

"This measure of so-called harmonization is, more than anything else, perfume to cover the odorous maneuver on which they've now embarked," Brown said of the newly introduced bill.

Our most read: Mostly about the ins and outs of EPA's FY18 budget plan

Three of the top five involve the FY18 budget, as proposed by the Trump administration and declared a non-starter by at least one key Republican.

Ewire: A daily news roundup

The White House seeks to limit Pruitt's profile on Paris withdrawal ahead of Trump's decision. Plus, TSCA backlog and EPA's budget.

Coal firms say EPA plan for 'jobs' reviews undermines appeal

Companies suing to force EPA to study employment impacts of Obama-era air rules are citing a top administration official's comments to *Inside EPA* to support their case on appeal.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/27/2017 8:50:03 PM
Subject: Smith defends EPA on science adviser's testimony as Democrats seek probe

By Alex Guillén

06/27/2017 04:46 PM EDT

House Science Chairman Lamar Smith today defended EPA for reportedly seeking to control what scientist Deborah Swackhamer, chair of the agency's Board of Scientific Counselors, said at a hearing last month.

Swackhamer was invited by the panel's Democrats for a hearing on state roles in environmental regulations shortly after EPA made waves by declining to automatically re-appoint a number of BOSC members. The New York Times on Monday reported that EPA chief of staff Ryan Jackson pressured her to stick to "talking points" on BOSC issues and that Swackhamer said she "felt bullied."

Top Science Committee Democrats have asked EPA's inspector general to investigate the matter. "It seems clear that Mr. Jackson was seeking to influence Dr. Swackhamer's testimony to Congress," they wrote in their request.

The Democrats also wrote separately to EPA Administrator Scott Pruitt about their concerns. Pruitt said he was unfamiliar with the issue at a hearing this morning, at which he was accompanied by Jackson.

Smith said in a statement that after reviewing emails between Swackhamer, Jackson and other EPA officials, he believes EPA "was pursuing a course of due diligence and ensuring that information provided in witness testimony before Congress was accurate and without factual error." He charged Democrats with trying to "hijack" the hearing "for their own politically motivated agenda."

"The American people are smart enough to see past the Minority's highly politicized tactics," Smith added.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/smith-defends-epa-on-science-advisers-testimony-as-democrats-seek-probe-089796

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 7/12/2017 12:19:36 AM
Subject: Today on Climate Beat

July 11, 2017

Today on Climate Beat . . .

. . . we went a mile high, where Colorado Gov. John Hickenlooper (D) announced his state is the latest to join a state coalition committed to upholding the Paris Agreement, while also announcing a series of non-regulatory steps to reduce greenhouse gases in the utility, transportation and buildings sectors.

Staying out West, California officials released their latest legislative package to extend the state's GHG cap-and-trade program out to 2030, which could see floor consideration this week as Gov. Jerry Brown (D) seeks a two-thirds vote to protect against legal challenges.

EPA Administrator Scott Pruitt made some news in an interview with Reuters, reportedly saying there could be a legal basis to challenge EPA's GHG endangerment finding though he would rather Congress address the issue. He also suggested his planned "critique" of climate science could be involve a televised debate.

In Congress, 27 Democratic senators are urging President Donald Trump to "fully implement" EPA and Bureau of Land Management regulations iissued by the Obama administration to limit emissions of the potent GHG methane from oil and gas operations.

In vehicle news, the Department of Transportation is reconsidering Obama-era fine increases for automakers that fail to meet fuel economy standards, the latest signal that the Trump administration might weaken environmental and other regulations that affect the industry.

And our daily news roundup looked at the "deep industry ties" in the deregulatory teams at the Trump administration's EPA and other federal agencies.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 6/12/2017 5:04:05 PM
Subject: Playbook Power Briefing: SESSIONS' hearing tomorrow is OPEN -- REINCE's July 4 deadline -- The Women Rule investigation -- JULIE PACE named new Washington AP bureau chief -- GIANFORTE gets deferred sentence -- SPOTTED: Michelle Obama dining last night ...

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06/12/2017 01:00 PM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Monday afternoon. DEJA VU -- ATTORNEY GENERAL JEFF SESSIONS will testify in an open hearing Tuesday, once again ensuring that at least one day this week will be eaten up by live coverage of senators from both parties questioning a witness about the president of the United States and his relationship with Russia. ***More from Seung Min Kim and Kyle Cheney*** http://politi.co/2tdh092

-- ABC's MIKE LEVINE (@MLevineReports): "Source: Sessions not expected to answer Senate questions about talks he had w/ @POTUS before Comey's firing; expected to cite exec privilege"

BREAKING -- Reuters' **Lawrence Hurley (@lawrencehurley):** "BREAKING: 9th Circuit says it will issue travel ban ruling today"

INSIDE THE WEST WING -- TARA PALMERI: "Trump gives Priebus until July 4th to clean up White House: The president has threatened to oust his chief of staff if major changes are not made, but many are skeptical he'll follow through": "While Trump has set deadlines for staff changes before, only to let them pass without pulling the trigger, the president is under more scrutiny than ever regarding the sprawling Russia investigation, which is intensifying the pressure on his White House team. ...

"Trump had been mulling bringing on [David] Bossie as his deputy White House chief of staff and [Corey] Lewandowski as a White House senior adviser with a portfolio that includes Russia, but told the two at that meeting that they would not be joining the White House until Priebus had a fair chance to clean up shop, according to the sources. 'I'm giving you until July 4,' Trump said, according to a person with knowledge of the conversation. 'I don't want them to come into this mess. If I'm going to clean house, they will come in as fresh blood.'

"White House press secretary Sean Spicer, in a statement on Sunday, disputed the idea that Priebus is facing a July 4 deadline. 'Whoever is saying that is either a liar or out of the loop,' Spicer said." http://politi.co/2rnczqG

THE BIG READ -- THE WOMEN RULE INVESTIGATION -- AMANDA RIPLEY on

"What it will take for women to to win" : "The United States has flatlined when it comes to electing women: At the local, state and federal level, women hold fewer than 1 in every 4 elected offices, and the ratio hasn't budged much lately. The U.S. ranks 101st, below China, Iraq and Afghanistan, when it comes to gender equity in our national legislature -- down from 52nd two decades ago.

"Studies show that women tend to win elections at the same rate as men-but they are far less likely to run at all. A POLITICO investigation into the causes of gender inequality in electoral politics found that the traditional explanations-fundraising imbalances, sexism in the media and the voting booth, unyielding party bureaucracies and more -- have faded in importance. Today, the greatest obstacle may be less conspicuous: America has a shortage of female politicians because, to put it simply, women don't want the job." http://politi.co/2s2DrOQ

-- MORE: ***Infographic on why women don't run for office*** http://politi.co/2rSHE9f ... ***Video on first-time candidates training for their race*** http://politi.co/2sl4F6n ... ***Exclusive poll*** http://bit.ly/2rj2Bf1 ... ***Video of an interview with Canadian Ambassador to the U.S. David McNaughton on a gender-balanced cabinet*** http://politi.co/2riXCLe

-- NEWSROOM MEMO FROM CARRIE BUDOFF BROWN (whose birthday is today): "We are excited to launch this morning POLITICO's inaugural 'Women Rule' investigation, marking the first time this popular live-event series has expanded into ground-breaking enterprise journalism. ... This was a big team effort overseen by Luiza Savage and Peter Canellos and built out into a beautiful digital home by Lily Mihalik with art direction from Janet Michaud. ...

"This journalism was only possible thanks to our business colleagues who have worked hard to expand the vision and financial support around the Women Rule series: Alexis Williams, Katharine Ragsdale, Nicole Adams and Cally Baute. The series now includes events, a Summit, a newsletter and a podcast produced with support from Lindsay Monaghan and Reena Flores. It's a great model for how POLITICO's convening power and journalistic strength can go hand-in-hand to build big things. We'll be showcasing the project at a live event on June 20 and discussing the poll at a live event with AU on June 26."

FROM OUR FRIENDS AT MORNING TECH -- "MORE DEETS ON TECH WEEK -- Add more names to the lineup of tech executives attending the inaugural meeting of the White House's American Technology Council on June 19: Qualcomm CEO Steve Mollenkopf and SVP of government affairs Nate Tibbits will be there, according to the company. Bloomberg previously reported (https://bloom.bg/2s33d5x) that Apple CEO Tim Cook, Amazon CEO Jeff Bezos and Alphabet Executive Chairman Eric Schmidt will take part in the high-profile gathering; Oracle CEO Safra Catz and Cisco CEO Chuck Robbins have confirmed their attendance."

PRESIDENT TRUMP held his first full Cabinet meeting today and announced that he

will hold a press conference on the fight against Islamic State "in two weeks." [Bloomberg News, last week: "In Trump's White House, Everything's Coming in 'Two Weeks.' (https://bloom.bg/2rP1hja).]

Trump also blamed Democrats and "the ethics committee" for holding up various nominees at different levels of government. He also said "never has there been a president, with few exceptions -- in the case of FDR he had a major depression to handle -- who has passed more legislation and done more things than what we have done." The Cabinet then went around the room praising the president.

TRUMP'S BUDGET GUY -- "Trump budget cutter Mick Mulvaney has 'coolest job in Washington,'" by the Washington Examiner's Alex Pappas: "He said he still advocates, as he did as a congressman, for a balanced budget amendment and term limits for members of Congress, but he hasn't pressed Trump on those issues yet. Yet Mulvaney says he doesn't miss being in Congress and insists he's done with electoral politics. 'I'm never going back ... I don't go to fundraisers. I don't read with third-graders. I don't go to ribbon cuttings. I liked all that stuff but, at the end of the day, it doesn't really change the direction of the country.'

"He laughs about a former Freedom Caucus colleague in the House who recently quipped that Mulvaney seems to be fighting losing battles these days. 'I'm like, yeah, but I'm losing at the very highest level. I used to lose in the Tortilla Coast basement,' he said of the famed Capitol Hill meeting spot of House conservatives. 'Now I am losing in the Oval Office from time to time, but that's fine.'" http://washex.am/2tdiLmy

-- @justinamash: "We miss shooting down your ideas over chips and salsa, Mick."

HILL PALACE INTRIGUE -- "Dems already fighting over Conyers' Judiciary post," by Margaret Harding McGill and John Bresnahan: "A fight has broken out among top Democrats on the House Judiciary Committee over replacing Rep. John Conyers as the ranking member of the panel, even though the 88-year-old Michigan Democrat says he's not going anywhere. ... In a June 8 letter obtained by POLITICO, Rep. Zoe Lofgren (Calif.) - the third highest ranking Democrat on Judiciary - warned Rep. Jerry Nadler (N.Y.), who is No. 2 behind Conyers, that she has heard Nadler is meeting with fellow Democrats about replacing Conyers. Lofgren warned Nadler that there is no current vacancy atop Judiciary, but if it does happen, she would be interested in the job, too." http://politi.co/2tcXLwk

GIANFORTE'S CONSEQUENCES -- The Bozeman Daily Chronicle's **Whitney Bermes (@wabermes):** "[Congressman-elect Greg] Gianforte pleads guilty to misdemeanor assault. #mtpol #mtal ... [The Guardian's Ben] Jacobs on apology: 'I fully expect his thoughtful words to be followed by concrete actions once he takes his seat in congress.' ... Gianforte's sentence is 6 months deferred, 40 hours community service, 20 hours anger management, $385 fine/fees. ... If Gianforte doesn't violate conditions of his deferred sentence, attorneys can move to have charge dismissed after 6 months. ... Gianforte must complete his community service by Nov. 28." ***Follow Whitney for***

photos and videos from the courtroom http://bit.ly/2tdfjIz

BUSINESS BURST -- "Jeff Immelt stepping down as CEO of GE," by CNN's Chris Isidore: "Immelt, who has led General Electric (GE) since 2001, is stepping down. The company on Monday named John Flannery, the president and CEO of GE Healthcare, as the new CEO, effective August 1. Immelt will remain as chairman through the end of this year." http://cnnmon.ie/2tcYGgq

-- "Emil Michael Leaves Uber," by NYT's Mike Isaac: "Emil Michael, Uber's senior vice president for business and second in command at the ride-hailing company, left the company on Monday morning, according to an email sent to employees. Mr. Michael's departure comes after a series of scandals that have rocked the company over the past year, forcing Uber's board of directors to call an investigation into Uber's culture and business practices." http://nyti.ms/2tdhmN1

WHO YOU GOT? -- "Batter Up: Republicans, Democrats Gear Up for 56th Congressional Baseball Game," by Roll Call's Thomas McKinless and Alex Gangitano http://bit.ly/2tcZ4v5 ... ***Tickets for the game on Thursday*** http://atmlb.com/2tdlWe4

MEDIAWATCH -- JULIE PACE has been named the new Washington bureau chief for the AP. She was the AP's White House correspondent previously. *The AP's announcement* http://bit.ly/2tcQ9Ko

-- FOX NEWS announced a new programming leadership team. **Meade Cooper** will serve as senior vice president for programming and oversee Monday through Sunday primetime and opinion shows. **John Finley** will be senior vice president of development and production. **Ron Mitchell** will be vice president of story development for primetime programming. **Lauren Petterson** will become senior vice president of morning programming and talent development. **Amy Sohnen** will be vice president of talent development and **Jill Van Why** will be vice president of programming operations.

--Lisa Friedman (@LFFriedman): "Thrilled to announce that I will be joining The New York Times as a reporter on the climate desk at the end of the month. @nytclimate". ***Friedman most recently was editor of Climatewire at E&E News.***

TODAY'S BEYOND THE BELTWAY -- California gubernatorial race tightens -- Journalism still kicking in Chicago http://politi.co/2tdrjK9

TRANSITIONS -- Former Sen. **Jim DeMint** (R-S.C.) has joined the Convention of States as a senior adviser. He was recently ousted from the top of the Heritage Foundation. ***Interview with USA Today*** https://usat.ly/2tcxbmT .... **Michael Bahar** is now a partner at Eversheds Sutherland as a member of the firm's litigation practice group in D.C., where he will lead the U.S. cybersecurity and privacy team. He was previously staff director and general counsel at the House Intel committee for Rep. Adam Schiff's team http://politi.co/2tcXLMK

SPOTTED: Michelle Obama dining with two women last night at Tail Up Goat in Adams Morgan, per our tipster ... Ed Gillespie yesterday at the "Celebrate Fairfax!" fair ... Dick Cheney and his wife, with another couple and a colleague, eating seafood and sushi at Ocean Prime last night ... Rep. Keith Rothfus (R-Pa.) sharing a dance with his daughter Mimi, scheduler for Rep. Ron DeSantis (R-Fla.) at her wedding this weekend to Patrick O'Grady, staffer for Rep. Raul Labrador (R-Idaho) in Sewickley, PA. ***Pic*** http://bit.ly/2rRPBvs

WEEKEND WEDDING - Lena Gaviria, a J.P. Morgan alum (and Hotchkiss and Brown grad) now working in the office of Colombian president Juan Manuel Santos, got married this weekend to **Sebastian Sanint,** who owns a couple of restaurants in Bogota. The wedding was on the outskirts of the capital at her mom's country house/dairy farm. The couple met three years ago at her cousin's wedding. *Pics* http://politi.co/2suc0A1 ... http://politi.co/2rSHC1d ... http://politi.co/2raYoWs **SPOTTED:** Caroline Emch, Luis Carlos Sarmiento, Carlos Julio Ardila and wife Patricia, and some members of Pacheco family, who own Banco Colpatria.

At least one day this week will be eaten up by live coverage of senators from both parties questioning a witness about the president of the United States and his relationship with Russia.

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TRUMP'S EPA: Agency at a crossroads -- Complete coverage

August 28, 2017

Latest News

SAB, Biomass Panel Remain At Odds Over Time Scale For Measuring CO2

EPA's Science Advisory Board (SAB) remains at odds with a panel that has been reviewing EPA's framework for estimating carbon emissions from biomass power on the key question of the time scale used to assess such emissions, raising the prospect that the board might be unable to provide consensus advice to EPA when it meets on the issue early next week.

EPA Weighs Regulatory 'Relief' Options For Ozone NAAQS Implementation

EPA is weighing several options to provide states and industries regulatory "relief" when implementing the Obama-era's 2015 rule tightening the ozone national ambient air quality standard (NAAQS), including streamlining Clean Air Act permitting reviews, revising monitoring procedures, and more according to a report to Congress.

HFC Rule Supporters Eye Rehearing Bid Despite Risk Of Deference Limits

Supporters of a scrapped Obama EPA rule on reducing ozone-depleting substances are eyeing requests for a federal appeals court to rehear the suit that vacated the rule, despite some observers' suggestions that a successful rehearing bid could help EPA to defend deregulatory actions or aid GOP efforts to limit courts' deference to agencies.

Despite Trump Order, Draft NEPA Review Assesses Drilling Project's GHGs

An Interior Department (DOI) draft environmental review of an offshore drilling project near Alaska is assessing the downstream greenhouse gas impact of burning the project's fossil fuels using tools developed by the Obama administration, despite directives from President Donald Trump scrapping the tools.

IG Reviewing TSCA Reporting Rule Compliance Ahead Of Program Updates

EPA's inspector general is beginning an assessment of industry compliance with EPA's chemical data reporting (CDR) rule and the agency's use of any data it receives to prioritize chemicals for regulation under the Toxic Substances Control Act

(TSCA), an inquiry that could provide oversight of the program just as the agency is overhauling it.

Daily Feed

PEER warns of falling EPA criminal enforcement cases

If Pruitt continues cutting enforcement resources, the group says, it would prompt environmental groups to bring a new wave of citizen suits.

Environmentalists sue EPA over regulatory reform records

A new FOIA suit aims to force EPA to release documents on how it is complying with President Donald Trump's regulatory reform executive order.

EPA proposes relaxed air toxics rules for laminate resins

EPA is proposing to weaken air toxics limits for laminate resin manufacturing, justified by new industry data and cost savings for the sector.

Ewire: DOE grid study targets EPA's NSR rules

The Energy Department takes aim at EPA's controversial NSR program. Plus, EPA's worker safety record at a massive coal ash cleanup.

EPA issues latest round of SO2 attainment designations

EPA's third wave of SO2 area designations brings the agency closer to its goal of issuing sulfur dioxide air standard attainment findings for the entire United States.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 11/1/2017 9:11:52 PM
Subject: Today on Climate Beat

November 1, 2017

Today on Climate Beat . . .

. . . we went overseas, reporting that one longtime observer of international climate talks says the State Department negotiating team headed to Bonn, Germany, for this year's meeting is expected to present a friendly face to the international community rather than be seen as making mischief.

Back at EPA, the agency has sent its highly contested draft final rule setting biofuels volumes for 2018 under the renewable fuel standard for White House Office of Management & Budget review, ahead of a looming Nov. 30 statutory deadline for the agency to issue the rule.

And our daily news roundup noted that Senate Majority Leader Mitch McConnell (R-KY) is considering several changes to the Senate's rules to speed considering of Trump administration nominees, a move that could aid several controversial picks for top EPA slots that Democrats have held up over their close ties to industry.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/6/2017 7:14:48 PM
Subject: July 6 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

G-20 Seeks to Contain Trump by Avoiding Climate Mention

Posted July 06, 2017, 9:51 A.M. ET

By Peter Martin and Jessica Shankleman

German Chancellor Angela Merkel is seeking to unite the Group of 20 nations on key environmental goals by steering clear of references to climate change wherever possible, according to a draft being circulated ahead of a summit of world leaders.

A section of the current draft seen by Bloomberg notes the decision of the U.S. to withdraw from the landmark Paris Agreement, while promising collaboration on other less controversial areas such as innovation, sustainable growth, and competitiveness.

Climate change has become one of the biggest issues at stake during the G-20 summit, after President Donald Trump last month decided to pull the U.S. out of the 2015 Paris deal that promised to keep global warming "well below" 2 degrees Celsius. Trump has questioned the scientific consensus of climate change, even once suggesting it was a hoax created by China.

"This is about trying to contain Trump and not provoke him," said Nick Mabey, who used to advise the U.K. government on climate issues and now runs E3G, a policy-research group. "This language would show that he's isolated on climate change but leave him with a bit of dignity."

Investor Concern

As the world's second largest emitter, the U.S.'s involvement in the Paris deal is seen as crucial to global efforts to tackle climate change. Investors are concerned that a U.S. exit could have a domino effect around the world, yet no other country has said they will follow Trump in leaving the accord.

While previous G-20 leaders' summits promised strong action on climate change, the communique currently being considered doesn't appear to mention the phrase, instead noting the opportunities for job creation "of increased investment into sustainable and clean energy technologies and infrastructure." It also promotes energy security, a key issue for Trump. The statement is not final and can still change.

As president of the G-20 this year, Germany is seeking to avoid leaving the U.S. as a footnote on the issue of climate change. Merkel wants to avoid a repeat of Group of Seven talks in Italy in May

that confirmed a crack between six member states and the U.S. after environment ministers were unable to find common ground on climate measures.

Steffen Seibert, Merkel's chief spokesman, declined to comment on the G-20 draft's substance. "Nothing is decided for now," he said by email. "There are many options."

While the main communique won't affirm the group's commitment to tackling climate change, the section of the draft said the remaining 19 parties will endorse a separate climate and energy action plan, which will act as an annex.

The other heads of state and government from G-20 countries, as well as the European Union's leaders, will affirm their belief that the 2030 Agenda for Sustainable Development and the Paris Agreement are irreversible.

—With assistance from Tony Czuczka.

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G-20 Energy Efficiency, Greenhouse Gases Both Rise, Report Says

Posted July 06, 2017, 7:49 A.M. ET

By Eric J. Lyman

The world's industrial powers are becoming more energy efficient, but greenhouse gas emissions continue to rise in those countries because of growing economies, according to an assessment of the Group of 20 nations by a climate advocacy group.

Overall, the G-20 nations saw greenhouse gas emissions increase by 34 percent between 1990 and 2014, while their economies grew 117 percent during that period, illustrating increased efficiency, the report said.

But the G-20 countries—which account for three-fourths of the world's greenhouse gas emissions—are not taking action strong enough to limit global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) compared to pre-industrial levels, the central goal of the 2015 Paris Agreement, said the report, released ahead of the July 7-8 meeting of G-20 leaders in Hamburg, Germany.

Of the G-20 members, "Australia, Canada, Saudi Arabia and the United States stand out with by far the highest per capita energy-related CO2 emissions," said the report from the umbrella group Climate Transparency, which wants G-20 countries to take more ambitious steps to fight climate change.

'Underlying Message'

The report is not a response to President Donald Trump's decision to pull the U.S. out of the Paris Agreement, said Niklas Hohne, a report co-author.

"The decision of the U.S. to withdraw creates some uncertainty, and it means the other 19 members of the G-20 will have more work to do," Hohne told Bloomberg BNA. "But it doesn't change the underlying message that the world is moving in the right direction, but doing so too slowly."

Hohne noted that at a 2009 G-20 summit in Pittsburgh, leaders committed to "phase out over the medium term inefficient fossil fuel subsidies that encourage wasteful consumption."

"As our latest report shows, there is still a lot of work to do in this area, but this is an ongoing discussion that started at the G-20," Hohne said. "The G-20 can play a key role in sending a message to the world about what is important."

The G-20 is comprised of the European Union and 19 countries: Argentina, Australia, Brazil, Britain, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey and the U.S.

The report's authors came from 10 of the countries in the G-20, though none were from the U.S.

Interior's Zinke Wants Oil and Gas Permitting Streamlined

Posted July 06, 2017, 02:14 P.M. ET

By Alan Kovski

Oil and gas companies could get more leasing opportunities and faster permitting for work on federal onshore lands under an order announced June 6 by Interior Secretary Ryan Zinke.

Zinke told reporters he was issuing a secretarial order to simplify and streamline the leasing and permitting process and stabilize it in terms of honoring lease commitments, all without skirting the obligations of the National Environmental Policy Act.

Drilling permit processing averaged 257 days last year. Zinke said he was aiming to meet the statutory mandate for issuing drilling permits in 30 days, although he acknowledged the government might not get there.

Southern's Clean Coal Tryout Officially Dead Upon State Order

Posted July 06, 2017, 12:48 P.M. ET

By Mark Chediak

A seven-year, $7.5 billion effort to build a first-of-its-kind "clean coal" power plant in Mississippi is officially over.

Mississippi regulators ordered utility owner Southern Co. on July 6 to come up with a deal that'll have the Kemper plant—once hailed by the Obama administration as the future of coal—running as a natural gas-fired generator instead. The Mississippi Public Service Commission directed Southern to come up with a settlement within 90 days that has the plant burning gas and protects customers from the ballooning costs of the project.

The state's ruling only stands to seal the fate of the Kemper plant. Southern already said last week that it was pulling the plug on the coal part of the complex, and the July 6 vote only memorializes the state utility commission's call last month for the company to give up on "unproven" technologies at the plant.

The death of the clean-coal project represents a major setback for the very technologies that the Trump administration has promoted it as a way to help save mining jobs. It also marks the end of a high-profile project that was plagued by construction slowdowns, equipment failures and sliding natural gas prices. The plant's already years behind schedule and more than $4 billion over budget.

Southern warned investors that it may take a $3.4 billion second-quarter charge if the company isn't authorized to recover the costs of the project from customers.

Kemper was supposed to turn coal into gas to produce electricity—all while removing carbon dioxide emissions linked to global warming. At least that was idea as the U.S. government poured $382 million of grants into the project and then-Energy Secretary Steven Chu stressed its "national importance." Now, the project's only claim to fame is becoming quite possibly the most expensive gas plant ever built.

When the Kemper project was first conceived, America's gas resources were thought to be becoming scarcer. Southern pitched the plant as a valuable hedge against volatile commodity prices. The shale boom has since unleashed so much gas that it's glutted markets and sent prices plummeting to the lowest level since the 1990s.

Viable With Gas

By February, Southern was estimating that running the Kemper plant on natural gas was more economically viable than running it off coal under two of three gas price scenarios analyzed.

The company has 45 days to propose a settlement to the commission, with another 45 days afforded for public comment and discussion, Public Service Commission Chairman Brandon Presley said before the panel voted on an order Thursday. Any deal must fit the terms laid out by the commission last month, he said. A printed copy of the order wasn't immediately available.

—With assistance from Jim Polson.

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Tesla Seen Pulling Away from GM for Clear U.S. Electric Car Lead

Posted July 06, 2017, 8:43 A.M. ET

By Claire Ballentine

More than a dozen automakers are jostling to lead the U.S. electric-car race, but Bloomberg New Energy Finance sees a clear winner separating from the pack: Tesla Inc.

The automaker led by Chief Executive Officer Elon Musk will emerge as "the stand-out" in total cumulative deliveries through 2021, reaching nearly 709,000 vehicles, according to BNEF's Long-Term Electric Vehicle Outlook released July 7. Tesla is projected to pull away from current leader General Motors Co., which may slip behind Volkswagen AG's aggregate sales of plug-in hybrid and fully electric autos in four years' time.

The report reinforces the optimism among some analysts that Tesla will be able to distance itself from established automakers and dominate many of the world's biggest markets for battery-powered vehicles. Investors have bid the company's shares up 53 percent this year in anticipation

of Musk debuting the Model 3 sedan, a more affordable car he's counting on to crack the mass market.

"If they can stick to the Model 3 timeline, they're going to be at the front edge of this for a while," BNEF analyst Colin McKerracher said of Tesla in a phone interview.

While BNEF expects Tesla, VW and GM will lead the EV charge in 2021, the research group owned by Bloomberg LP predicts at least three other automakers will have also surpassed the 200,000 cumulative sales mark in the U.S. by that year. After crossing that threshold, buyers are no longer eligible for the full federal $7,500 tax credit toward purchases of vehicles from those manufacturers.

Hitting the 200,000 unit milestone would portend more sustainable demand for electric vehicles. Though BNEF does expect some impact from the federal tax credit phase-out, industry sales could be even higher because the analysts' short-term forecasts are based only on electrified models disclosed to date.

Product introduction schedules for 2020 and 2021 are still taking shape. BNEF made its forecasts before Volvo Car Group announced plans July 5 to offer only hybrid or full-electric motors on every new model launched starting in 2019.

The prediction BNEF settled on that Volkswagen could climb to the No. 2 spot by 2021 was the "the most contentious" of the research group's projections, McKerracher said. The German automaker doesn't yet have the same presence in the U.S. market as other electric-focused automakers, though the opportunity is there for the company to rank among the leaders based on all the vehicle launches it's announced.

Hybrid Outlook

The expected rise in pure electric vehicle demand in the U.S. will come at the expense of some hybrid vehicle demand, BNEF said. This could pose a challenge for the likes of Toyota Motor Corp., known for gasoline-electric cars like the Prius. The company sold about 1.4 million traditional and plug-in hybrid vehicles last year and has delivered more than 10 million cumulatively since the first Prius debuted in 1997.

Battery electric cars have already surpassed plug-in electric hybrids in the U.S., with about 85,000 and 73,000 sold last year respectively, BNEF data show. The trend also holds globally, with 412,000 battery electric vehicles sold last year to 283,000 plug-in hybrids.BNEF expects Toyota's Prius Prime plug-in hybrid to be the exception and hold the title of best-selling electrified vehicle in the U.S. this year. Tesla will get off to too late of a start with its Model 3 to catch up, with Musk planning to hold a handover party for its first 30 sedan customers on July 28. The company is aiming to ramp-up production to a rate of 20,000 cars per month in December.

"In the long term, we see battery electric vehicles winning because of the battery cost curve," McKerracher said.

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Simplifying Energy Tax Code System Proving Not So Simple

Posted July 06, 2017, 7:00 A.M. ET

By Laura Davison and Brian Dabbs

Proposals to simplify energy tax credits are garnering interest from Senate Democrats and House Republicans as congressional leaders contemplate comprehensive tax reform. Lawmakers are looking at tax reform or a bill to extend nuclear production tax credits as possible vehicles to help them untangle the current energy tax system, lawmakers and industry officials told Bloomberg BNA.

One idea involves moving to a "technology-neutral" tax credit. The subsidy would apply to all forms of renewable energy, such as wind, solar, and geothermal, to prevent Congress from having to create credits for new technologies as the industry innovates. Supporters laud the proposal for simplifying a complex energy tax quilt.

"It will prevent the need to shoehorn new technologies into statutory definitions, some of which have been written decades ago," said David K. Burton, a partner at Mayer Brown LLP who leads the firm's renewable energy group.

The effort comes as lawmakers are aiming to overhaul the tax code by year-end—an ambition that faces big hurdles, since Republicans have failed so far to agree on a framework. House Ways and Means Committee Chairman Kevin Brady (R-Texas) said he expects energy tax credits to be included in the legislation. Some lawmakers also hope technology-neutral provisions could be attached an extension of the nuclear production tax credit—a bill (S. 666) lawmakers from South Carolina and Georgia are looking to push through Congress quickly.

Sen. Ron Wyden (D-Ore.), ranking member of the Finance Committee, has been pushing the idea of streamlining the energy sections of the tax code with a technology-neutral credit for several years. His bill, Clean Energy for America Act (S. 1068), would let taxpayers choose between a production or an investment tax credit, scaled according to the amount of carbon emissions. It has 21 co-sponsors in the Senate, none of whom are Republicans.

Renewable energy groups, including the Solar Energy Industries Association and the American Council on Renewable Energy, have expressed support for the Wyden bill.

The tension between Democrats and Republicans on technology neutrality hinges on which energy sources will qualify for the credit. Wyden's bill allows zero-emission technologies, such as wind and solar, to qualify for the maximum credits, either 2.3 cents per kilowatt hour for the production credit or an investment tax credit of up to 30 percent. Rep. Tom Reed (R-N.Y.) has been exploring ways to create a Republican-friendly alternative that doesn't base eligibility on carbon.

"In a perfect world, you would start with a technology-neutral credit," rather than the patchwork of incentives that exists now, a GOP aide said.

Energy Priorities

For now, the strongest push in the Senate is to combine expired renewable energy credits under tax code Section 48 (H.R. 1090), the nuclear credit extension that passed the House in June, with an extension of a carbon sequestration tax credit, the aide said. The sequestration measure, which is spearheaded by Sens. Heidi Heitkamp (D-N.D.) and Sheldon Whitehouse (D-R.I.), hasn't been introduced yet this year but is expected to closely resemble legislation (S. 3179) from last Congress.

But if those don't pass, momentum could shift to a technology-neutral approach.

Republicans, however, still need to come up with a bill. The disagreement between the right and the left stems from how they view the idea, a Democratic aide said. Democrats see a technology-neutral

approach as a climate issue "at its core," the aide said. For Republicans, this is about spurring energy innovation, a GOP aide said.

"Conservatives generally are for agnostic government policies that don't choose winners or losers but that instead empower consumers and encourage research and development," Rep. Carlos Curbelo (R-Fla.) said.

One idea that has been considered is to provide incentive to new technologies with a credit until they reach a certain level of power generation, a GOP aide said. That would allow the oil and gas sector to receive the credit for technologies that are more efficient than current systems. Aides of both parties said, however, that the approach could be open to litigation because it's hard to define what processes are "innovative."

A compromise between Democratic and Republican approaches, however, would be a delicate balancing act, and so far no real headway appears to have been made, Timothy Fox, an alternative power analyst at ClearView Energy Partners LLC, told Bloomberg BNA.

"The fact that this minimizes the tax code could generate some support for this, but tax reform is very difficult," he said. "If a bill with this regulatory construct could be drafted in a way that more services could qualify in terms of lowering the baseline, then the prospects that it advances are greater."

For example, plants that burn cleaner coal could benefit from a lower baseline, he said.

Competing Factions

Power plants that emit 35 percent less carbon than the national average would be able to qualify for the minimum credit under Wyden's plan. Those that emit zero carbon would access the full credit.

The bill, therefore, could benefit the "fossil fuel guys" who crack down on carbon emissions, Wyden told Bloomberg BNA.

But Republicans still often lock horns over the basic merits of subsidizing energy, tax and energy specialists said. "It's a spectrum type of thing. You're going to have conservatives who don't want to incentivize energy production and some that want to incentivize fossil energy and some that want to incentivize renewable energy," Curtis Beaulieu, an energy lobbyist at Bracewell LLP, said. "I couldn't tell you how to amend this proposal to get the maximum Republican support."

Rep. David Schweikert (R-Ariz.), a member of the House Freedom Caucus, said the credits are likely to face resistance from some conservative members.

"If you have none, you are treating everyone the same," he said. "Wouldn't the ultimate policy-neutral perspective be really low rates accomplishing the same thing rather than a subsidy for energy?"

Christopher Guith, senior vice president of the U.S. Chamber of Commerce's Institute for 21st Century Energy, echoed that call, pointing to what he said were potential perils of the Wyden proposal or a related version.

"If you look at some of the struggles that are happening in competitive power markets right now that are pushing coal and nuclear out of the market, there's a growing consensus that the piecemeal

approach to subsidizing renewables has had unintended consequences," he told Bloomberg BNA. "There's a growing realization that federal subsidies have caused more problems than solutions."

Since the White House's "energy week," which wrapped up June 30, President Donald Trump continues to tout the value of baseload power, which refers to fossil fuels and nuclear. Environmentalists and like-minded lawmakers, however, urge an immediate transition to carbon-free energy production in order to minimize emissions that cause climate change.

Compromise Search

Despite the uncertainty, Reed told Bloomberg BNA he is working with a group of Senate Democrats and Republicans to find a way to move a technology-neutral bill, especially since the House passed the nuclear tax credit bill. "My hope is that as that vehicle goes forward that our technology-neutral-type provisions are recognized in the same caliber as that legislation," Reed said.

Attaching technology-neutral provisions to the nuclear bill could be difficult, especially if the nuclear legislation is fast-tracked through the Senate in a unanimous-consent process as some Republicans are hoping.

Wyden indicated he would wait to see how a Republican bill looks, before committing to compromising on his bill, but added "we are looking for opportunities to advance this."

And Sen. Debbie Stabenow (D-Mich.), Wyden's deputy on the committee, said the measure could be a Democratic position in tax reform negotiations. "We're just now hearing that we may actually have an open process on tax reform in the committee, which would be a welcome change," she told Bloomberg BNA.

The proposal, in fact, could ultimately serve as an olive branch if Republicans need a few Democratic votes to pass comprehensive tax reform. "I'm not saying the inclusion of this proposal would lead those Democrats to support tax reform, but it could entice them. This might move the needle a bit," Beaulieu said.

China Poised to Blow Past Solar Goals Amid Push to Clear Skies

Posted July 06, 2017, 9:18 A.M. ET

By Bloomberg News

China is poised to blow past its solar targets several years ahead of schedule as the government presses ahead with efforts to fight pollution, solidifying the nation's role as the world's biggest solar market.

Based on a review of projects already announced or under construction, China could install more than 30 gigawatts of new solar capacity this year, Yvonne Liu, a Beijing-based analyst at Bloomberg New Energy Finance, said in a phone interview. That would push China past its stated goals for 2020.

In 2016, China set out a plan to have at least 105 gigawatts of solar installations in four years. The nation, the world's biggest investor in clean energy, had almost 85 gigawatts as of the end of March after adding 7.21 gigawatts during the first quarter, according to data from China's National Energy Administration.

London-based BNEF's most-optimistic forecasts for China this year see solar installations close to their peak, aided in large part by growth in the commercial solar market. China's overall solar capacity has surged 13-fold since the end of 2012.

China installed a record 34.54 gigawatts of solar last year, according to the NEA. The growth of the market has benefited top panel manufacturers led by JinkoSolar Holding Co. and Trina Solar Ltd.

Policy Environment

The nation could add about 20 gigawatts in the first half after a rush of project development ahead of tariff cuts, said Peng Peng, secretary-general of the China Photovoltaic Power Investment & Financing Alliance. She raised her forecast for the year to at least 28 gigawatts from a previous estimate of 25 gigawatts.

The government's goal is "a bottom line," BNEF's Liu said, adding that China could install at least another 25 gigawatts of solar capacity in 2018 if the policy environment remains stable.

Leading to 2020, China is aiming to cut production costs and improve the efficiency of solar-generated power, Xing Yiteng, vice consultant in the new energy division at the NEA, said in February, adding that expansion is secondary.

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France Seeks Carbon Price More Than 19 Times Market Level

Posted July 06, 2017, 10:42 A.M. ET

By Helene Fouquet, Mathew Carr and Mark Deen

French Environment Minister Nicolas Hulot said he wants to increase the government's target price for carbon emissions to more than 100 euros ($114) a ton by 2030 to meet the nation's climate-change goals.

"The objective is to accelerate the implementation of the Paris climate accord," Hulot said July 6 at a news conference in which he set out a wide-ranging environmental strategy. A Hulot adviser said an earlier report in Le Figaro newspaper that said the 2030 target would be 140 euros a ton was wrong, and that a precise figure would be given in September.

At 100 euros, a French permit to release a ton of the greenhouse gas still would be more than 19 times the current level of European Union carbon allowances.

Companies from Engie to Electricite de France SA have lobbied for a minimum price of at least 30 euros a ton, arguing it would boost the use of cleaner natural gas-fired power stations and carbon-free nuclear generation.

European Union carbon allowances dropped about 22 percent so far this year after the bloc has spent most of the past decade seeking to deal with an accumulated glut in its market that's the equivalent of a full year of supply. Nations, the region's parliament and the European Commission are seeking to finalize plans this year to establish a reserve in 2019 to mop up the program's glut.

The EU may have to consider pursuing a carbon-floor price or a tax in the next decade if the deal on the reserve fails to adequately revive EU allowances, a German government official said in March.

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South African Farmers Wary of Fracking as Licensing Looms

Posted July 06, 2017, 8:57 A.M. ET

By Paul Burkhardt

Farmers in South Africa say they need more assurances that shale-gas drilling is safe for their industry as exploration licenses for companies including Royal Dutch Shell Plc are expected in months.

After emerging from the worst drought on record, farmers still aren't clear about where explorers will get the water they need to inject chemicals as part of a drilling technique known as fracking, Johannes Moller, the president of growers' body Agri SA, said July 5 at a press conference. There's also uncertainty about how land will be rehabilitated after drilling and how land owners will be compensated, he said.

The development of gas in the semi-desert Karoo region, which is estimated by regulators to hold as much as 201 trillion cubic feet of the resource, has been slowed by legislative delays. Momentum has increased following the introduction of a program to diversify South Africa's fuel mix by using natural gas, and Mineral Resources Minister Mosebenzi Zwane has said he favors the exploitation of shale resources.

"We can't support the government's view on progressing shale gas" until there are answers, Moller said. South Africa's Academy of Science in November also recommended further research before moving ahead with exploration.

Representatives of Shell, the Department of Minerals and the Department of the Environment didn't immediately return emails seeking comment.

The minister will decide on five applications in the third quarter, according to Petroleum Agency South Africa. If permits are issued, Agri SA will appeal immediately, said Janse Rabie, the group's head of natural resources.

One of the least-populous areas of the country, the Karoo produces most of South Africa's wool and accounts for the bulk of the country's mohair output, as well as sheep and ostrich meat.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Thur 11/9/2017 6:01:35 PM
Subject: Senate Confirms William Wehrum to Lead EPA Air Office

Senate Confirms William Wehrum to Lead EPA Air Office

WASHINGTON (November 9, 2017) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt praised the U.S. Senate vote to confirm William (Bill) Wehrum to serve as the Assistant Administrator for EPA's Office of Air and Radiation.

"I want to thank Leader McConnell and Chairman Barrasso for their continued partnership and outstanding leadership with getting Bill confirmed to such an important role at the agency. Bill Wehrum has a long history of public service, including over 30 years working in the environmental field. I look forward to him joining EPA to help us implement our positive environmental agenda and administer programs that ensure that Americans have access to clean air," **said EPA Administrator Scott Pruitt.**

On October 25, 2017, the U.S. Senate Committee on Environment and Public Works, led by U.S. Senator John Barrasso (R-WY) advanced William Wehrum's nomination out of committee.

Visit The EPA's Newsroom

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/23/2017 12:11:52 AM
Subject: June 23 -- Daily Environment Report

Daily Environment Report

June 23, 2017 - Number 120

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Leading the News

Asbestos
EPA Sets Out Parameters for Studying Asbestos Risk
The EPA took an early step June 22 to lay out how it plans to evaluate the risk of asbestos, publishing an initial document on how it will review information on the substance.

Chemicals
EPA Details New Oversight of Chemicals in Three Final Rules
The Environmental Protection Agency released June 22 final rules establishing its first-ever, comprehensive regulatory strategy to evaluate—and regulate, if needed—chemicals in commerce.

Risk Assessment
EPA Examining Worker Exposures to Solvents, Liver Damage
The EPA will review whether five commonly used solvents may damage liver or kidney function or cause other harms in exposed workers, the general public or people living near sites where the chemicals are made or disposed, according to risk scoping documents the agency released June 22.

Risk Assessment
EPA to Refine Initial Analysis of Pigment, Other Chemicals
Lenox Corp., Tiffany & Co., 3M, BASF Corp. and Procter & Gamble Corp. are among the companies that eventually could be affected by the risk analysis plans that the EPA released June 22 for four chemicals.

News

Air Pollution

Cement Plants to Get Extension for Alternate Emissions Tests

Cement manufacturers should be authorized to continue using alternative methods to comply with federal hydrochloric acid emissions limits due to a shortage of materials used to calibrate required monitoring systems, according to the EPA.

Air Pollution

EU Panel Backs U.N. Ozone, Air Pollution Agreements

The European Parliament's environment committee June 22 waved through draft European Union decisions to ratify international agreements on ozone-depleting substances and transboundary air pollution.

Asbestos

Foster Wheeler Appeal Upends Asbestos Case Transfer

A federal district court in Maryland denied Foster Wheeler LLC its right to a federal forum when it transferred a worker's asbestos exposure case to state court, the Fourth Circuit ruled June 22 (Sawyer v. Foster Wheeler LLC, 4th Cir., No. 16-1530, 6/22/17).

Climate Regulation

Carbon Caps for Refineries Delayed in San Francisco

A plan to cap greenhouse gas emissions at San Francisco Bay Area oil refineries is on hold, at least until September.

Contribution

Too Early to Call Two-Smelter Superfund Case, Court Says

More fact-finding is necessary to determine whether TCI Pacific Communications Inc. must pay Cyprus Amax Minerals Co. to clean up toxic waste from two smelters, the Northern District of Oklahoma ruled June 20 (Cyprus Amax Minerals Co. v. TCI Pac. Commc'ns, Inc., 2017 BL 210907, N.D. Okla., No. 11-cv-0252, 6/20/17).

Energy

Bills to Streamline Pipeline Approval Process Move in House

A House subcommittee advanced a bill that would formalize the way the federal government approves cross-border energy pipelines, a response to the at-times chaotic approval process for the Keystone XL pipeline.

Energy

Electric Grid Resiliency Proposed Cuts Spark Bipartisan Concern

An Energy Department proposal to slash electric grid resiliency funding drew bipartisan concern from lawmakers June 22, but Energy Secretary Rick Perry said he doesn't share their concerns.

Energy

Interior's Zinke Defends Plans to Enhance Oil and Gas Leasing

The Interior Department wants to streamline the permitting of oil and gas leasing and deal with energy companies as partners, not adversaries, Interior Secretary Ryan Zinke told lawmakers June 22.

Energy

Mexico Oil Development Shelved; Indigenous Group Triumphs

Indigenous outcry against Mexico's oil development plans in the birthplace of the Zapatista movement has claimed its first victory.

Energy

NRC Quorum Nearly Assured as Svinicki Clears Cloture Vote

The Nuclear Regulatory Commission is nearly assured of having a quorum to make formal decisions as the Senate voted June 22 to advance Kristine Svinicki's nomination to a third term at the agency.

Enforcement

Ex-Alabama Official Admits to Bribery in Superfund Case

A former Alabama state representative admitted to accepting donations to his nonprofit foundation in exchange for helping a company avoid environmental contamination cleanup costs, according to a plea agreement announced June 22.

Insurance

Senate Banking Leaders Discussing Bipartisan Flood Reauthorization

Leaders on the Senate Banking Committee are negotiating their own bill to reauthorize the National Flood Insurance Program (NFIP), a committee aide told Bloomberg BNA June 22.

Pesticides

Bid Fails to Derail EU Controls on Bee-Harming Pesticides

The European Parliament's environment committee June 22 overwhelming rejected a bid by a small group of lawmakers to derail a European Union plan to impose tighter controls on three neonicotinoid pesticides.

Pesticides

Nonprofits Sue to Release EPA-Dow Pesticide Communications

Two nonprofits are suing the EPA for failing to release documents related to the agency's March decision not to ban a controversial pesticide.

Pipeline Safety

Dakota Access Builder $4.2b Ohio Pipeline Sparks Concerns

Energy Transfer Partners LP is making a mess of its biggest project since the Dakota Access pipeline.

REACH

EU REACH Project Finds Companies Handling Banned Substances

A small number of companies in the European Union are flouting rules on substances phased out from use in the bloc under the REACH regulation, the European Chemicals Agency said June 22.

Radioactive Materials

Tokyo Electric Faces Fukushima Radiation Claims in U.S.

Tokyo Electric Power is subject to suit in the U.S. by servicemen alleging radiation exposure while assisting in the cleanup after a 2011 earthquake and tsunami hit Japan, the Ninth Circuit ruled (Cooper v. Tokyo Elec. Power Co., 9th Cir., 15-56424, 6/22/17).

Radioactive Waste

Texas Company's Nuclear Storage Application in Flux

The status of Waste Control Specialists' application with federal regulators for an interim high-level nuclear waste storage site in West Texas remained in flux after a federal judge blocked the company's sale to a competitor.

Renewable Energy

Trump Says 'Solar Wall' on Mexican Border Would Pay for Itself

U.S. President Donald Trump said he's proposed building a "solar wall" on the Mexican border that would pay for itself by generating electricity.

Solid Waste

India Calls for Buffer Zones Around Landfills

India is calling on landfill operators and waste-handling plants to create buffer zones around their businesses to protect nearby residents.

Superfund

EPA to Spend $9.4M to Take Lead-Tainted Soil From N.J. Town

It will cost an estimated $9.4 million to remove and replace lead-contaminated soil from a residential development in West Deptford, N.J., built on top of a dump for crushed battery casings, the EPA said.

Superfund

EPA's Superfund Reform Ideas Echo Industry Wish List

Companies, consultants, and industry associations involved with Superfund sites are calling for a swifter, leaner cleanup program, and the EPA is listening.

Sustainability

Green Bond Mania Fans Demand to Prove Planet-Saving Promises

The green-bond market has boomed on the allure of investments that help the environment. Now, the industry is trying to show that the reality matches these ambitions.

Sustainability

U.N. Criticizes Efforts to Amend Brazil's Constitution on Land Rights

The United Nations has taken the unusual step of objecting to an effort to amend Brazil's constitution that it claims would endanger the rights of indigenous people and give lawmakers too much power to reclassify land that is now federally protected.

Vehicle Fuels

Trump Pledges Support for 'Under Siege' Ethanol Amid EPA Delays

President Donald Trump reiterated his support for the U.S. ethanol industry in a June 21speech, even as his administration stokes uncertainty by considering last-minute changes to the way it mandates domestic consumption.

Water Resources

Bill Streamlining Federal Water Storage Permitting Passes House

Legislation providing a one-stop shop for water districts to build new water storage projects on land in the West managed by the Interior and Agriculture departments passed the House on a 233-180 vote along mostly partisan lines.

Water Resources

California Water Agency May Recover Infrastructure Use Costs

Southern California's largest water wholesaler gained ground in a legal dispute over its rate structure with the San Diego County Water Authority.

Practitioner Insights

Chemicals

Practitioner Insights: Prioritizing Health Was Intent of New Chemicals Reforms

One year ago, Congress did what many thought was impossible: it passed and the president signed into law the most sweeping environmental reform legislation in 25 years and the first significant update of the Toxic Substances Control Act in 40 years. The Frank R. Lautenberg Chemical Safety for the 21st Century Act was written first and foremost to protect public health and safety by ensuring that the Environmental Protection Agency had the resources and the explicit direction to determine the ...

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 6/26/2017 10:38:20 AM
Subject: POLITICO Playbook, presented by the Coalition for Affordable Prescription Drugs (CAPD): IVANKA, sr. adviser to POTUS: 'I try to stay out of politics' -- HEALTH CARE CRUNCH WEEK -- CBO expected to project big coverage losses -- SEN. RON JOHNSON blasts b...

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by the Coalition for Affordable Prescription Drugs (CAPD)
06/26/2017 06:35 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Monday morning. IVANKA SPEAKS -- INTERVIEW WITH AINSLEY EARHARDT ON FOX NEWS -- *Asked about her father's tweets*: "I try to stay out of politics. I -- his political instincts are phenomenal. He did something that no one could have imagined he'd be able to accomplish. There were very few who thought, early on. I feel blessed just being part of the ride from day one and before. But he did something pretty remarkable. But I don't profess to be a political savant."

-- ABOUT WHETHER SHE DISAGREES WITH HER FATHER: "So naturally, there are areas where there is disagreement. We're two different human beings. I think it's normal to not have 100 percent aligned viewpoints on every issue. I don't think anyone operates like that with a parent, or within the context of an administration, and I think that all different viewpoints being at the table is a positive thing. And I think one of the things that, in this country we don't have enough of, is dialogue."

-- ONE QUICK NOTE: Ivanka is a senior adviser to the president. If she is trying to "stay out of politics" it will be hard for her to be very successful in Washington.

IT'S FINALLY HERE ... Republicans have been talking about repealing Obamacare for six years, and this week they are finally poised to take up their legislation. One problem: it's unclear if they have anywhere near the support they need to get the bill through. Expect a lot of arm twisting and drama over the next several days. President Donald Trump will play a support role. Senate Majority Leader Mitch McConnell's allies have sent signals that he is going to put the bill up for a vote even if he doesn't expect it to pass. But Sen. John Cornyn of Texas, the No. 2 Senate Republican, told reporters in Colorado Springs that Aug. 1 is the real final deadline.

IF IT LOOKS LIKE THIS BILL WILL PASS, there's a chance the House will stick around to try to take action. **SENIOR REPUBLICANS** we talk to tell us they'd want to try to take advantage of the political momentum. But there's still serious doubt this bill can pass the House.

WHERE THINGS STAND -- "Senate Republicans skeptical Obamacare repeal can pass this week: Senate GOP leaders face problems from seemingly every corner of the conference," by Elana Schor and Seung Min Kim: "Senate Republicans are casting doubt on their leaders' plans to vote this week on repealing Obamacare, with lawmakers from all wings of the party so far withholding support from the massive reshaping of the health care law that they campaigned on for seven years. Majority Leader Mitch McConnell of Kentucky faces problems from seemingly every corner of his conference, and -- from wary moderates to conservatives and even leadership allies -- few Republicans were willing Sunday to predict the Senate repeal bill could pass this week, before lawmakers leave Washington for a weeklong July 4 recess. ...

"Senate Majority Whip John Cornyn, speaking to reporters at the Koch Brothers' donor conference in Colorado Springs, said he was unsure if Republicans would be able to round up the votes. He said the party needed to move quickly, and things were on schedule for a vote this week. 'We don't have the luxury of waiting around. It's not going to get easier,' Cornyn said, identifying Aug. 1 as a 'drop-dead line.'" http://politi.co/2sHC9uG

-- BIG COVERAGE LOSSES: "CBO score sure to add to McConnell's headaches," by Adam Cancryn and Dan Diamond: "The CBO is poised to tell Senate Republicans this week that their health plan will leave millions more uninsured than Obamacare -- with the losses estimated from 15 million to 22 million over a decade, according to a half dozen budget analysts polled by POLITICO. ... The CBO score of the Senate bill [is] expected as early as Monday." http://politi.co/2tbNggh

-- NYT A1, "Senate Leaders Try to Appease Members as Support for Health Bill Slips," by Robert Pear and Tom Kaplan: "Senate leaders, trying to muster support, are looking for ways to address a conspicuous omission: The bill requires insurers to accept anyone who applies, but repeals the mandate for people to have coverage and does not replace it with anything. ... Republicans said they might revise their bill to establish a six-month waiting period for people who go without insurance and then want to sign up, in the belief that this would encourage consumers to maintain continuous coverage. ... The Senate's answer also has potential problems. For someone with cancer, a six-month waiting period could be a death sentence." http://nyti.ms/2tbvs4X

-- WITH FRIENDS LIKE THESE ... SEN. RON JOHNSON (R-WIS.) on the **NYT OP-ED PAGE: "Where the Senate Health Care Bill Fails":** "Speaking at a rally for his wife's presidential campaign last year, Bill Clinton called Obamacare 'the craziest thing in the world.' As he put it, 'The people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half.' Mr. Clinton

was right, and it's why Republicans have been pushing to repair the damage done by Obamacare for so long. Our priority should be to bring relief, and better, less expensive care, to millions of working men and women.

"Unfortunately, the Senate Republican alternative, unveiled last week, doesn't appear to come close to addressing their plight. Like Obamacare, it relies too heavily on government spending, and ignores the role that the private sector can and should play. ... Republican leaders have told us the plan unveiled last week is a draft, open to discussion and improvement. I look forward to working with Senate leadership and the president to improve the bill so it addresses the plight of the forgotten men and women by returning freedom and choice to health care." http://nyti.ms/2s7Ux1c

-- JOHNSON seems to be voicing pretty fundamental concerns with the GOP bill. His issues don't appear to be easily solvable with a tweak or two. That is a problem for Senate Republicans.

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study found that pharmacy benefit managers (PBMs) reduced spending in Medicare Part D by 58 percent in 2014, driving down costs for the government, taxpayers, and beneficiaries. The study forecasts that PBMs will save $1,800 per Medicare beneficiary, per year over the next ten years. Learn more at affordableprescriptiondrugs.org ******

TRUTH TALK -- "Koch-backed group calls health fight in Congress 'humbling'," by Kevin Robillard in Colorado Springs: "The head of the Koch brothers-backed Americans for Prosperity admitted to donors on Sunday that the group was caught 'flat-footed' by the fight in Congress to replace Obamacare, as the group seeks to influence Republican proposals it says do not go far enough to repeal the 2010 law. 'We fully expected a repeal vote,' Americans for Prosperity President Tim Phillips told hundreds of donors at the Koch network's annual seminar at the Broadmoor Resort. 'We were caught flat-footed when it didn't happen.' He added: 'This has been humbling for us.'" http://politi.co/2tbAnCQ

AIR WARS -- "Pro-Trump group's health care offensive warns GOP senators to get in line," by Alex Isenstadt: "A new campaign by top White House allies targeting the GOP's most vulnerable senator over health care sends a loud message to those resistant to the Trump agenda: We're coming after you. America First Policies, a White House-backed outside group led by the president's top campaign advisers, has launched a $1 million attack against Sen. Dean Heller (R-Nev.), who on Friday announced that he opposed the Senate's recently unveiled Obamacare repeal plan. ...

"The offensive is aimed at both punishing Heller and at swaying his vote, and it is a stunning act of political retaliation against a member of the president's own party - one who faces a perilous path to re-election in 2018. Senior Republicans, many of whom are deeply worried about Heller's political standing and increasingly nervous about the midterms, were shocked and spent the weekend measuring the possible fallout."

http://politi.co/2tbTJbj

FOGGY BOTTOM WATCH -- NYT A1, " Where Trump Zigs, Tillerson Zags, Putting Him at Odds With White House," by David E. Sanger, Gardiner Harris and Mark Landler: "Mr. Tillerson [is] in exactly the place a secretary of state does not want to be: in public disagreement with the president who appointed him. Mr. Tillerson tried to position himself as an intermediary [for the Qatar crisis] and sought for all sides to put their demands on the table. ... Some in the White House say that the discord in the Qatar dispute is part of a broader struggle over who is in charge of Middle East policy -- Mr. Tillerson or Jared Kushner, the president's son-in-law and a senior adviser - and that the secretary of state has a tin ear about the political realities of the Trump administration.

"Others say it is merely symptomatic of a dysfunctional State Department that, under Mr. Tillerson's uncertain leadership, does not yet have in place the senior political appointees who make the wheels of diplomacy turn. ... In fact, Mr. Tillerson's determination to rationalize the State Department structure, which many applaud, and his refusal to appoint under secretaries and assistant secretaries until he has it all figured out have created policy gridlock. Three foreign ambassadors - one from Asia and two from Europe - said they had taken to contacting the National Security Council because the State Department does not return their calls or does not offer substantive answers when it does. ... Through it all, Mr. Tillerson, a Texas native and an engineer by training, has remained publicly stoic, proceeding at his own pace, though colleagues from his Exxon days say they have seen little evidence he is finding much joy in the job." http://nyti.ms/2sS1a4N

END OF AN ERA -- "Russian Ambassador Sergey Kislyak Is Going Home To Russia," by BuzzFeed's John Hudson: "Ending one the most turbulent tenures of a Washington-based ambassador in recent memory, the Kremlin has decided to recall its ambassador to the United States Sergey Kislyak, three individuals familiar with the decision tell BuzzFeed News. ... The U.S.-Russia Business Council ... is hosting a going away party for the ambassador on July 11 at the St. Regis Hotel. ... In Kislyak's place, the Kremlin is expected to send Russian deputy foreign minister, Anatoly Antonov, according to Russian media reports." http://bzfd.it/2tLI1m2 ... ***RSVP to the party*** http://bit.ly/2s7vDyM

-- Gregg Carlstrom (@glcarlstrom): "On July 12, no one in DC will recall having gone to this party".

COMING ATTRACTIONS -- "Trump eager for big meeting with Putin; some advisers wary," by AP's Vivian Salama: "President Donald Trump is eager to meet Russian President Vladimir Putin with full diplomatic bells and whistles when the two are in Germany for a multinational summit next month. But the idea is exposing deep divisions within the administration on the best way to approach Moscow in the midst of an ongoing investigation into Russian meddling in the U.S. elections.

"Many administration officials believe the U.S. needs to maintain its distance from Russia at such a sensitive time - and interact only with great caution. But Trump and some others within his administration have been pressing for a full bilateral meeting. He's calling for media access and all the typical protocol associated with such sessions, even as officials within the State Department and National Security Council urge more restraint, according to a current and a former administration official." http://apne.ws/2sHLe6K

-- **"Europe has been working to expose Russian meddling for years,"** by WaPo's Dana Priest and Michael Birnbaum in Riga, Latvia: "Across the continent, counterintelligence officials, legislators, researchers and journalists have devoted years - in some cases, decades - to the development of ways to counter Russian disinformation, hacking and trolling. ... Four dozen officials and researchers interviewed recently sounded uniformly more confident about the results of their efforts to counter Russian influence than officials grappling with it in the United States, which one European cyber-official described as 'like watching 'House of Cards.'" http://wapo.st/2s7KWYg

-- "Trump's Deflections and Denials on Russia Frustrate Even His Allies," by NYT's Maggie Haberman: http://nyti.ms/2t9oqNV

SUSAN GLASSER'S "THE GLOBAL POLITICO" -- NEW EPISODE -- "Why Rep. Adam Kinzinger Is Raising 'Holy Hell' Over Russia: The up-and-coming member of the House Foreign Affairs Committee is prepared to wage a GOP rebellion": "Kinzinger ... [has] emerged as a rare voice inside the GOP willing to publicly critique the president of his own party on foreign policy. A particularly ardent Russia hawk in a party that was until recently filled with them, Kinzinger has taken to tweeting with the hashtag '#russiaisnotourally' in what seems to be a direct challenge to the Twitter-loving president." http://politi.co/2scRik0 ... ***Full transcript*** http://politi.co/2sSi6br ... ***Subscribe*** http://apple.co/2kJ9q1U

NOTHING TO SEE HERE -- "No, Justice Anthony M. Kennedy Is Not Retiring Tomorrow," by Above the Law's David Lat: "[B]ased on reports I've received from former AMK clerks who attended his law clerk reunion dinner [Saturday] night, it is highly unlikely that Justice Kennedy will announce his retirement" Monday. http://bit.ly/2sHz25l

-- FROM ELIANA JOHNSON: "White House counsel Don McGahn told the president recently that he anticipated Kennedy would step down, leading Trump to expect a retirement announcement, a senior White House aide said." http://politi.co/2u65a0W

-- IMPORTANT TO KNOW TODAY -- AP'S MARK SHERMAN: "Before taking their long summer break, the Supreme Court justices are poised to act on the Trump administration's travel ban and a separation of church and state dispute involving a Missouri church playground." http://apne.ws/2s826oh

THE PRESIDENT'S DAY -- TRUMP is lunching with Mike Pence and Nikki Haley. In the afternoon, Trump welcomes Indian Prime Minister Narendra Modi to the White House. They'll meet, give a public statement and will have dinner.

THE JUICE ...

-- THE OBAMAS are at the Four Seasons in Bali. http://dailym.ai/2u6xwIh

-- STEVE KERRIGAN and **RICK PALACIO** are launching a new PAC called "Stronger States" to help build the Democratic bench and support local candidates ahead of the 2018 midterms. http://bit.ly/2scS4gR

-- HOUSE MINORITY LEADER NANCY PELOSI will join Charlie Rose, Gayle King and Margaret Brennan on "CBS This Morning" at 8:30 a.m.

Playbook Reads

PHOTO DU JOUR: Members of Resist, a foundation that supports people's movements for justice and liberation, protest President Donald Trump and other politicians as they march during the New York City Pride Parade on June 25. | Michael Noble Jr./AP Photo

FUN READ - JEFFREY TOOBIN in The New Yorker, "The National Enquirer's Fervor for Trump: The tabloid is defined by its predatory spirit. Why has it embraced the President with such sycophantic zeal?": "As [an editorial] meeting wound down, the discussion turned to the following week's issue. Someone suggested a story about a video from Donald and Melania Trump's first overseas trip. The video, which had just gone viral, showed the couple walking down a red carpet on the airport tarmac in Israel. When Donald reached for Melania's hand, she slapped it away with a sharp flick of her wrist. 'I didn't see that,' [David] Pecker [chief executive of American Media, Inc. which owns the Enquirer] said, on the speakerphone. The half-dozen or so men in the room exchanged looks.

"One then noted that the footage of Melania's slap had received a good deal of attention. 'I didn't see that,' Pecker repeated, and the subject was dropped. It was a telling moment. Even if the leader of a celebrity-news empire had missed the viral video from the President's trip, Pecker's decision to ignore the awkward moment for the First Family was not surprising. ... Pecker and Trump have been friends for decades ... and Pecker acknowledges that his tabloids' coverage of Trump has a personal dimension. ...

"Pecker is ... considering expanding his business: he may bid to take over the financially strapped magazines of Time, Inc. ... Based on his stewardship of his own publications, Pecker would almost certainly direct those magazines, and the journalists who work for them, to advance the interests of the President and to damage those of his

opponents --- which makes the story of the Enquirer and its chief executive a little more important and a little less funny ... [T]he idea of Pecker as the leader of Time, Inc., like that of Trump as the President of the United States, has gone from preposterous to more than possible." http://bit.ly/2s82C5N

JARED INC. -- "Kushner firm's $285 million Deutsche Bank loan came just before Election Day," by WaPo's Michael Kranish: "One month before Election Day, Jared Kushner's real estate company finalized a $285 million loan as part of a refinancing package for its property near Times Square in Manhattan. The loan came at a critical moment. Kushner was playing a key role in the presidential campaign of his father-in-law, Donald Trump. The lender, Deutsche Bank, was negotiating to settle a federal mortgage fraud case and charges from New York state regulators that it aided a possible Russian money-laundering scheme. The cases were settled in December and January.

"Now, Kushner's association with Deutsche Bank is among a number of financial matters that could come under focus as his business activities are reviewed by special counsel Robert S. Mueller III, who is examining Kushner as part of a broader investigation into possible Russian influence in the election. The October deal illustrates the extent to which Kushner was balancing roles as a top adviser to Trump and a real estate company executive." http://wapo.st/2sHGj5P

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD)**: A new study projects pharmacy benefit managers (PBMs) will save Medicare Part D $896 billion over ten years. PBMs drive savings for taxpayers and seniors by negotiating discounts from drug manufacturers; by encouraging the use of lower cost, clinically equivalent drugs; and by providing clinical programs that improve health outcomes. Learn more at affordableprescriptiondrugs.org ******

MAYOR OF THE WORLD -- "Bloomberg's Next Anti-Washington Move: $200 Million Program for Mayors," by NYT's Alex Burns: "Michael R. Bloomberg will throw his financial might into helping beleaguered American mayors, creating a $200 million philanthropic program aimed at backing inventive policies at the city level and giving mayors a stronger hand in national politics. Mr. Bloomberg intends to announce the initiative on Monday in a speech to the United States Conference of Mayors in Miami Beach, where he will castigate federal officials and state governments around the country for undermining cities. He plans to describe the program, called the American Cities Initiative, as a method of shoring up the global influence of the United States despite turmoil in Washington." http://nyti.ms/2sS1iBl ... ***Release*** http://politi.co/2sSc4Yc ... ***The new program*** http://bloombg.org/2s7vKtQ

HAPPENING TODAY -- New Orleans Mayor Mitch Landrieu will be elected president of the U.S. Conference of Mayors today in Miami Beach. He'll deliver a speech on national leadership starting at 12:45 p.m. ***Livestream*** http://bit.ly/2sSbJVD

FIRST IN PLAYBOOK -- Alexis Prieur L'Heureux and **Hannah Fried,** two lawyers and

longtime Democratic campaign staffers, are starting a 501(c)4 called Access Democracy, focused on election administration problems, such as out-of-date registration lists and long lines. http://bit.ly/2sI9SUL

MEDIAWATCH -- "CNN Is Imposing Strict New Rules On Its Russia Coverage," by BuzzFeed's Jon Passantino: "CNN is imposing strict new publishing restrictions for online articles involving Russia after the network deleted a story and then issued a retraction late Friday, according to an internal email obtained by BuzzFeed News. The email went out at 11:21 a.m. on Saturday from Rich Barbieri, the CNNMoney executive editor, saying 'No one should publish any content involving Russia without coming to me and Jason [Farkas],' a CNN vice president. 'This applied to social, video, editorial, and MoneyStream. No exceptions ... I will lay out a workflow Monday.'" http://bzfd.it/2sHsuEb

-- ANDREA MITCHELL, NBC News chief foreign affairs correspondent, yesterday was awarded the Joseph M. Quinn Award for Lifetime Achievement by the Los Angeles Press Club, the club's highest honor. Pool report: "Introduced by NBC News' Katy Tur, Andrea shared that 'rarely have we been as needed as we are today' as journalists and that 'none of us can do this alone,' addressing some of the less-covered stories of today like the Sunni/Shiite divide in the Persian Gulf. Andrea is now covering her seventh (!) presidential administration and has no plans on slowing down, telling the audience, "I know this is a lifetime achievement award, but this one isn't over!'" ***Pics*** http://bit.ly/2scVGzJ ... http://bit.ly/2rSsjU0

Playbookers

SPOTTED: Sen. Dan Sullivan (R-Alaska) boarding a Delta flight from MSP to DCA on Sunday afternoon, "being extra pleasant with the gate attendants while boarding. Seated on the aisle in Economy Plus," per our tipster.

WEEKEND WEDDINGS - "Amy Davidson, David Sorkin" - N.Y. Times: "The bride, 47, is a staff writer at The New Yorker magazine. She graduated magna cum laude from Harvard. ... The groom, 57, is the general counsel of Kohlberg Kravis Roberts & Company, a private investment firm in Manhattan. He graduated summa cum laude from Williams College and received a law degree cum laude from Harvard. ... The couple met in 2013 after a colleague of the groom suggested that Ms. Davidson might be a good match for him." ***With pic*** http://nyti.ms/2tbuci8

--Patrick Brown, senior director for federal and gubernatorial campaigns at EMILY's List and **Megan Jacobs,** comms director for Project Daylight and formerly with North Carolina Gov. Roy Cooper, got married on Saturday in Madison, N.H. "They met in Iowa in 2011 when he was helping launch a congressional campaign and she was doing response press for the DNC during the GOP presidential race, so the theme of the wedding was 'from IA to NH.' The place was crawling with politicos, especially DCCC

alums." ***Pic*** http://bit.ly/2tLZxWq

--SPOTTED: Lucinda Guinn, Nicole Eynard, Jessica Post, Ian Russell, Travis Lowe, Emily Parcell, Molly Ritner, Karen Defilippi, Michelle McGrorty, Jordy Zeigler, Andy Lavigne, Christina Coloroso, Rebecca Pearcey.

-- "Marla Friedman, Eduardo Weinstein": "The bride, 31, is an editor for Apple News in New York [and is a HuffPost and WSJ alum]. She graduated from Washington University in St. Louis and received a master's from Northwestern. ... The groom, 36, is the head of strategy and analytics at Google in New York. He graduated magna cum laude from Pontificia Universidad Católica de Chile in Santiago, and received an M.B.A. from Harvard." ***With pic*** http://nyti.ms/2s7KEjP

-- NBC News publicist **Joya Manasseh** married lawyer **Chris Dioguardi** in a ceremony Saturday in Mattituck, NY. They met in Madrid while studying abroad 8 years ago. ***Pics*** http://bit.ly/2sERMmt ... http://bit.ly/2t5uRBi (h/ts Dom, Hollie Tracz and Ali Zelenko)

--"Victoria Alekhine, Joshua Harlan": "Victoria Alekhine and Joshua David Harlan were married [on Thursday] at the Lotos Club, a private literary club in New York. Rabbi Joshua M. Davidson officiated. The couple met in New York in 2013 at an event hosted by the Council on Foreign Relations. The bride is the deputy director for fellowship affairs for the organization and the groom is a member. Ms. Alekhine, 32, graduated summa cum laude from George Washington University, where she also earned a master's degree in public administration. ... Mr. Harlan, 46, is the founder and managing partner of Harlan Capital Partners, a New York investment firm. He graduated summa cum laude from Harvard, received a master's degree in philosophy from Oxford University in England and earned a law degree from Yale." ***With pic*** http://nyti.ms/2s58BIJ

WELCOME TO THE WORLD -- Tim Brown, comms director for Rep. Joe Courtney (D-Conn.) and **Tracey Roberts,** congressional liaison for NLRB, email friends and family, welcomed Abigail Roberts Brown on Sunday: "Abbey is making it clear from the start that she will be doing things her own way, arriving exactly 1 week before her due date! No more risk of a July Fourth baby, instead she will have a June birthday just like her mom. She checked in at 11:52 a.m. at 7 pounds, 6.5 ounces, and 19 inches tall. Mother and daughter are resting comfortably." ***Pic*** http://bit.ly/2tcMP67

-- Mike Carter-Conneen, a reporter at ABC7 (WJLA-TV), and **Torey Carter-Conneen**, the COO of the American Immigration Lawyers Association, have announced the adoption of their newborn daughter Drew Marie Michelle Carter-Conneen. "Drew was born on Monday, May 29th (Memorial Day). At birth, she was 8 lbs, 6 oz, with a head full of hair. Her dads are over the moon." ***Pics*** http://bit.ly/2u6yZyc ... http://bit.ly/2s7G0md

BIRTHDAY OF THE DAY: WaPo White House bureau chief **Juliet Eilperin.** How she's celebrating: "The good thing about being a D.C. native is I get to celebrate my birthday with my extended family, including my parents, and one of my nieces from Brooklyn

almost always comes to town this time of year. So we'll gather at my dad's house -- though a day early, since I may be on deadline writing about health care on June 26." Read her Playbook Plus Q&A: http://politi.co/2tc1I8h

BIRTHDAYS: Charles S. Robb is 78 ... Elizabeth Wilner, managing editor for policy at Airbnb and a Kantar Media alum ... Politico's Scott Bland ... WSJ's Louise Radnofsky ... Dave Brown, director at Brunswick Group ... Mark Kadesh (h/t Jon Haber) ... Patrick O'Connor ... Chris Weideman, former Treasury chief of staff, now head of litigation at Apollo Global Management (we jumped the gun yesterday on Patrick and Chris) ... O'Malley alum Adam Goers, founder and principal at Demo Strategies ... Stephen Rattner, Treasury and Crist alum ... Jesse Greener ... GOP pollster Jon McHenry ... Mark Ritacco ... Betsy Burton Goldin ... former Hawaii Gov. Neil Abercrombie is 79 ... Mickey Leibner, attorney at Mayer Brown in DC (h/t Josh Alcorn) ... Ross Feinstein, senior manager of corporate comms. at American Airlines (h/t Stephen Johnson) ... Joe Durheim ... Lucy Silver ... Ed Buckley ...

... NYT's Daniel Victor ... Philip Lajaunie ... Judy Havemann, director of public affairs/comms at the National Endowment of the Humanities ... Bill Lyne ... Alex Hayden DiLalla, senior digital campaigner at Global Citizen ... Graeme Zielinski ... Julie Norton, managing director at SKDKnickerbocker and president of Fight Back PAC (h/t Kelley McCormick) ... Alan Solow, former chairman of the Conference of Presidents of Major American Jewish Organizations, is 63 (h/t Jewish Insider) ... Elisabeth Cholnoky ... Kathleen Falk, the pride of all of Wisconsin ... Joannie Braden ... Denny Gass (h/ts Teresa Vilmain) ... Jan Burmeister ... Preeya Noronha Pinto ... Derek Jeter is 43 ... actor-musician Jason Schwartzman is 37 ... Aubrey Plaza is 33 ... actress-singer Ariana Grande is 24 (h/ts AP)

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study estimates that Medicare Part D costs would be 58 percent higher without pharmacy benefit managers' (PBMs') clinical tools and price negotiations with drug manufacturers and pharmacies. The study shows PBMs significantly lower premiums and out-of-pocket costs for Medicare beneficiaries. In fact, PBMs are projected to save Medicare Part D $896 billion over the next decade. Thanks to PBMs, Medicare Part D continues to drive savings and value for taxpayers and beneficiaries, ensuring that more than 39 million American seniors can access the prescription drugs they need. Learn more at affordableprescriptiondrugs.org ******

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EHS Federal Regulatory Alert

October 05, 2017 - Number 192

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Arizona SIP/San Manuel Area SO2 NAAQS Maintenance Plan
AIR

Proposed rule of the EPA would approve a revision to the Arizona SIP concerning the second 10-year maintenance plan for the San Manuel area in Arizona for the 1971 sulfur dioxide (SO2) NAAQS. The plan demonstrates the area's continued maintenance of the NAAQS, in part, by showing that future emissions of SO2 will not exceed the level of the attainment inventory. The plan includes emissions inventories representing current emissions for 2014 for area sources, projected emissions for two interim years during the second maintenance period, and projected emissions for the tenth year of the second maintenance period. Comments are due Nov. 6, 2017. Contact: Ashley Graham; EPA Region 9, Air Planning Office; 415-972-3877; graham.ashleyr@epa.gov. Citations: 40 CFR 52

82 FR 46444 (10/05/2017)

Regulatory Update

AIR
Illinois SIP/Lemont and Pekin SO2 NAAQS Nonattainment Areas
AIR

Proposed rule of the EPA would approve revisions to the Illinois SIP regarding the nonattainment plans for the 2010 one-hour sulfur dioxide NAAQS for the Lemont and Pekin nonattainment areas. The revisions include the attainment demonstration and address requirements for emissions inventories, reasonably available control measures and reasonably available control technology, reasonable further progress toward attainment, and contingency measures. The revisions also address limits to the sulfur content of distillate and residual fuel oil combusted at stationary sources. Comments are due Nov. 6, 2017. Contact: John Summerhays; EPA Region 5, Air Programs Branch; 312-886-6067, summerhays.john@epa.gov. Citations: 40 CFR 52

82 FR 46434 (10/05/2017)

Regulatory Update

AIR
Nebraska SIP/Operating Permits Program
AIR

Direct final rule of the EPA approves portions of revisions to the Nebraska SIP, the operating permits program, and the Section 112(l) program. The revisions incorporate by reference the list of organic compounds that are exempt from the definition of volatile organic compound and updates notification requirements for the operating permits program. The revisions also extend the process of off-permit changes to Class I operating permits. The agency takes no action on proposed revisions of the definition of "solid waste" because they do not conform with federal standards. The rule is effective Dec. 4, 2017, unless adverse comments are received by Nov. 6, 2017. Contact: Greg Crable; EPA Region 7, Air Planning and Development Branch; 913-551-7391; crable.gregory@epa.gov. Citations: 40 CFR 52.1420; 70, Appendix A

82 FR 46420 (10/05/2017)

Regulatory Update

AIR
Nebraska SIP/Operating Permits Program
AIR

Proposed rule of the EPA would approve portions of revisions to the Nebraska SIP, the operating permits program, and the Section 112(l) program. The revisions incorporate by reference the list of organic compounds that are exempt from the definition of volatile organic compound and update notification requirements for the operating permits program. The revisions also extend the process of off-permit changes to Class I operating permits. The agency is not proposing to take action on revisions of the definition of "solid waste" because they do not conform with federal standards. A concurrent direct final rule adopts the revisions, effective Dec. 4, 2017. Comments are due Nov. 6, 2017. Contact: Greg Crable; EPA Region 7, Air Planning and Development Branch; 913-551-7391; crable.gregory@epa.gov. Citations: 40 CFR 52.1420; 70, Appendix A

82 FR 46453 (10/05/2017)

Regulatory Update

AIR
Nebraska SIP/Regional Haze, Visibility Protection
AIR

Direct final rule of the EPA approves revisions to the Nebraska SIP regarding regional haze. The revisions add visibility protection provisions that allow the state to implement federal standards relating to regional haze and best available retrofit technology. The rule is effective Dec. 4, 2017, unless adverse comments are received by Nov. 6, 2017. Contact: Greg Crable; EPA Region 7, Air Planning and Development Branch; 913-551-7391; crable.gregory@epa.gov. Citations: 40 CFR 52.1420

82 FR 46415 (10/05/2017)

Regulatory Update

AIR
Nebraska SIP/Regional Haze, Visibility Protection
AIR

Proposed rule of the EPA would approve revisions to the Nebraska SIP regarding regional haze. The revisions add visibility protection provisions that allow the state to implement federal standards relating to regional haze and best available retrofit technology. A concurrent direct final adopts the revisions, effective Dec. 4, 2017. Comments are due Nov. 6, 2017. Contact: Greg Crable; EPA Region 7, Air Planning and Development Branch; 913-551-7391; crable.gregory@epa.gov. Citations: 40 CFR 52.1420

82 FR 46433 (10/05/2017)

Regulatory Update

AIR
Texas SIP/Dallas-Fort Worth
AIR

Proposed rule of the EPA would approve revisions to the Texas SIP concerning reasonably available control technology (RACT) requirements under the 2008 eight-hour ozone NAAQS for the Dallas-Fort Worth moderate nonattainment area. The revisions address volatile organic compounds emission limits and control requirements at major sources in newly designated Wise County. The revisions also concern testing, monitoring, and recordkeeping requirements; exemptions; compliance schedules; and definitions. In addition, the rule would approve negative declarations for certain source categories subject to RACT in the nonattainment area. Comments are due Nov. 6, 2017. Contact: Robert Todd; EPA Region 6; 214-665-2156; todd.robert@epa.gov. Citations: 40 CFR 52

82 FR 46450 (10/05/2017)

Regulatory Update

AIR
Utah SIP/Davis and Salt Lake Counties Major Source Ozone Offset Requirements
AIR

Final rule of the EPA approves revisions to the Utah SIP concerning ozone offset requirements for major sources in Davis and Salt Lake counties. The revisions update definitions and applicability and address offset provisions of the nonattainment area new source review permitting program after the area is redesignated to attainment for ozone. The revisions also establish more stringent offset requirements for nitrogen oxides that may be triggered as a contingency measure under the ozone maintenance plan. The rule is effective Nov. 6, 2017. Contact: Kevin Leone; EPA Region 8, Air Program; 303-312-6227; leone.kevin@epa.gov. Citations: 40 CFR 52.2320

82 FR 46417 (10/05/2017)

Regulatory Update

AIR

Voluntary Criteria for Radon Credentialing Organizations

AIR

Notice of the EPA announces the extension of the comment period for an Aug. 23, 2017, notice (82 FR 39993) regarding the establishment of voluntary criteria specifying a standard of competence for organizations that credential radon service providers under the Indoor Radon Abatement Act. The EPA intends to establish an ongoing and open evaluation process of the National Radon Proficiency Program, the National Radon Safety Board, and state-run certification programs. The EPA also intends to require the organizations to meet the specified standards of the International Organization of Standardization and the International Electrotechnical Commission, and to incorporate device requirements. The EPA seeks comments regarding three separate scenarios, including the agency's development of a basic framework for credentialing organizations, the agency's support for the development of the initial certification scheme, and the agency's support for the development and maintenance of a certification scheme. Comments now are due Nov. 23, 2017. Contact: Katrin Kral; EPA, Indoor Environments Division; 202-343-9454; kral.katrin@epa.gov

82 FR 46490 (10/05/2017)

Regulatory Update

ENDANGERED SPECIES

Endangered/Threatened Status Petitions

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the availability of 12-month findings on petitions to list 25 species as threatened or endangered. The agency has determined that it is not warranted at this time to list 14 Nevada springsnail species, the Barbour's map turtle, Bicknell's thrush, Big Blue Spring cave crayfish, Florida Keys mole skink, Great Sand Dunes tiger beetle, Kirtland's snake, Pacific walrus, or San Felipe gambusia. The agency also has determined that it is not warranted at this time to list certain populations of the black-backed woodpecker, boreal toad, or fisher. Comments on the petition findings may be submitted at any time. Contact: Carolyn Swed; USFWS, Northern Nevada Office; 775-861-6337. Citations: 50 CFR 17

82 FR 46618 (10/05/2017)

Regulatory Update

FOOD SAFETY

Animal Drug User Fee Act

FOOD SAFETY

Notice of the FDA announces a meeting to discuss recommendations for the reauthorization of the Animal Drug User Fee Act, which expires Sept. 30, 2018. The act authorizes the FDA to collect user fees for reviewing new animal drug applications and associated submissions. The agency will present the proposed recommendations to Congressional committees. The meeting is scheduled for Nov. 2, 2017, in Rockville, Md., and via webcast. Comments are due Nov. 17, 2017.

Contact: Cassie Ravo; FDA, Center for Veterinary Medicine; 240-402-6866; cassie.ravo@fda.hhs.gov

82 FR 46503 (10/05/2017)

Regulatory Update

FOOD SAFETY
Animal Generic Drug User Fee Act
FOOD SAFETY

Notice of the FDA announces a meeting to discuss recommendations for the reauthorization of the Animal Generic Drug User Fee Act, which expires Sept. 30, 2018. The act authorizes the FDA to collect user fees for reviewing new animal generic drug applications and associated submissions. The agency will present the proposed recommendations to congressional committees. The meeting is scheduled for Nov. 2, 2017, in Rockville, Md., and via webcast. Comments are due Nov. 17, 2017. Contact: Cassie Ravo; FDA, Center for Veterinary Medicine; 240-402-6866; cassie.ravo@fda.hhs.gov

82 FR 46506 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Draft Fiscal Year 2018-2022 Strategic Plan
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of the draft EPA Strategic Plan for fiscal years 2018-2022. The plan describes three strategic goals and associated objectives for advancing the agency's mission to protect human health and the environment, including to provide Americans with clean air, land, and water; rebalancing the power between Washington, D.C., and the rest of the country to create tangible environmental results; and administering the law as intended by Congress to refocus the agency on its statutory obligations. The agency anticipates the final strategic plan will be submitted to Congress in February 2018. Comments are due Oct. 31, 2017. Contact: Vivian Daub; EPA, Office of the Chief Financial Officer; 202-564-6790; ocfoinfo@epa.gov

82 FR 46490 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
International Conference on Harmonization/Pharmaceuticals for Human Use
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a regional meeting regarding the Health Canada and FDA joint public consultation on the International Council for Harmonization (ICH) of technical requirements for pharmaceuticals for human use. The meeting will include discussions regarding the current activities of ICH and the upcoming ICH assembly meeting and expert working group meetings in Geneva from Nov. 11-16, 2017. The meeting is scheduled for Oct. 19, 2017, in Ottawa and via webcast. Comments are due Oct. 26, 2017. Contact: Amanda Roache; FDA, Center for Drug Evaluation and Research; 301-796-4548; Amanda.Roache@fda.hhs.gov

82 FR 46508 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Iowa/Duane Arnold Energy Center
GENERAL ENVIRONMENT AND SAFETY

Notice of the NRC announces the availability of an environmental assessment and finding of no significant impact regarding a proposed amendment to the renewed facility operating license for the Duane Arnold Energy Center in Linn County, Iowa. The applicant, NextEra Energy Duane Arnold LLC, of Juno Beach, Fla., proposes to reduce the center's plume exposure pathway emergency planning zone boundary by designating U.S. Highway 30 as the southern boundary and to revise the evacuation time estimate study to account for the boundary changes. Contact: Mahesh Chawla; NRC, Office of Nuclear Reactor Regulation; 301-415-8371; Mahesh.Chawla@nrc.gov

82 FR 46541 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
NCEH/ATSDR Board of Scientific Counselors Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Center for Environmental Health/Agency for Toxic Substances and Disease Registry (NCEH/ATSDR) announces a meeting of the Board of Scientific Counselors. The agenda includes discussions on noise-induced hearing loss, program responses to the board's guidance and action items, hurricane season response, the Flint Registry, and the status of blood lead level reference value updates. The agenda also includes discussion of legislative requirements of the new Lead Exposure Poisoning Federal Advisory Committee and updates concerning the amyotrophic lateral sclerosis, lead poisoning prevention, and environmental health tracking programs. In addition, the agenda includes updates from the center's director and from the National Institute of Environmental Health Sciences, the National Institute for Occupational Safety and Health, the Energy Department, and the EPA. The meeting is scheduled for Nov. 15-16, 2017, in Atlanta and via teleconference. Contact: Shirley Little; CDC, NCEH/ATSDR; 770-488-0577; snl7@cdc.gov

82 FR 46495 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Regulatory Review Period/Impella 2.5 System
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a determination of the regulatory review period for the medical device Impella 2.5 System in response to an application submitted by Abiomed Europe GmbH, of Aachen, Germany. The device is indicated for temporary ventricular support during high-risk percutaneous coronary interventions performed in elective or urgent hemodynamically stable

patients with severe coronary artery disease and depressed left ventricular ejection fraction. Comments are due Dec. 4, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due April 3, 2018. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 46498 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Regulatory Review Period/Kovaltry
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a determination of the regulatory review period for the human biologic product Kovaltry (antihemophilic factor (recombinant)) in response to an application submitted by Bayer HealthCare LLC, of Pittsburgh. The product is indicated for use in adults and children with hemophilia A for on-demand treatment and control of bleeding episodes, perioperative management of bleeding, and routine prophylaxis to reduce the frequency of bleeding episodes. Comments are due Dec. 4, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due April 3, 2018. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 46496 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Regulatory Review Period/Tecfidera
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a determination of the regulatory review period for the human drug product Tecfidera (dimethyl fumarate) in response to an application submitted by Biogen Idec International GmbH, of Zug, Switzerland. The product is indicated for treatment of patients with relapsing forms of multiple sclerosis. Comments are due Dec. 4, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due April 3, 2018. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 46502 (10/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Science Advisory Board to the National Center for Toxicological Research Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Science Advisory Board to the National Center for Toxicological Research (NCTR). The agenda includes an update on scientific initiatives and accomplishments during the past year. It also includes an overview of the Division of Systems Biology Subcommittee and the Subcommittee Site Visit Report and a response to this review. In addition, the agenda includes updates from the NCTR research divisions and briefings on center-

specific research strategic needs and potential areas of collaboration. The meeting is scheduled for Nov. 6-7, 2017, in Little Rock, Ark. Comments are due Oct. 30, 2017. Contact: Donna Mendrick; NCTR; 301-796-8892

82 FR 46497 (10/05/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Area Maritime Security Advisory Committee/Eastern Great Lakes
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the U.S. Coast Guard announces a request for applications for membership on the Area Maritime Security Committee, Eastern Great Lakes, and the four regional subcommittees for the Northeast Ohio, Northwestern Pennsylvania, Western New York, and Eastern New York regions. The committee assists the Federal Maritime Security Coordinator, Buffalo, in developing, reviewing, and updating the area maritime security plan by identifying critical port infrastructure and operations, identifying risks, determining mitigation strategies and implementation methods, and developing port security vulnerability evaluation procedures. Applications are due Nov. 6, 2017. Contact: Peter Killmer; AMSC, Northeast Ohio Region Subcommittee; 216-937-0136

82 FR 46518 (10/05/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Puerto Rico Emergency Waiver
HAZARDOUS MATERIALS TRANSPORTATION

Notice of PHMSA announces an order of emergency waiver for hazardous material training, testing, and certification requirements for individuals offering and transporting fuel under the direction of the Puerto Rico Public Service Commission within the Hurricane Maria emergency and disaster areas in Puerto Rico. The waiver requires the fuel transport to be accompanied by law enforcement or military escort; the escort vehicle to have a copy of the Emergency Response Guidebook, Response Guide 128; and drivers to have three years professional experience. The waiver also requires unloading procedures to be overseen by a qualified individual or a driver who has received specified training and for the unloading area to be cleared of all nonessential personnel within 100 feet during driver unloading. All other hazardous materials standards apply. The waiver is effective Sept. 28, 2017, and expires Oct. 5, 2017. Contact: Adam Horsley; PHMSA; 202-366-4400. Citations: 49 CFR 172, Subpart H; 49 CFR 177

82 FR 46609 (10/05/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
West Virginia/Coyne Textile Services Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the Department of Justice announces a proposed consent decree in United States v. Aramark Uniform & Career Apparel LLC (Civil Action No. 3:17-cv-04062), lodged on Sept. 28,

2017, with the U.S. District Court for the Southern District of West Virginia. The consent decree resolves a claim under CERCLA for past response costs related to the release of perchloroethylene at the Coyne Textile Services Superfund Site in Huntington, W.Va. The consent decree requires Aramark to reimburse the U.S. $1.6 million for past response costs and provides Aramark a covenant not to use for response costs incurred through May 10, 2017. Comments are due Nov. 6, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 46530 (10/05/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Arizona/Hazardous Waste Management Program
HAZARDOUS WASTE MANAGEMENT

Proposed rule of the EPA would grant final authorization of revisions to the Arizona hazardous waste program under RCRA. The revisions incorporate federal standards through RCRA Cluster VIII and Clusters IX through XVII. Comments are due Nov. 6, 2017. Contact: Laurie Amaro; EPA Region 9, Land Division; 415-972-3364; amaro.laurie@epa.gov. Citations: 40 CFR 271

82 FR 46454 (10/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Examinations of Working Places in Metal and Nonmetal Mines
OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Mine Safety and Health Administration delays until June 2, 2018, the effective date of a Jan. 23, 2017, final rule (82 FR 7680) that updated standards for the examination of working places in metal and nonmetal mines. Working place examination standards that were in effect as of Oct. 1, 2017, are reinstated until June 2, 2018. The delayed rule requires operators to promptly notify miners of any conditions found that may adversely affect their safety or health, and requires operators to promptly take corrective action. The rule also requires the examination record to include the name of the examiner, examination date, location of areas examined, a description of adverse conditions found, and the date of corrective action. In addition, the rule requires operators to make the examination record available to authorized representatives of the secretary of Labor and miners' representatives and to provide a copy upon request. MSHA previously delayed the effective date to assure that mine operators and miners affected by the rule have the required training and compliance assistance (82 FR 15173; 03/27/2017) and to allow additional time for the agency to provide stakeholders training and compliance assistance (82 FR 23139; 05/22/2017). The current action allows additional time for MSHA to provide stakeholders training and compliance assistance and provides more time to train inspectors. A Sept. 12, 2017, proposed rule (82 FR 42757) would make limited changes to the delayed rule concerning working place examinations. The rule is effective Oct. 5, 2017. Contact: Sheila McConnell; MSHA, Office of Standards, Regulations, and Variances; 202-693-9440; mcconnell.sheila.a@dol.gov. Citations: 30 CFR 56.18002, 57.18002

82 FR 46411 (10/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Mine Safety and Health Research Advisory Committee Meeting

OCCUPATIONAL SAFETY AND HEALTH

Notice of the National Institute for Occupational Safety and Health announces a meeting of the Mine Safety and Health Research Advisory Committee. The agenda includes discussion of research concerning built-in-place refuge alternatives, explosion protection, domestic and international collaborations, fatigue management systems, mitigating dynamic failure in western underground coal mines, mining strategic planning, and the mining innovations research initiative. The meeting is scheduled for Nov. 15, 2017, in Lakewood, Colo., and via teleconference. Contact: Jeffrey Welsh; MSHRAC; 412-386-4040

82 FR 46495 (10/05/2017)

Regulatory Update

OIL AND GAS INDUSTRY

Onshore Oil and Gas Leases/Venting and Flaring of Waste Gases

OIL AND GAS INDUSTRY

Proposed rule of the Bureau of Land Management would temporarily suspend or delay until Jan. 1, 2019, certain provisions of a Nov. 18, 2016, final rule (81 FR 83008) regarding requirements to reduce waste of natural gas from venting, flaring, and leaks during oil and natural gas production activities on onshore federal and Indian leases. The current action would address drilling applications and plans; gas capture requirements; measuring and reporting of volumes of gas vented and flared from wells; determinations for royalty-free flaring; well drilling, completion, and related activities; equipment requirements for pneumatic controllers, pneumatic diaphragm pumps, and storage vessels; downhole maintenance and liquid unloading; and operator responsibilities. The provisions, some of which were previously the subject of a June 15, 2017, notice of postponement (82 FR 27430), are proposed for suspension or delay to avoid imposition of temporary or permanent compliance costs on operators during BLM review of the final rule and in light of ongoing litigation. Comments are due Nov. 6, 2017. Contact: Catherine Cook; BLM, Fluid Minerals Division; 202-912-7145; ccook@blm.gov. Citations: 43 CFR 3162.3-1, 3179.7 through 3179.301 (nonconsecutive)

82 FR 46458 (10/05/2017)

Regulatory Update

PESTICIDES

Mosquito-Related Products

PESTICIDES

Notice of the FDA announces the issuance of a final guidance for industry regarding regulatory oversight of mosquito-related products for use in or on mosquitoes, including those produced through biotechnology. The guidance clarifies that articles intended to affect the structure or any function of the body of man or other animals do not include articles that function as pesticides by preventing, destroying, repelling, or mitigating mosquitoes for population control purposes. Contact: Laura Epstein; FDA, Center for Veterinary Medicine; 301-796-8558; Laura.Epstein@fda.hhs.gov

82 FR 46500 (10/05/2017)

Regulatory Update

PESTICIDES
Pesticide Registration Notice/Notifications, Non-Notifications, and Minor Formulation Amendments
PESTICIDES

Notice of the EPA announces an extension of the comment period for a Sept. 6, 2017, draft pesticide registration notice (PR Notice 2017-XX) (82 FR 42094) on notifications, non-notifications, and minor formulation amendments for all pesticide products. The Office of Pesticide Programs issues PR notices to inform registrants concerning policies, procedures, and registration-related decisions and to provide guidance for registrants and agency personnel. The draft notice aligns the notification program with the requirements of the Food Quality Protection Act and the Pesticide Registration Improvement Act and clarifies the processes for accepting minor, low-risk registration amendments. The draft notice supersedes PR Notices 95-2 and 98-10 in their entirety. Comments now are due Dec. 5, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; rdfrnotices@epa.gov

82 FR 46491 (10/05/2017)

Regulatory Update

RADIATION
ACRS Planning and Procedures Subcommittee Meeting
RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Planning and Procedures to discuss proposed ACRS activities and related matters. The meeting is scheduled for Oct. 5, 2017, in Rockville, Md. Comments are due Oct. 5, 2017. Contact: Quynh Nguyen; NRC; 301-415-5844; Quynh.Nguyen@nrc.gov

82 FR 46537 (10/05/2017)

Regulatory Update

RADIATION
Inspection and Investigation Notices, Instructions, and Reports to Workers
RADIATION

Notice of the NRC announces the submission of a continuing information collection request to the OMB regarding notices, instructions, and reports to workers on inspections and investigations. The collection addresses requirements for notices, instructions, and reports on inspections and investigations prepared by licensees and regulated entities for workers participating in NRC-licensed and regulated activities, and options available to such individuals in connection with commission inspection and compliance activities. The collection also addresses the rights and responsibilities of the commission and individuals during subpoenaed interviews as part of inspections or investigations of matters within the commission's jurisdiction. Comments are due Nov. 6, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV. Citations: 10 CFR 19

82 FR 46543 (10/05/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 7/10/2017 3:16:11 PM
Subject: Court orders quick responses on EPA methane rule dispute

By Alex Guillén

07/10/2017 11:11 AM EDT

The D.C. Circuit Court of Appeals today set speedy deadlines for responses to EPA's request to delay implementing its methane rule for future oil and gas wells, indicating a decision on the matter could come as soon as Wednesday.

On Friday, EPA asked the court to delay its July 3 order for EPA to resume enforcing the Obama-era methane rule, arguing that the agency was not given proper time to consider seeking a re-hearing.

Today, the three-judge panel ordered environmental groups to file their response by noon on Tuesday, with EPA's reply to that due by 10 a.m. Wednesday.

WHAT'S NEXT: The condensed timeline indicates the court will move on EPA's request quickly, possibly as early as Wednesday. EPA is separately working to establish a two-year delay, but that effort likely will not be in place until September.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/court-orders-quick-responses-on-epa-methane-rule-dispute-090195

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This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 7/26/2017 10:44:01 AM
Subject: POLITICO Playbook, presented by BP: HOW THE GOP brought back Obamacare repeal 'from the dead' – MCCAIN's maverick moment – SENATE GOP to TRUMP: confirming another AG is too hard -- JEFF FLAKE's secret new book – RICK PERRY duped -- WHO TOOK NYT buyouts

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by BP
07/26/2017 06:40 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to the Playbook Audio Briefing | Subscribe on iTunes | Visit the online home of Playbook

Driving the Day

Good Wednesday morning. WARNING FROM SENATE REPUBLICANS TO PRESIDENT TRUMP: It will be tough, if not impossible, to confirm another attorney general if you fire Jeff Sessions. Six GOP senators have already taken Sessions' side. Trump has neither the time nor political capital to oust Sessions and pick someone else.

FOR YOUR SITUATIONAL AWARENESS: The House approved a sanctions bill 419-3 yesterday afternoon that would, among other things, limit Trump's ability to roll back penalties against Russia, Iran and North Korea. The Senate is expected to quickly pass the bill. The White House has sent mixed signals about whether Trump will sign this bill. If he doesn't, Congress would be able to override his veto.

-- FT: "The new sanctions have become the subject of intense scrutiny both in Washington and overseas, where European allies have raised the threat of retaliation because the measures could effect a pipeline project to transport Russian gas into Germany. ...

"Brussels has stepped up its diplomatic offensive against the sanctions, warning several oil and gas projects involving Shell, Eni and BP are at risk. On Tuesday, officials said the EU was 'activating all diplomatic channels' in an effort to persuade US lawmakers to dilute the bill's impact on European companies and the continent's energy security. EU officials are concerned the sanctions could damage multibillion-euro pipeline and infrastructure projects straddling Russian territory and beyond in areas between the Baltic and Black seas." http://on.ft.com/2uYk798

OVERNIGHT -- NYT: TOM KAPLAN and **ROBERT PEAR: "Senate Votes Down**

Broad Obamacare Repeal": "[R]epublican leaders suffered a setback when their most comprehensive plan to replace President Barack Obama's health law fell far short of the votes it needed.

"The Tuesday night tally needed to reach 60 votes to overcome a parliamentary objection. Instead, it fell 43-57. The fact that the comprehensive replacement plan came up well short of even 50 votes was an ominous sign for Republican leaders still seeking a formula to pass final health care legislation this week. ...

"The Senate is now moving ahead with debate, amendments and ultimately a final vote in the coming days on legislation that would have a profound effect on the American health care system - roughly one-sixth of the United States' economy. But it is entirely possible that by week's end, the senators will have passed nothing." http://nyti.ms/2uwBzRk

-- THE BET , although far from certain, is that Senate Republicans will pass a so-called "skinny repeal" bill -- legislation that would end the employer and individual mandate, and medical-device tax. This would be a vehicle to allow the House and Senate to negotiate on a final repeal and replace bill. The "skinny repeal," though, is not a comprehensive plan and includes no replacement, so it's a tough vote. **AND ANOTHER QUESTION** a lot of people are asking: what can get through the very divided -- and increasingly conservative -- House Republican Conference? This is not a gang known to favor incrementalism -- and that's what would emerge from a negotiation with the Senate. ***Paul Demko on what's next in the health care debate*** http://politi.co/2uXmyIV

THE POLITICO TICK TOCK -- BURGESS EVERETT, SEUNG MIN KIM and **JEN HABERKORN: "How the GOP brought Obamacare repeal back from the dead':** "As Mitch McConnell strode to the Senate floor on Tuesday, with no votes to spare to keep the GOP's Obamacare repeal campaign alive, he knew where everyone in his conference stood. Everyone, that is, except for Ron Johnson....

"When he finally emerged, Johnson headed to McConnell's desk on the Senate floor. The two engaged in a tense, 10-minute face-to-face talk. McConnell's face turned increasingly red, and the GOP leader threw up his hands multiple times. ... Ten minutes after McConnell and Johnson began chatting, McCain entered the chamber and provided the 49th vote. Only Johnson remained. Left with the option of being the Republican who killed Obamacare repeal or the one who saved it, the Wisconsin senator quickly flipped a thumbs-up into the air to vote yes....

"On a Delta flight from Salt Lake City to Washington on Monday afternoon, Lee sat in the middle seat, furiously texting about his latest thinking in the health care debate, according to an eyewitness who sat next to Lee and described the messages to POLITICO.

"In one text, Lee told a recipient that he might still vote to proceed to the repeal

debate, but that it was 'still too early to do so in good conscience because we're not being told anything.' 'This leadership line of pass something, anything, is dangerous and potent,' Lee typed out in another message, written in a large enough font that fellow passengers could easily read his words, according to the eyewitness. In another text, Lee wrote: 'This bill is nothing more than bailing out insurance companies with a few minor reforms thrown in for good measure.'" http://politi.co/2tJ5il8

MCCONNELL'S REDEMPTION via **JOHN BRESNAHAN: "McConnell gets a win in Obamacare repeal opening round":** http://politi.co/2uXedVA

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MCCAIN'S MAVERICK MOMENT -- WAPO's PAUL KANE: "'We're getting nothing done': McCain, in emotional return, laments what the Senate has become": "Sen. John McCain was greeted by applause from both sides of the aisle Tuesday as he walked onto the Senate floor, delivering Republicans a crucial vote to begin debate on an unknown plan to overhaul the health-care industry. Then the Arizona Republican, done with the niceties, delivered a 15-minute excoriation of the modern Senate. A Senate riven by partisan infighting and almost no effort to work across the aisle. A Senate that has abandoned the principle that legislative committees had ownership of the process. ...

"'All we've managed to do is make more popular a policy that wasn't very popular when we started trying to get rid of it,' McCain said, noting rising support for the 2010 Affordable Care Act. 'I voted for the motion to proceed to allow debate to continue and amendments to be offered. I will not vote for this bill as it is today. It's a shell of a bill right now.' ...

"'We're not getting much done apart,' McCain told his colleagues. 'I don't think any of us feels very proud of our incapacity. Merely preventing your political opponents from doing what they want isn't the most inspiring work. There's greater satisfaction in respecting our differences but not letting them prevent agreements.'" http://wapo.st/2uYa3wP

-- DANA BASH: "Reporter's Notebook: Inside the Senate chamber - an hour-long emotional swirl" http://cnn.it/2h1IL32

-- BOSTON GLOBE: "While the Senate debates health care, Mitt Romney is . . . waterskiing?" http://bit.ly/2tIzBi9

MEANWHILE ... BACK ON THE TRAIL -- "At Ohio rally, Trump keeps making campaign promises," by Annie Karni in Youngstown, Ohio: "President Donald Trump returned to this longtime Democratic stronghold on Tuesday night, sounding almost unchanged from the candidate who campaigned here last year, as he confidently

doubled down on promises he has yet to keep.

"In the Covelli Centre arena filled with still-believing fans, Trump promised a trillion dollar infrastructure bill, which so far is stalled in a long pipeline of legislation that must come before it. He vowed he was still going to build that wall, which currently has no source of funding. He said manufacturing jobs would come roaring back to Mahoning County, advising the Ohio crowd, 'don't sell your house. We're going to get those values up.' Ohio's unemployment rate increased to 5 percent in June, from 4.9 percent the previous month. And even as he is actively splitting his own party and his own movement by publicly denigrating his Attorney General, Jeff Sessions, Trump made a rousing call that 'America must be united.'

"But what was ostensibly the biggest good news of Trump's day -- the Senate vote to move ahead on repealing Obamacare -- appeared in his speech only as an afterthought. It didn't get more than a passing mention until the very end of Trump's hour-long laundry list of a speech, during which he appeared more animated when he spoke about cracking down on undocumented immigration, sanctuary cities, and 'radical Islamic terrorism' than when he touched on the legislative victory that puts him one step closer to fulfilling a campaign promise." http://politi.co/2uVQXrB

-- WHAT TRUMP SAYS - Per Annie Karni: "With the exception of the late, great Abraham Lincoln, I can be more presidential than any president that's ever held this office," he said. "It's much easier, by the way, to act presidential than what we're doing here tonight, believe me."

****** **A message from BP: From coast to coast, we spent $16 billion with local businesses last year.** *Take 30 seconds to see how we're supporting jobs across the U.S.* ******

POOL REPORT DU JOUR, per yesterday's pooler David Jackson: "Spotted disembarking from Air Force One: Corey Lewandowski and David Bossie. Asked what he was doing on the trip, Bossie said: 'I heard there was a rally here.'"

-- "Trump Says Apple CEO Has Promised to Build Three Manufacturing Plants in U.S.," by WSJ's Tripp Mickle and Peter Nicholas: "Mr. Trump, in a 45-minute interview with The Wall Street Journal, said [Tim] Cook promised him Apple would build 'three big plants, beautiful plants.' Mr. Trump didn't elaborate on where those plants would be located or when they would be built. 'I spoke to [Mr. Cook], he's promised me three big plants -- big, big, big,' Mr. Trump said as part of a discussion about business-tax reform and business investment. 'I said you know, Tim, unless you start building your plants in this country, I won't consider my administration an economic success. He called me, and he said they are going forward.'" http://on.wsj.com/2tJ7U8C

-- OTHER HIGHLIGHTS FROM TRUMP'S WSJ INTERVIEW : "The truth is the people I care most about are the middle-income people in this country who have gotten screwed. And if there's upward revision it's going to be on high-income people. You know, I was

with Bob Kraft the other night. He came to have dinner with me. He's a friend of mine. And as he left, he said, Donald, don't worry about the rich people. Tax the rich people. You got to take care of the people in the country. It was a very interesting statement. I feel the same way."

-- WHAT JON ALLEN AND AMIE PARNES ARE READING: TRUMP: "Well, I didn't - I wouldn't have wanted to. But I see the way they go after us on a witch hunt, you know? The Russian - the Russian story's all an excuse for the Democrats losing. In fact, if you read the book, 'Shattered,' they have a whole chapter where they sat the day after the election and they said: Yeah, Russia. It was Russia. And, you know, Trump was involved. OK, the one thing interesting, you never heard me even associated with anybody. But, no, that's a total witch hunt, the whole Russia story. It's a hoax. It's a hoax. We had no collusion with Russia. We never dealt with Russia." ***Edited transcript*** http://on.wsj.com/2v7bGcg

SCARAMUCCI TALKS SHOP -- Anthony Scaramucci told reporters late Tuesday night that he is trying to fight White House leaks and that "they don't care about [the] Washington establishment and as New Yorkers they are going to do things their own way," according to pooler David Jackson of USA Today. "'There are rumors that I'm firing more people,' but 'I'm not firing any more people' at least for now.' Scaramucci said, according to the pool. 'If the leaks continue then I've got to let everybody go.'" He also said that he will likely restructure the communications department. "Asked if he really thought leaks were from the [communications] office he said 'some of them are', but they are the people he can deal with. Said he can't get into the problem of other leakers yet."

BATTLE ROYALE -- "Trump and Sessions locked in silent battle," by Josh Dawsey: "Donald Trump is playing an elaborate game of chicken with Jeff Sessions. And they are not on speaking terms. Sessions has sent to word to the White House that he has no plans to resign and wants to stay as attorney general even amid daily humiliation from the boss, according to two people familiar with his thinking. But he hasn't told Trump that himself. Trump, meanwhile, has complained to anyone who will listen about Sessions recusing himself from the Russia and has weighed firing him. And he has told his advisers he has no desire to speak to Sessions, an early campaign supporter.

"'I'm very disappointed in Jeff Sessions,' Trump said in the Rose Garden Tuesday, sending a message to his top law enforcement official from a public microphone. Trump's public criticisms of his attorney general have led to an unusual spectacle where the two men aren't talking - but sending messages through their aides and waiting for a resolution to the fate of the country's top law enforcement official, according to interviews with six White House aides and advisers, as well as Sessions allies. The zone of confusion has led to conservatives, liberals, West Wing aides and others wishing for a resolution and end of a tired storyline without having any idea when that resolution will come." http://politi.co/2uY0cqB

-- SESSIONS TAKES A STAND: "The standoff between Trump and Sessions escalates," by WaPo's Devlin Barrett, Philip Rucker and Sari Horwitz: "In a recent conversation, Sessions's chief of staff, Jody Hunt, told White House Chief of Staff Reince Priebus that the attorney general had no intention of stepping down. Hunt, according to people familiar with the conversation, made it clear to Priebus that Sessions 'plans to move forward with his agenda in the department and he has no plans for resigning,' according to one person familiar with the exchange. Priebus, for his part, did not say Trump planned to fire Sessions if he did not leave ... Trump's reluctance to act on his anger and fire Sessions may be based in part on the lack of an immediate plan for a successor at the Justice Department. While Trump has discussed potential candidates to replace Sessions, senior White House officials have not settled on anyone, and may not anytime soon." http://wapo.st/2vZCBDa

NYT'S ALEX BURNS in **PHOENIX -- "Senator Jeff Flake, Facing Twin Threats, Is Said to Take On G.O.P. Rift in New Book":** "Senator Jeff Flake, Republican of Arizona, faces political challenges from both sides in seeking re-election next year ... Yet Mr. Flake, seemingly undaunted, has secretly planned an unconventional campaign kickoff that risks intensifying both threats: Working privately, and largely without the knowledge of political advisers, he has written a book that amounts to an ideological manifesto for his own version of conservatism, according to three people briefed on the manuscript who discussed it on the condition of anonymity. ... In his writing, Mr. Flake draws a bright-line distinction between his outlook on government and a competing vision, associated with Mr. Trump, that Mr. Flake describes as nationalist and populist in nature, the people said. Mr. Flake links himself closely with Barry Goldwater." http://nyti.ms/2uWEWIE

WHAT TRUMP IS READING -- "Poll: Half of Trump voters say Trump won popular vote," by Steve Shepard: "Roughly half of voters who said they voted for Donald Trump last November, 49 percent, believe Trump won the popular vote, according to a new POLITICO/Morning Consult poll. That's compared to 40 percent who say Democrat Hillary Clinton won. Overall, a majority of voters, 59 percent, believe Clinton won more votes than Trump, but 28 percent believe Trump won more votes." http://politi.co/2h2oLgJ

-- "Poll: Voters say Mueller ouster would be inappropriate," by Steve Shepard: "By a more than two-to-one margin, voters say it would be inappropriate for President Donald Trump to fire special counsel Robert Mueller over his probe into Russian interference in the 2016 presidential election, according to a new POLITICO/Morning Consult poll. Nearly half of voters, 48 percent, say it would be wrong to remove Mueller, compared to only 22 percent who say it would be appropriate for the Trump administration to dismiss Mueller. There is a huge gap in partisan perceptions: Democrats say overwhelmingly that firing Mueller would be inappropriate, 67 percent to 11 percent. Independents also tilt heavily against firing Mueller, 47 percent to 19 percent. But Republicans say, 37 percent to 29 percent, that it would be appropriate." http://politi.co/2h2ILQh

THE JUICE ...

-- **FIRST IN PLAYBOOK:** GOP political consultant and strategist **JEFF LARSON** is joining America Rising Corporation as its new chairman. Larson was a senior adviser to the 2017 Presidential Inaugural Committee and CEO of the 2016 Republican National Convention. Larson will focus on business development and the marketing of the organization's platforms and products. Byron Koay, the president of America Rising Corporation, and CEO Joe Pounder will still oversee day-to-day operations. Matt Rhoades, the former chairman of AR, has been named to AR's board of directors.

-- WHAT THE WHITE HOUSE WANTS YOU TO READ: Tuesday was local media day at the White House. Local TV stations and the Salem Radio Network broadcast from the North Lawn of the White House. Reince Priebus, Mick Mulvaney, Tom Price, Linda McMahon, Ben Carson, Elaine Chao, Sarah Huckabee Sanders and Kellyanne Conway all participated.

TRUMP'S WEDNESDAY -- He's speaking to the American Legion Boys Nation and the American Legion Auxiliary Girls Nation at 3 p.m., and has a "jobs announcement" at 5 p.m. His schedule is completely empty between 10:30 a.m. and 3 p.m.

Playbook Reads

PHOTO DU JOUR: Sen. John McCain gets into his car at the Capitol in Washington, D.C., on July 25. | Mark Wilson/Getty Images

SIREN -- "Woman pleads guilty in scheme to pay off Brady challenger," by Josh Gerstein: "A Pennsylvania pastor pleaded guilty to a federal felony Tuesday for participating in a scheme that led a challenger to Rep. Robert Brady (D-Pa.) to bow out of a 2012 primary contest. Appearing in U.S. District Court in Philadelphia, Rev. Carolyn Cavaness pleaded guilty to a single charge of making a false statement in a federal proceeding, court records show. Cavaness was a campaign staffer for Jimmie Moore, a Philadelphia judge who entered the Democratic primary against Brady. Moore dropped out in February 2012, according to press accounts. No charges have been announced against Moore or Brady. However, one court filing made public Tuesday indicates prosecutors believe Brady attempted to influence the testimony of at least one witness in the investigation." http://politi.co/2tBZxYh

THE WAR -- "Trump Finds Reason for the U.S. to Remain in Afghanistan: Minerals," by NYT's Mark Landler and James Risen: "President Trump, searching for a reason to keep the United States in Afghanistan after 16 years of war, has latched on to a prospect that tantalized previous administrations: Afghanistan's vast mineral wealth, which his advisers and Afghan officials have told him could be profitably extracted by

Western companies. Mr. Trump has discussed the country's mineral deposits with President Ashraf Ghani, who promoted mining as an economic opportunity in one of their first conversations. Mr. Trump, who is deeply skeptical about sending more American troops to Afghanistan, has suggested that this could be one justification for the United States to stay engaged in the country. To explore the possibilities, the White House is considering sending an envoy to Afghanistan to meet with mining officials." http://nyti.ms/2tYdBe8

BIG NEWS -- "Wasserman Schultz aide arrested trying to leave the country," by Heather Caygle and John Bresnahan: "Imran Awan, a House staffer at the center of a criminal investigation potentially impacting dozens of Democratic lawmakers, has been arrested on bank fraud and is prevented from leaving the country while the charges are pending.

"A senior House Democratic aide confirmed Awan was still employed by Rep. Debbie Wasserman Schultz (D-Fla.) as of Tuesday morning. But David Damron, a spokesman for Wasserman Schultz, later said that Awan was fired on Tuesday. Awan pleaded not guilty on Tuesday to one count of bank fraud during his arraignment in the U.S. District Court for the District of Columbia. Awan is accused of attempting to defraud the Congressional Federal Credit Union by obtaining a $165,000 home equity loan for a rental property, which is against the credit union's policies since it is not the owner's primary residence." http://politi.co/2uwiXB7

TRUMP'S CABINET -- "State Department says Secretary Tillerson is 'taking a little time off' amid tensions in the White House," by Business Insider's Alex Lockie: "When asked about the discrepancies between Tillerson's public schedule and his reported movements, and why the department hadn't updated the press on his whereabouts, [Heather] Nauert said Tillerson 'does have the ability to go away for a few days on his own.' 'Just taking a little time off,' Nauert said of Tillerson's unannounced absence. 'He's got a lot of work. He just came back from that mega-trip overseas, as you all well know - many of you were over there with the G-20.' Asked why she didn't just say Tillerson was on vacation, Nauert said she didn't know the standard protocol for listing private days. ... Nahal Toosi, a foreign-affairs correspondent at Politico, later tweeted that Tillerson had 'GTT -- Gone to Texas,' adding that he was 'fine and he's working 20 hour days, but just not in DC.'" http://read.bi/2uAmuwo

OOPS! -- "U.S. energy secretary duped into fake interview with Russian comedians," by Reuters' Timothy Gardner: "U.S. Energy Secretary Rick Perry optimistically discussed expanding American coal exports to Ukraine and other energy matters during a lengthy phone call this month with a Russian prankster who Perry thought was Ukraine's prime minister. Perry actually was talking with comedians known in Russia for targeting celebrities and politicians with audacious stunts, Energy Department spokeswoman Shaylyn Hynes said in a written statement. Pranksters Vladimir Krasnov and Alexei Stolyarov are sometimes called the 'Jerky Boys of Russia,' after an American duo who put out recordings of their prank phone calls in the 1990s. ... During the 22-minute call on July 19, Perry, whose department oversees the U.S.

nuclear weapons program, discussed a range of topics in a business-like tone, including sanctions against Russia and helping Ukraine develop oil and gas." http://reut.rs/2tBLjXp

THE RESISTANCE -- "McAuliffe, Pelosi weekend travel project promotes governor races as 'future of the party'," by USA Today's Heidi Przybyla: "Virginia Gov. Terry McAuliffe and Rep. Nancy Pelosi have been quietly courting major party donors during a series of weekend trips that illustrate how the Democratic Party's road to rebuilding begins with changing the habits of labor unions and traditional donors. The duo has traveled to San Francisco, Los Angeles, Boston and New York to try to convince traditional donor groups and grassroots organizations to channel more funding to local and state elections - with a particular focus on the next generation of governors who will oversee redistricting around the 2020 Census - as well as legal battles and ballot initiatives to challenge gerrymandered congressional districts.

"It's the start of a routine they plan to keep in the lead up to the 2018 election. 'I don't care who the president of the United States is, it doesn't matter in the sense that, if we don't have governors to stop these horrible maps, they're going to pass a lot of this stuff at the state level,' said McAuliffe, a Democrat who finishes his term in January. 'Politically, this is what I'm going to do. I'm obsessed,' McAuliffe said during an interview with USA TODAY at a Washington hotel." https://usat.ly/2h2iyl7

POLITICO MAGAZINE -- "Trump the Disloyalist: Why is anyone surprised by the president's treatment of Jeff Sessions?" by John J. Pitney Jr.: "Trump's life has been a long trail of betrayals. His mentor was attorney Roy Cohn, who had been Senator Joseph McCarthy's right-hand man. ... Trump benefited greatly from the relationship, but when Cohn contracted AIDS in the 1980s, Trump turned his back on him, transferring his business to other attorneys. When the funeral came, Trump didn't speak. 'Donald pisses ice water,' Cohn reportedly said before his death. Trump's ex-wives would probably say the same thing if they were not bound by non-disclosure agreements. He was especially disloyal to his first wife, Ivana, the mother of Donald, Jr., Ivanka and Eric. During their breakup, he told a writer for Vanity Fair: 'When a man leaves a woman, especially when it was perceived that he has left for a piece of ass -- a good one! -- there are 50 percent of the population who will love the woman who was left.'" http://politi.co/2h2pPRE

DEEP DIVE -- MICHAEL LEWIS in September's Vanity Fair, "Why the Scariest Nuclear Threat May Be Coming From Inside the White House": "On the morning after the election, November 9, 2016, the people who ran the U.S. Department of Energy turned up in their offices and waited. They had cleared 30 desks and freed up 30 parking spaces. They didn't know exactly how many people they'd host that day, but whoever won the election would surely be sending a small army into the Department of Energy, and every other federal agency. ...By afternoon the silence was deafening. 'Day 1, we're ready to go,' says a former senior White House official. 'Day 2 it was "Maybe they'll call us?" ... On his visits to the White House soon after the election, Trump's son-in-law, Jared Kushner, expressed surprise that so much of its staff seemed to be

leaving. 'It was like he thought it was a corporate acquisition or something,' says an Obama White House staffer. 'He thought everyone just stayed.' ...

"Meanwhile, inside the D.O.E. building, people ... from the Trump administration appear willy-nilly, unannounced, and unintroduced to the career people. ... 'Yes, you can notice the difference,' says one young career civil servant, in response to the obvious question. 'There's a lack of professionalism. They're not very polite. Maybe they've never worked in an office or government setting. It's not hostility so much as a real sense of concern with sharing information with career employees. Because of that lack of communication, nothing is being done. All policy questions remain unanswered.'" http://bit.ly/2vZFEvm

MEDIAWATCH -- "Fox News host 'targeted' in ambush at Brooklyn bar," by N.Y. Post's Lia Eustachewich and Daniel Prendergast: "A Fox News host was ambushed while attending her pal's campaign event in Brooklyn Monday night - doused head to toe with a bottle of water. The assault against Kat Timpf, a libertarian co-host on 'Fox News Specialists,' occurred at Union Pool in Williamsburg, where her friend and Brooklyn Borough president hopeful Ben Kissel was hosting the event, which coincided with his birthday. A still shaken Timpf told The Post Tuesday that she was definitely targeted for the attack." http://nyp.st/2v77Z6w

--N.Y. TIMES DEPARTURE LOUNGE -- per Hadas Gold's Morning Media: "A slew of Times stalwarts have taken buyouts. Among them: Bruce Headlam, an editor in the opinion section (Headlam was also featured in the documentary film 'Page One' when he was media editor), Charles Duhigg, who's been in charge of live events, former Jerusalem bureau chief Ian Fisher and defense reporter Chris Drew. -- Headlam told me after he leaves he'll be working on a new project with Malcolm Gladwell, a company that will be 'doing digital journalism in a lot of different forms,' 'an empty vessel for interesting things' including some writing, visual and audio journalism. There's no name just yet."

-- LUIZA SAVAGE promoted at Politico - Carrie Budoff Brown emails the staff: "We're thrilled to announce a new expanded role for Luiza Savage, who will become the Editorial Director of Cross-Platform Content, working across the newsroom and with our business partners to drive and develop written, video and live-event projects that are high impact and newsworthy. Luiza is an ideas machine, and she's already played a unique role in conceptualizing projects that produce strong journalism while generating significant revenue."

Playbookers

SPOTTED: Sen. Roy Blunt (R-Mo.) at the Kastles last night at GW.

OUT AND ABOUT -- SPOTTED last night at a Newseum screening of Fox Searchlight's documentary "STEP" last night: Sens. Ben Cardin and Chris Van Hollen (D-Md.), Rep.

Steny Hoyer (D-Md.), Amanda Lipitz, Chip Smith and Mauren Umeh. ***Trailer*** http://bit.ly/2uYfoEn

TRANSITIONS -- Bradley Hayes has joined the U.S. Customs & Border Protection Office of Trade Relations as executive director. ... **Matt Dickerson** has been named as policy director at the Republican Study Committee. He previously worked on the staff of the late Rep. Bill Young. ... **Alexei Woltornist** has joined the RSC as communications director. He previously was comms director for Rep. Warren Davidson (R-Ohio). ... **Noelani Bonifacio** has been promoted to professional policy staffer at the RSC.

-- OBAMA ALUMNI: Hannah Hankins has been named VP at Civic Advisors, a social impact firm founded by Obama-Biden alumni. She previously spent more than five years in the Obama White House communications department, most recently as comms director and senior policy advisor for the Domestic Policy Council.

BIRTHWEEK (was yesterday): Mark McLaughlin, the research director at Senate Leadership Fund who was research director at the NRSC for the '14 and '16 cycles, turned 31 (hat tip: fiancée Natalie Gillam, who met him at the NRSC) ... Kelly Laco, one of the press assistants at DOJ public affairs, who celebrated with a Nats game last night (h/t Devin O'Malley) ... Christian Hulen, a Jeb Bush alum now VP of public affairs at FP1 Strategies (h/t Zach Cikanek)

BIRTHDAY OF THE DAY: Amb. Patrick Gaspard, VP of the Open Society Foundations. How he's celebrating: "My birthday always begins with a blast of Mick Jagger, who is my bday soulmate. Jumping Jack Flash. I'm celebrating in Washington with family, but planning blowout birthday weekend in New York, which will include some theatre." Read his Playbook Plus Q&A: http://politi.co/2vI1CUf

BIRTHDAYS: Molly Conway, Department of Labor deputy chief of staff (h/t Jillian Rogers) ... Scott Sforza, senior counselor at the Harbour Group ... Margaret Tutwiler ... The Daily Beast's Erin Gloria Ryan ... ABC News' Dan Harris is 46 ... Bill Raines ... Sarah Portlock Fellman, day editor at WSJ ... Nick Muzin, senior adviser and deputy COS for Sen. Ted Cruz ... Obama alum Namrata Kolachalam ... Linda Feldmann, Washington bureau chief of Christian Science Monitor ... former NSA director Mike McConnell is 74 ... Elsa Hoffacker ... Sonny Bunch, Free Beacon executive editor ... Tomeika Bowden, chief comms officer at the D.C. Public Charter School Board (h/t Jon Haber) ... Olivia Baackes ... Catharine Ryun ... Kerri Briggs ...

... Kara Bloomgarden-Smoke, media reporter at WWD ... Sam Schabacker ... Chad Jones, executive director of the National Electrical Contractors Association of Western Pennsylvania, is 37 (h/t Kara Hauck) ... Rep. Markwayne Mullin (R-Ok.) is 4-0 ... Rep. Martha Roby (R-Ark.) is 41 ... Elettra Wiedemann, LSE grad and Brooklyn resident, on the road in support of her new book "Impatient Foodie" (http://bit.ly/2tJf251) (h/t Ben Chang) ... Politico's Benjamin Hong ... Michael Zachariades ... Hadley Holmes, JD candidate at Boston College law school ... Stacey Silva ... Ami Susan Edds Petrucelli ... Shakila Khalje ... Sheka Tarawalie ... Elettra Wiedemann ... Don Neal ... Libby

Burmaster ... Connie Terry ... Karen Besserman ... PJ McCann ... Michael Leffel (h/ts Teresa Vilmain)

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Subject: June 06 -- Daily Environment Report

Daily Environment Report

June 06, 2017 - Number 108

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Leading the News

Chemicals
EPA 'Safer Choice' Label Program, Criteria Under Fire
Does a detergent that Procter & Gamble Co. makes merit a 'safer' label designation? The issue has re-ignited a debate among trade association executives over the type of analysis needed to justify such labels.

News

Biotechnology
Syngenta Faces 7,000 Kansas Farmers in Dispute Over Modified Corn
Farmers have to deal with threats to their crops from nature all the time. Thousands of Kansans argue, however, that Syngenta AG posed an even bigger threat by failing to prevent its genetically modified corn seed from contaminating U.S. crops, which led to a devastating rejection of imports by Chinese officials.

Brownfields
E-Commerce Boosts Demand for Brownfields Redevelopment
The e-commerce industry's appetite for warehouse space near major cities is boosting demand for brownfields as well as environmental insurance.

Chemicals
Toxic Chemical in Food Packaging Fight Takes Road Less Traveled
Environmentalists are employing a seldom-used legal maneuver to fight a recent decision that would allow the continued use of a toxic chemical in food packaging.

Climate Change

Hunt for Trump's Climate Views Like 'Chasing Rabbit,' Perry Says

People shouldn't focus on whether U.S. President Donald Trump believes climate change is real, according to one of his own Cabinet members.

Climate Policy

U.K. Doesn't Think Paris Climate Deal Needs to Be Renegotiated

Prime Minister Theresa May's government doesn't think the Paris climate deal needs to be renegotiated, her spokeswoman said, pitching Britain behind the position held by France, Germany and Italy.

Cost Recovery

U.S. Subject to Superfund Suit Over Waste On Navajo Land

Kinder Morgan subsidiary El Paso Natural Gas can pursue Superfund cleanup costs from the federal government for uranium mining waste on land held in trust for the Navajo Nation, the District of Arizona ruled (El Paso Nat. Gas Co. v. United States, 2017 BL 186291, D. Ariz., No. 14-CV-08165, 6/2/17).

Disclosure

Most Companies Report as Usual on Conflict Minerals

Corporate disclosures on sourcing of minerals that have been linked to conflict and human rights abuses in Africa are largely unchanged this year despite the Securities and Exchange Commission's relaxed regulatory stance.

Energy

China Is Said to Halt New Electric-Car Production Permits

China plans to halt issuing permits to produce electric vehicles pending a review of the policy because of concern additional approvals may lead to a glut in the world's biggest auto market, according to people familiar with the matter.

Hazardous Waste

Retail Industry Seeks EPA Answers on Hazardous Waste

The retail industry is still waiting for the EPA to address a fundamental question: When does a product become waste?

International Climate

Trump Exit Spurs State, Corporate Vows to Back Climate Pact

U.S. cities, states and companies vowed June 5 to try to shore up support for climate action in the aftermath of President Donald Trump's June 1 vow to exit the Paris climate pact.

Nanotechnology

No New Data Needed for Nanomaterials Rule, EPA Official Says

Companies making and processing nanoengineered chemicals do not have to generate new information to comply with the agency's data collection rule that is effective in August, an EPA manager said.

Oil & Gas

EPA Taken to Court Over Methane Rule Pause

A coalition of environmental groups is taking the EPA to court over its decision to halt an Obama-era regulation on methane emissions from the oil and gas industry.

Oil & Gas

Fisheries Service Proposes OKs for Atlantic Seismic Work

Five companies are a step closer to conducting seismic surveys to identify offshore oil and

natural gas prospects in the U.S. Atlantic.

Renewable Energy
Trump's Paris Exit Sidelines D.C. for Danes Blazing Wind Trail
For Denmark, which relies more on wind energy than any other nation on the planet, June 1 was a pretty bad day.

U.S. Budget
Amid Rancor, Evidence-Based Policy Panel Leaders Optimistic
You'll see us in September and we're bringing recommendations.

Water Pollution
How Hard Will Pruitt Crack Down on Lake Erie Farmers?
The business of growing food in the upper Midwest may be about to significantly change.

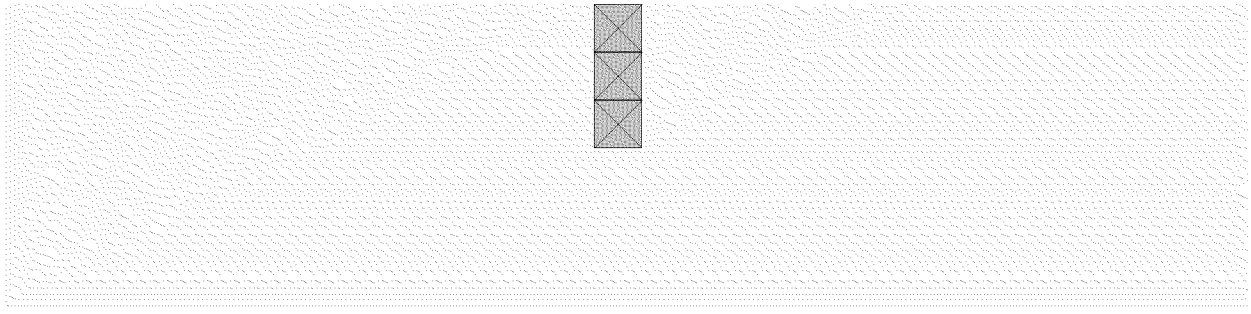
Water Pollution
N.C. Farm, Owner Fined For Discharging Cow Waste
A North Carolina farm and its owner have been sentenced on criminal charges for violating the Clean Water Act by discharging animal waste into a tributary of the French Broad River without a permit.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Thur 9/7/2017 12:06:02 PM
Subject: Hurricane Irma Alert, Shelter in Jail, Female Jihadis, FBI Warning, Drones are Changing the World





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Thur 7/27/2017 2:05:58 PM
Subject: POLITICO's Morning Energy, presented by Chevron: Pruitt's next step on power plants — Energy retribution for Murkowski's healthcare vote? — Largest U.S. wind farm announced

By Anthony Adragna | 07/27/2017 10:00 AM EDT

With help from Alex Guillén, Esther Whieldon, Eric Wolff and Annie Snider

ESCAPE PLAN FOR COAL PLANTS? EPA Administrator Scott Pruitt is ready to let coal-fired power plants off the hook for their contribution to climate change, based on a novel legal argument that the Clean Air Act bars him from further regulating carbon dioxide emissions from existing power plants because a separate Obama-era regulation on toxic mercury emissions already applies to them, Pro's Alex Guillén reports , citing multiple sources with knowledge of his plan. That approach echoes a novel interpretation of the statute Pruitt leaned into as Oklahoma attorney general, but it would avoid an all-out brawl over the established science on climate change.

The argument, known throughout Washington's legal circles as the "112 exclusion," says EPA cannot regulate carbon emissions from power plants under section 111(d) of the Clean Air Act because section 112 already goes after hazardous air pollutants from those sources. A federal appeals court never ruled on the matter before pausing the case in the wake of President Donald Trump's election, but several judges on the D.C. Circuit appeared skeptical of it during oral arguments last year. Environmental groups, meanwhile, are ready to fight the planned repeal of the Clean Power Plan, including the 112 exclusion argument, and Pruitt's broader claim that the Clean Air Act does not give EPA the proper tools to fight climate change.

Pruitt's approach won't be enough for some: Conservatives want Pruitt's EPA to go further still by overturning the agency's 2009 endangerment finding that classified carbon dioxide as a pollutant. That approach has divided coal companies, with one industry source saying entities are split over whether Pruitt should repeal the endangerment finding or pursue more lenient rules that would not force plants to shut down. "The more they look at it, the more they're going to realize they need to re-open and revise the endangerment finding," said Myron Ebell, director of the Center for Energy and Environment at the Competitive Enterprise Institute and the Trump administration's EPA transition team leader. Pruitt is not expected to repeal the endangerment finding in the near term, though he has announced plans for a "red team/blue team" debate of the consensus on climate change.

WELL FOLKS, IT'S THURSDAY! I'm your host Anthony Adragna, and former Rep. Kerry Bentivolio (a former reindeer rancher) won a general election while losing a special one on the same day back in 2014. For today: Who holds the record for shortest tenure as House Speaker? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

NOT TOO SUBTLE: One day after Senate Energy Chairman Lisa Murkowski voted against beginning debate on Obamacare repeal, Interior Secretary Ryan Zinke called both Alaska

senators to warn their energy priorities were suddenly at stake, the Alaska Dispatch News reports. "I'm not going to go into the details, but I fear that the strong economic growth, pro-energy, pro-mining, pro-jobs and personnel from Alaska who are part of those policies are going to stop," Sen. Dan Sullivan said. "The message was pretty clear." Among the priorities now at risk, according to the paper: the nominations of Alaskans to Interior Department posts, a long-sought one-lane gravel road from the isolated southwestern Alaska village of King Cove, and expanded drilling opportunities throughout the state.

MOVING THAT MINI-BUS! Lawmakers moved their way through dozens of amendments on the Energy and Water-filed mini-bus package H.R. 3219 (115) late Wednesday night. Expect lawmakers to finish two remaining votes on Energy and Water amendments today ahead of a final vote on the mini-spending package on Friday. Among the measures of interest to ME readers:

- Lawmakers approved by voice vote Rep. Paul Gosar's amendment barring the development of any rule or guidance document related to the social cost of carbon.

- A bid by Democrats to strip a rider insulating the Trump administration's withdrawal of the Waters of the U.S. regulation from legal challenges failed by voice vote.

- Rep. Scott Perry's amendment adding $15 million to the Office of Energy Efficiency and Renewable Energy by taking away from DOE's administration fees and Rep. David McKinley's amendment restoring fossil energy funding to fiscal 2017 levels passed by voice vote. - A bid to add $921 million to EERE by pulling from the nuclear weapons program failed by voice vote, as did several smaller efforts.

- Ohio Republican Steve Stivers' push to block any funding for Cape Wind, the offshore wind project in Massachusetts' Nantucket Sound that has been stalled for years, passed by voice vote.

- Efforts by Nevada Democrats to remove language barring the closure of Yucca Mountain flopped by voice vote.

- Seventh time's the charm? Rep. Michael Burgess' perennial light bulb rider blocking enforcement of DOE efficiency standards passed by voice vote again.

Before they adjourned Wednesday night, lawmakers set up a vote on Rep. Marsha Blackburn's push for a 1 percent across-the-board discretionary cut and two Michigan Republicans withdrew an amendment barring the Corps from slow-walking a controversial study related to keeping Asian carp from reaching the Great Lakes.

LIKELY TRUMP WATER PICK HAS AG GROUP, RED STATE CRED: The likely nominee to run EPA's water office is David Ross, director of the Environmental Protection Unit at Wisconsin's Department of Justice, according to multiple sources close to the decision. Before heading to Wisconsin last year, Ross was in the Wyoming Attorney General's office, where he worked on the 13-state lawsuit challenging that Obama administration's Waters of the U.S. rule that won an early injunction from a North Dakota District Court judge in 2015.

Ross also spent more than a decade in private practice, largely in Crowell & Moring's environment and energy group, where he worked on a number of hot-button water lawsuits. He was part of the team that represented the American Farm Bureau Federation in its challenge to the landmark Chesapeake Bay cleanup plan - a suit that Pruitt joined as an intervenor while serving as Oklahoma's attorney general, although he now says he supports the effort - and represented agricultural groups and fertilizer companies in litigation brought by environmental groups in a bid to force stricter pollution limits in the sprawling Mississippi River basin.

** **A message from Chevron**: Advanced technology is helping us find safer ways to deliver energy. We're piloting a program that uses drones to monitor tanks and pipelines. Watch the video: http://bit.ly/2vFEzbX **

FROM 'MONEYBALL' TO ... DOE? Financial writer Michael Lewis, known for books like "Moneyball" and "Flashboys," explores the convoluted past, present and future of the Energy Department in a lengthy piece for Vanity Fair. Much like we've explained the agency's many important - and thankless - tasks, Lewis tells the story of what DOE does, that no one seems to get it, and how fraught with risk it all is. And he hits the highlights: the loan program, nuclear security, physical and cyber threats to the electric grid, and (paging Sen. Maria Cantwell) an extended section on the Hanford nuclear cleanup. He interviewed Arun Majumdar to talk about DOE's ARPA-E program, which he launched and is under threat from Trump.

MASSIVE WIND FARM GOING UP: American Electric Power announced Wednesday it would invest $4.5 billion into a massive 2,000-megawatt wind farm that will provide power to customers in Arkansas, Louisiana, Oklahoma and Texas once completed. It would be the largest wind farm in the country, and AEP says customers will save $7 billion over 25 years once the wind farm is online. The effort includes a 350-mile dedicated, extra-high voltage power line designed to serve up to 1.1 million customers, according to developer Invenergy.

TRUMP TRANSITION OFFICIAL THINKS WHITE HOUSE SHOULD DO CLIMATE ASSESSMENT: Former Trump Transition official David Schnare argued in an op-ed for Inside EPA that the White house Office of Science and Technology Policy, and not EPA, should conduct a re-evaluation of climate science. Schnare, who decried the "alarmist" views he said dominated the Obama administration's approach, calls Pruitt's proposal for a red team/blue team debate "silliness" and "not how science works." He argues that under the 1990 Global Research Act, only OSTP, and not EPA, has the authority to conduct such a review. "EPA can play, but it isn't in charge and doesn't have the authority," he writes. Schnare was an attorney with EPA for 30 years, though he is now general counsel for the anti-climate action Energy and Environment Legal Institute.

EU TAMPED DOWN SANCTIONS BILL: The legislation still faces some obstacles before it reaches Trump's desk, but European officials actually managed to blunt the initial scope of the proposed Russian sanctions through last-minute tweaks last weekend, POLITICO Europe's Anca Gurzu and Lili Bayer report. Officials are especially worried provisions in the measure could deliver an economic blow to EU companies involved in Russian energy export pipelines or that partner with Russian companies on energy projects. "We do a lot under the radar because we

wanted to avoid the appearance that we are split with the U.S. on the sanctions," a Commission official said.

NOT SO FAST, REX: Critics are not down with Secretary of State Rex Tillerson's plan to slash dozens of positions known collectively as special envoys, POLITICO's Nahal Toosi reports. The administration has already indicated it plans to eliminate a special envoy for climate change. But today the Senate Foreign Relations Committee will consider legislation that will give lawmakers a greater say over how special envoy jobs are filled.

MAIL CALL! WE'RE WITH YOU ON OFFSHORE DRILLING PLAN: A group of 36 Senate Republicans, led by Lisa Murkowski, sent a letter to Zinke Wednesday voicing support for his agency's new Outer Continental Shelf Five-Year Oil and Gas Leasing Program for 2019-2024. "We encourage you to carefully review those areas that were not included in the 2017-2022 Five-Year Program to ensure that opportunities are not missed," they wrote. BOEM is currently accepting comment on a new five-year drilling plan through Aug. 17 that would replace the plan developed under the Obama administration.

PERRY'S BAD TUESDAY GETS WORSE: Top House Energy and Commerce Democrat Frank Pallone asked GAO Wednesday in a letter to probe whether Energy Secretary Rick Perry misused taxpayer funds in writing an op-ed criticizing the Affordable Care Act and if the agency improperly promoted that piece through social media channels. "I have significant concerns as to why DOE is using official agency resources to weigh in on the health care debate, and am troubled that recent DOE actions may represent a broader effort by the Administration to inappropriately use agency resources on matters well beyond an agency's jurisdiction," Pallone wrote, asking for an opinion on whether Perry's actions violated Antideficiency Act, the Anti-Lobbying Act, and the Consolidated Appropriations Act of 2017.

TASTE OF WHAT'S TO COME IN SEPTEMBER: House Energy and Commerce lawmakers today vote on Drinking Water System Improvement Act H.R. 3387 (115). The measure cleared subcommittee on July 13 after the addition of amendments requiring states to spend a minimum share of federal dollars on disadvantaged communities, boosting the popular Drinking Water State Revolving Fund's authorization to $8 billion over five years and encouraging removal of lead service lines. Be on the lookout for a manager's amendments with further tweaks when the session begins at 10 a.m. in Rayburn 2123.

ICYMI: The Senate Energy and Natural Resources shelved a vote originally planned for today at 9:30 a.m. on half a dozen Interior and DOE nominees "until a date and time to be determined," Pro's Esther Whieldon reports. A committee aide chalked it up as a casualty to the chamber's vote-a-rama on healthcare repeal.

PRUITT MET CANADA'S HARPER: The EPA confirmed late Wednesday that Pruitt met with former Canadian Prime Minister Stephen Harper back in March. "The purpose of the meeting was to extend a courtesy visit to the former Prime Minister of Canada and thank him for past bilateral cooperation on environment," a spokeswoman said. "It was not intended, nor was it, a policy meeting." The Huffington Post first reported the meeting, which it said was arranged by a top Comcast lobbyist.

MONUMENT REVIEW ROLLS ON: Zinke continues his visits to national monuments today as his swing takes him to New Mexico. He'll have a closed-press helicopter tour of the Organ Mountains Desert Peaks National Monument in the morning, followed by a meetings with local elected officials, ranchers, academics, border security experts, and others (also off-limits to the press).

It hasn't been announced yet but a rural Nevada county commissioner told the Las Vegas Review-Journal Zinke will be in the area next Monday to hear input on the Gold Butte and Basin and Range National Monuments in the state. Nye County Commission Chairman Dan Schinhofen told the paper Zinke would hear from him about former President Barack Obama's designation of the Basin and Range. "We don't object to national monuments, but to take 700,000 acres to protect private property that represents less than one percent of that land seems excessive," he said. "We think it can be pared down."

Speaking of monuments, the Commerce Department announced it would give the public an additional 15 days to comment on the status of 11 marine national monuments and sanctuaries through August 14, Pro's Esther Whieldon reports. A spokesperson declined additional comment on why the public comment period was extended.

REPORT: APPLIANCE EFFICIENCY COULD SAVE BIG BUCKS: The Appliance Standards Awareness Project and the American Council for an Energy-Efficient Economy released a report Wednesday recommending 21 appliance standards states could adopt on a variety of products, from computers to portable air conditioners. The groups say those standards would save $113 billion through 2035 assuming they go into effect by 2020.

MORE STATES JOIN GREEN CONTRACT TREND: Two states, Minnesota and Nebraska, this year joined the ranks of about a half dozen states that have allowed their utilities to offer direct-sale, long-term supply contracts for renewable generation, according to a report out today by the Advanced Energy Economy. Under these so-called green tariffs, big companies like Facebook and Google since 2012 have signed deals for more than 8 gigawatts of renewables.

CHANGING THE FACE OF THE GREEN MOVEMENT: Environmental advocates and lawmakers gather today at 10 a.m. in Cannon 421 for a discussion on the need for diversity in the mainstream environmental movement. Reps. Donald McEachin and Pramila Jayapal, along with representatives from Green 2.0, the Hip Hop Caucus, Defenders of Wildlife, LCV and GreenLatinos, participate.

MOVERS, SHAKERS:

Gwendolyn Keyes Fleming, chief of staff at EPA under Gina McCarthy from 2013 to 2015, has joined the law firm Van Ness Feldman in its environmental practice. She'll focus on environmental litigation and national security issues. Before becoming chief of staff, Fleming was EPA's regional administrator for the Southeast, and before that she was an elected district attorney in Georgia's DeKalb County. After leaving EPA, Fleming spent nearly two years as the top legal adviser for Immigration and Customs Enforcement. In recent months DeKalb County

had employed Fleming as a consultant to advise it on relations and negotiations with EPA and state regulators.

Cynthia Giles, EPA's top enforcement official during the Obama administration, has joined the University of Chicago's Energy & Environment Lab as executive fellow and director of strategic initiatives. The organization aims to work with governments to design and test environmental policies that can be scaled up.

Mike Godwin has joined the Niskanen Center as a senior fellow; He was most recently the director of innovation policy at the R Street Institute (h/t Playbook).

QUICK HITS

- How Venezuela chaos could spark oil rally OPEC has failed to achieve. MarketWatch.

- Flint's water quality improving; 5 resource sites to close. AP.

- Coroner: Schuylkill County coal miner killed when run over by own bulldozer. Allentown Morning Call.

- Britain to Ban New Diesel and Gas Cars by 2040. New York Times.

- Many Chicago Park District Fountains Are So Contaminated With Lead That They Can't Be Turned Off. WBEZ.

THAT'S ALL FOR ME!

** **A message from Chevron**: Advanced technology is helping us find better and safer ways to deliver energy to America. We're piloting a program that uses drones, HD imaging, and thermal mapping capabilities to monitor Chevron wells, tanks, and miles of pipeline. Watch the video http://bit.ly/2vFEzbX **

To view online:
http://www.politico.com/tipsheets/morning-energy/2017/07/27/pruitts-next-step-on-power-plants-221554

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Subject: July 11 -- Energy and Climate Report

Energy and Climate Report

July 11, 2017 - Number 132

News

Climate Policy
Colorado Vows Carbon Cuts in Support of Paris Climate Deal
Colorado vowed to slash statewide greenhouse gas emissions by a quarter from 2005 levels by 2025 as Gov. John Hickenlooper (D) announced plans to join a multi-state alliance to meet the goals of the international Paris climate change agreement.

Climate Regulation
EU Panel Backs 'Stop-the-Clock' Emissions Exemption for Airlines
Long-haul flights that arrive in or leave European Union airports would continue to be exempted from a requirement to participate in the bloc's greenhouse gas emissions trading system, under a legislative proposal backed by the European Parliament's environment committee July 11.

Emissions Trading
California Reaches Deal to Extend Climate Trading Program
Large California industries would be shielded from local greenhouse gas regulations, but would need to curb emissions of other harmful air pollutants under bills to reauthorize the state's carbon trading program.

Emissions Trading
EU May Be Required to Keep Carbon Sink Emissions At, Below Zero
European Union countries would be required to keep combined greenhouse gas emissions from carbon sinks, such as forests, at or below zero from 2021 to 2030, under a plan approved July 11 by the European Parliament's environment committee.

Energy
Tesla's Australian Battery Fix Comes at 'Big Price,' Analyst Says
Billionaire Elon Musk's plan to install a giant battery to help fix a power crisis in South Australia will come at a "big price" with installation costing 60 percent more than alternative open cycle gas plants, according to Wood Mackenzie Ltd.

Energy
Trump Taps Business Executives for Energy Undersecretary Jobs
President Donald Trump announced his intent July 11 to nominate executives at J.P. Morgan and Berkshire Hathaway Energy for two Energy Department undersecretary posts.

Fuel Efficiency
Carmaker Fines for Fuel Economy Shortfalls Under Review by U.S.

The Trump administration is considering easing steeper fines proposed by Obama-era regulators for automakers that don't meet tougher fuel economy standards, a move that would give a break largely to luxury brands like Jaguar, BMW and Porsche that have paid the highest penalties in the past.

Motor Vehicles

China Likely to Extend Tax Break on Electric Cars, Auto Group Says

China is likely to extend a purchase-tax exemption on electric cars to promote the vehicles, whose sales have outpaced broader industrywide deliveries, according to the state-backed auto association.

Motor Vehicles

London's Iconic Black Cabs Go Electric; Bound for Amsterdam

Hundreds of London's black cabs will start appearing on the roads of Amsterdam next year, powered by batteries instead of diesel fuel, marking the first international sale for Geely Automobile Holdings Ltd.'s new electric taxi.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 6/15/2017 6:47:21 PM
Subject: GOP tells Pruitt he will get bigger budget than requested

By Alex Guillén

06/15/2017 02:42 PM EDT

Republican lawmakers made it clear today that EPA is not going to get the budget it asked for — it's going to get a whole lot more.

Multiple GOP members of the Appropriations committee overseeing EPA said they will not come close to enacting the administration's proposed 31 percent cut.

"I can assure you you're going to be the first EPA administrator that's come before this committee in eight years that actually gets more money than they asked for," Rep. Tom Cole (R-Okla.) told EPA Administrator Scott Pruitt. "That doesn't mean you'll get as much as you've had, but you'll do better than you asked for."

Rep. Mark Amodei (R-Nev.) noted that Congress has already cut EPA's budget by more than $2 billion since 2010. "No one's standing on the rooftops begging for dirty air and dirty water," he said in calling for no more than moderate spending reductions.

Other Republicans on the panel made sure to defend specific programs they favor.

House Appropriations Chairman Rodney Frelinghuysen (R-N.J) told Pruitt that his state is home to more than 100 of the nation's 1,300 Superfund sites. "I think it's good to move with precaution before you take too many dramatic steps," he warned about EPA's 31 percent cut to that program.

Subcommittee chairman Ken Calvert (R-Calif.) criticized steep cuts to a popular diesel engine refit program and lamented the complete deletion of targeted air shed grants.

And Rep. Dave Joyce (R-Ohio) criticized the budget for killing the $300 million Great Lakes Restoration Initiative.

WHAT'S NEXT: Appropriators will write EPA's spending bill for next year, expected to be released later this summer.

To view online:
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/12/2017 4:29:49 PM
Subject: EPA delays chemical facility safety rule until 2019

By Alex Guillén

06/12/2017 12:26 PM EDT

EPA is giving refineries, chemical plants, fertilizer makers and other facilities until 2019 to comply with an Obama-era rule meant to prevent explosions and other disasters at those sites and protect nearby communities.

The Risk Management Program rule was finalized in January and had been set to go into effect in March as part of the federal government's response to the West, Texas, fertilizer plant explosion that killed 15 people in 2013.

"We are seeking additional time to review the program, so that we can fully evaluate the public comments raised by multiple petitioners and consider other issues that may benefit from additional public input," Administrator Scott Pruitt said in a statement. In a Federal Register notice to be published later, Pruitt gave regulated facilities until Feb. 19, 2019 to comply with the rule, although any changes to its requirements likely will push that back even further.

In a separate response to comments, EPA dismissed complaints that the delay poses environmental, safety or national security risks.

"EPA's legal mandate ... is not to ratchet up regulatory requirements to prevent all conceivable accidental releases regardless of the burden of implementation and regardless of how such regulations fit in overall chemical safety," the agency said, adding that the law requires the agency to be "reasonable."

Sen. Jim Inhofe (R-Okla.) pushed unsuccessfully to kill the RMP rule via a Congressional Review Act resolution earlier this year after arguing it would reveal too much sensitive information to terrorists. His resolution never received a vote.

WHAT'S NEXT: EPA will continue its review of objections to the rule raised by industry groups and companies.

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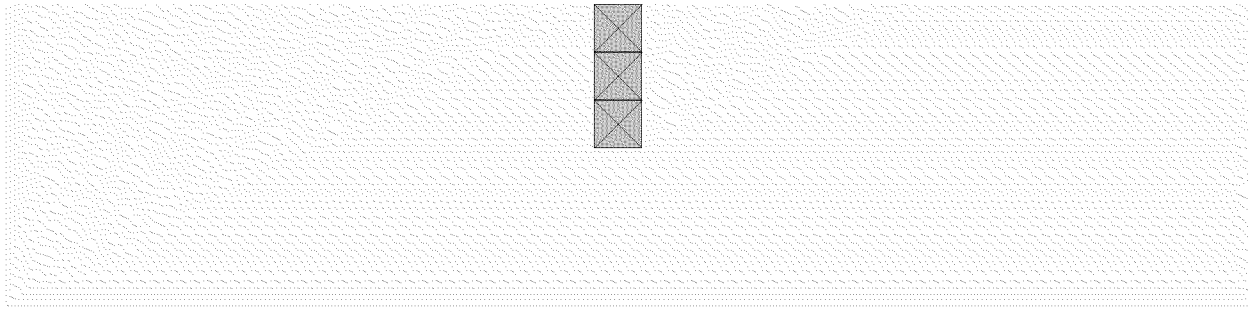
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Sent: Mon 8/28/2017 11:02:19 AM
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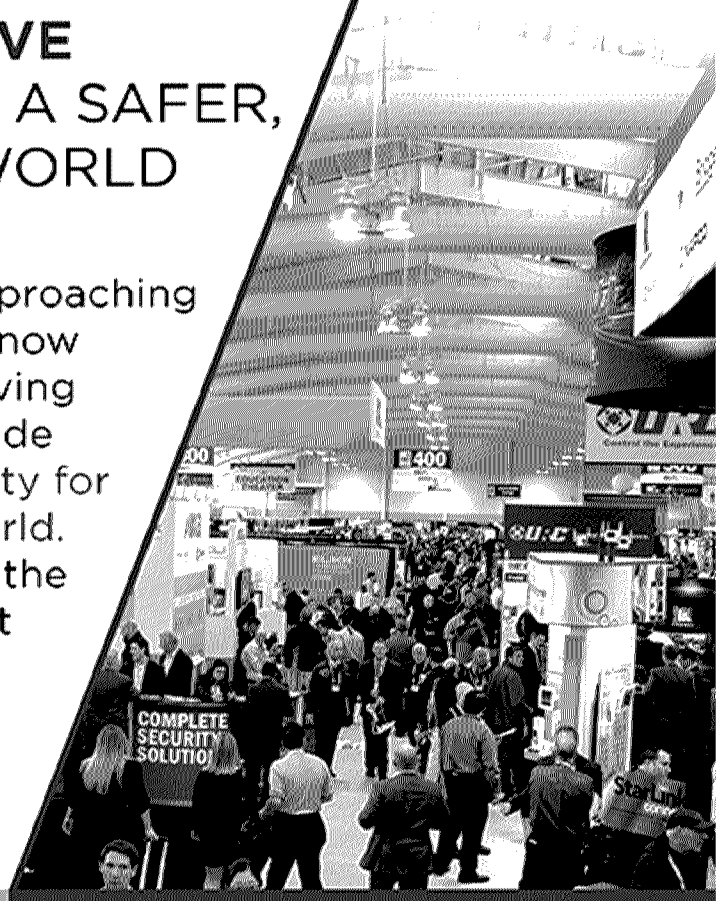
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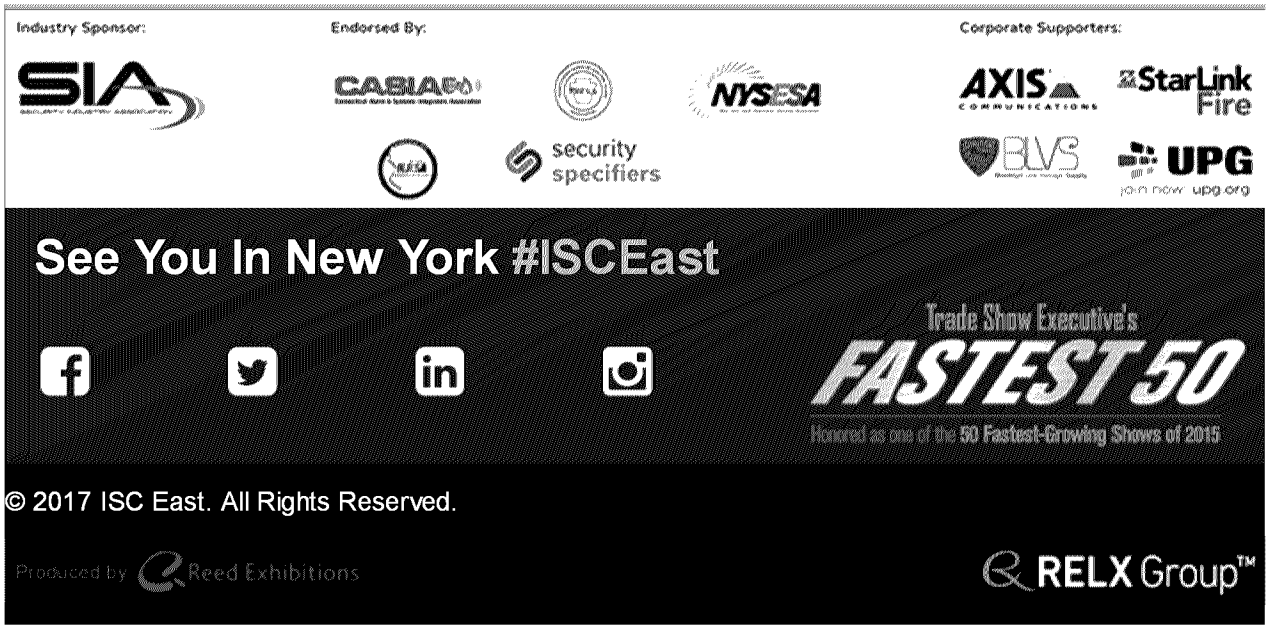
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Subject: July 6 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

G-20 Seeks to Contain Trump by Avoiding Climate Mention

Posted July 06, 2017, 9:51 A.M. ET

By Peter Martin and Jessica Shankleman

German Chancellor Angela Merkel is seeking to unite the Group of 20 nations on key environmental goals by steering clear of references to climate change wherever possible, according to a draft being circulated ahead of a summit of world leaders.

A section of the current draft seen by Bloomberg notes the decision of the U.S. to withdraw from the landmark Paris Agreement, while promising collaboration on other less controversial areas such as innovation, sustainable growth, and competitiveness.

Climate change has become one of the biggest issues at stake during the G-20 summit, after President Donald Trump last month decided to pull the U.S. out of the 2015 Paris deal that promised to keep global warming "well below" 2 degrees Celsius. Trump has questioned the scientific consensus of climate change, even once suggesting it was a hoax created by China.

"This is about trying to contain Trump and not provoke him," said Nick Mabey, who used to advise the U.K. government on climate issues and now runs E3G, a policy-research group. "This language would show that he's isolated on climate change but leave him with a bit of dignity."

Investor Concern

As the world's second largest emitter, the U.S.'s involvement in the Paris deal is seen as crucial to global efforts to tackle climate change. Investors are concerned that a U.S. exit could have a domino effect around the world, yet no other country has said they will follow Trump in leaving the accord.

While previous G-20 leaders' summits promised strong action on climate change, the communique currently being considered doesn't appear to mention the phrase, instead noting the opportunities for job creation "of increased investment into sustainable and clean energy technologies and infrastructure." It also promotes energy security, a key issue for Trump. The statement is not final

and can still change.

As president of the G-20 this year, Germany is seeking to avoid leaving the U.S. as a footnote on the issue of climate change. Merkel wants to avoid a repeat of Group of Seven talks in Italy in May that confirmed a crack between six member states and the U.S. after environment ministers were unable to find common ground on climate measures.

Steffen Seibert, Merkel's chief spokesman, declined to comment on the G-20 draft's substance. "Nothing is decided for now," he said by email. "There are many options."

While the main communique won't affirm the group's commitment to tackling climate change, the section of the draft said the remaining 19 parties will endorse a separate climate and energy action plan, which will act as an annex.

The other heads of state and government from G-20 countries, as well as the European Union's leaders, will affirm their belief that the 2030 Agenda for Sustainable Development and the Paris Agreement are irreversible.

—With assistance from Tony Czuczka.

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Teflon's Old Cancer Ties Stoke New Fears on U.S. Rivers

Posted July 06, 2017, 9:16 A.M. ET

By Tiffany Kary and Jack Kaskey

On a cool spring morning last year, Jason Galloway lugged his father's kayak up to the edge of the Ohio River and slid it into the calm water. This wasn't a pleasure trip. Galloway, by his own admission, isn't very skilled with an oar in his hands and, to make matters worse, can't swim.

He had come to gather water samples at spots in the river downstream from the Chemours Co. plant in Parkersburg, W.V. And what he says he found is adding to growing concerns over a new generation of chemicals—designed to be safer than the old ones—that Chemours and others make for products like Teflon cookware, waterproof fabrics and grease resistant food packaging.

Last month, a study detected one of the new chemicals, known as GenX, downstream from a different Chemours plant—some 400 miles away in Fayetteville, N.C. That news sent the company's stock and bonds tumbling as protests erupted over the safety of the local drinking water.

It's the latest chapter in a two-decade litigation and public relations ordeal that has buffeted DuPont Co., and now its spun-off unit Chemours. DuPont was accused for years of polluting the Ohio River separating Ohio and West Virginia with the widely-used Teflon chemical known as PFOA. In February, the two companies appeared to put the issue behind them when they agreed to a $670 million settlement to cover 3,500 personal-injury suits stemming from the old compound in drinking water around its Parkersburg plant.

Now, the Environmental Protection Agency is investigating the new chemical while some Wall Street analysts are discussing the potential for a fresh round of lawsuits against Chemours.

"History seems to be repeating itself," said Jeffrey Dugas, a spokesman for advocacy group Keep Your Promises DuPont. "We don't know if this chemical will have adverse health effects, but it has already contaminated drinking water."

Health Screening

Chemours said that it believes GenX levels around the Fayetteville plant are "well below the health screening level" announced by North Carolina regulators last month, adding that emissions "have not impacted the safety of drinking water."

In response to the controversy, Chemours said it started capturing the wastewater containing GenX and is working with regulators and local officials to determine the next steps.

The EPA said in a statement last month that its probe would review GenX toxicity data and update its risk assessment. There is no requirement that drinking water be tested for GenX and most similar chemicals, nor any federal limits on exposure.

DuPont had been using the old chemical, PFOA, also called C8, since at least the 1950s.

'Probable Links'

After residents near Parkersburg started raising health concerns and filing lawsuits in 2001, DuPont agreed to an independent science panel, which studied 80,000 residents for seven years, and found "probable links" between PFOA and six diseases including testicular cancer and ulcerative colitis. After losing a handful of individual suits, DuPont and Chemours reached this year's settlement on the PFOA suits.

The EPA encouraged companies beginning in 2006 to phase out PFOA and related chemicals, and DuPont agreed to do so. The industry replaced them with GenX and other new-generation agents known as perfluorinated compounds, or PFAS. The new class is eliminated faster from the body, making them safer, Chemours says.

At a conference in Boston in June about the chemicals, several scientists agreed that they cycle out of humans more quickly, but expressed concerns, citing their persistence in the environment including plant life, as well as a dearth of studies.

"Every perfluorinated compound that's been studied causes problems," said Linda Birnbaum, who directs an environmental health unit of the National Institutes of Health.

More Research

Much more research is needed to determine whether levels of the chemical found in North Carolina or near Parkersburg are safe, according to Jamie C. DeWitt, an associate professor at East Carolina University and author one of the few peer-reviewed studies of GenX.

"GenX isn't as potent, but we are seeing some concerns," she said.

Galloway, who has a degree in chemical engineering and is now a student at Ohio State University in molecular genetics, went on his vigilante sampling trip after reading about the new chemicals. He said he took the samples into the EPA for testing, and is working with the agency on a study for peer review.

"When I saw the plant was still operating, I tried to look up information on emissions and couldn't find anything, so I decided to get involved," Galloway said in a phone interview.

Public Outcry

The EPA didn't return requests for comment on Galloway's samples, and Chemours said it can't respond until the agency is done evaluating them.

Meanwhile, in North Carolina, local officials are grappling with their next step after the public outcry, initially sparked by a peer-reviewed study in November that found GenX is in the Cape Fear River and that current filtration systems have little ability to remove it.

"We need assurance that the water is safe," said Woody White, chairman of the New Hanover County commissioners, which covers affected communities around Wilmington, N.C., downstream from Chemours' Fayetteville plant. "We worry, and we want more data as soon as possible."

In Fayetteville, Chemours is required to capture GenX when used to make Teflon but not when discharged as a byproduct of a separate process.

Tom Claps, a litigation analyst with Susquehanna International Group, said in a research note that while lawsuits are likely, it may take a long time, citing the 16 years it took from the first lawsuit against DuPont over PFOA in Parkersburg to the recent settlement.

Chemours also inherited 17 factories globally that make fluoroproducts like Teflon. Its plant in Dordrecht, the Netherlands, recently came under scrutiny from Dutch officials concerned about GenX in the local drinking water. Its factories in Changshu, China, and Shimizu, Japan, also use GenX.

—With assistance from Joshua Fineman.

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Southern's Clean Coal Tryout Officially Dead Upon State Order

Posted July 06, 2017, 12:48 P.M. ET

By Mark Chediak

A seven-year, $7.5 billion effort to build a first-of-its-kind "clean coal" power plant in Mississippi is officially over.

Mississippi regulators ordered utility owner Southern Co. on July 6 to come up with a deal that'll have the Kemper plant—once hailed by the Obama administration as the future of coal—running as a natural gas-fired generator instead. The Mississippi Public Service Commission directed Southern to come up with a settlement within 90 days that has the plant burning gas and protects customers from the ballooning costs of the project.

The state's ruling only stands to seal the fate of the Kemper plant. Southern already said last week that it was pulling the plug on the coal part of the complex, and the July 6 vote only memorializes the state utility commission's call last month for the company to give up on "unproven" technologies at

the plant.

The death of the clean-coal project represents a major setback for the very technologies that the Trump administration has promoted it as a way to help save mining jobs. It also marks the end of a high-profile project that was plagued by construction slowdowns, equipment failures and sliding natural gas prices. The plant's already years behind schedule and more than $4 billion over budget.

Southern warned investors that it may take a $3.4 billion second-quarter charge if the company isn't authorized to recover the costs of the project from customers.

Kemper was supposed to turn coal into gas to produce electricity—all while removing carbon dioxide emissions linked to global warming. At least that was idea as the U.S. government poured $382 million of grants into the project and then-Energy Secretary Steven Chu stressed its "national importance." Now, the project's only claim to fame is becoming quite possibly the most expensive gas plant ever built.

When the Kemper project was first conceived, America's gas resources were thought to be becoming scarcer. Southern pitched the plant as a valuable hedge against volatile commodity prices. The shale boom has since unleashed so much gas that it's glutted markets and sent prices plummeting to the lowest level since the 1990s.

Viable With Gas

By February, Southern was estimating that running the Kemper plant on natural gas was more economically viable than running it off coal under two of three gas price scenarios analyzed.

The company has 45 days to propose a settlement to the commission, with another 45 days afforded for public comment and discussion, Public Service Commission Chairman Brandon Presley said before the panel voted on an order Thursday. Any deal must fit the terms laid out by the commission last month, he said. A printed copy of the order wasn't immediately available.

—With assistance from Jim Polson.

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Interior's Zinke Wants Oil and Gas Permitting Streamlined

Posted July 06, 2017, 02:14 P.M. ET

By Alan Kovski

Oil and gas companies could get more leasing opportunities and faster permitting for work on federal onshore lands under an order announced June 6 by Interior Secretary Ryan Zinke.

Zinke told reporters he was issuing a secretarial order to simplify and streamline the leasing and permitting process and stabilize it in terms of honoring lease commitments, all without skirting the obligations of the National Environmental Policy Act.

Drilling permit processing averaged 257 days last year. Zinke said he was aiming to meet the statutory mandate for issuing drilling permits in 30 days, although he acknowledged the government might not get there.

G-20 Energy Efficiency, Greenhouse Gases Both Rise, Report Says

Posted July 06, 2017, 7:49 A.M. ET

By Eric J. Lyman

The world's industrial powers are becoming more energy efficient, but greenhouse gas emissions continue to rise in those countries because of growing economies, according to an assessment of the Group of 20 nations by a climate advocacy group.

Overall, the G-20 nations saw greenhouse gas emissions increase by 34 percent between 1990 and 2014, while their economies grew 117 percent during that period, illustrating increased efficiency, the report said.

But the G-20 countries—which account for three-fourths of the world's greenhouse gas emissions—are not taking action strong enough to limit global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) compared to pre-industrial levels, the central goal of the 2015 Paris Agreement, said the report, released ahead of the July 7-8 meeting of G-20 leaders in Hamburg, Germany.

Of the G-20 members, "Australia, Canada, Saudi Arabia and the United States stand out with by far the highest per capita energy-related CO2 emissions," said the report from the umbrella group Climate Transparency, which wants G-20 countries to take more ambitious steps to fight climate change.

'Underlying Message'

The report is not a response to President Donald Trump's decision to pull the U.S. out of the Paris Agreement, said Niklas Hohne, a report co-author.

"The decision of the U.S. to withdraw creates some uncertainty, and it means the other 19 members of the G-20 will have more work to do," Hohne told Bloomberg BNA. "But it doesn't change the underlying message that the world is moving in the right direction, but doing so too slowly."

Hohne noted that at a 2009 G-20 summit in Pittsburgh, leaders committed to "phase out over the medium term inefficient fossil fuel subsidies that encourage wasteful consumption."

"As our latest report shows, there is still a lot of work to do in this area, but this is an ongoing discussion that started at the G-20," Hohne said. "The G-20 can play a key role in sending a message to the world about what is important."

The G-20 is comprised of the European Union and 19 countries: Argentina, Australia, Brazil, Britain, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey and the U.S.

The report's authors came from 10 of the countries in the G-20, though none were from the U.S.

Tesla Seen Pulling Away from GM for Clear U.S. Electric Car Lead

Posted July 06, 2017, 8:43 A.M. ET

By Claire Ballentine

More than a dozen automakers are jostling to lead the U.S. electric-car race, but Bloomberg New Energy Finance sees a clear winner separating from the pack: Tesla Inc.

The automaker led by Chief Executive Officer Elon Musk will emerge as "the stand-out" in total cumulative deliveries through 2021, reaching nearly 709,000 vehicles, according to BNEF's Long-Term Electric Vehicle Outlook released July 7. Tesla is projected to pull away from current leader General Motors Co., which may slip behind Volkswagen AG's aggregate sales of plug-in hybrid and fully electric autos in four years' time.

The report reinforces the optimism among some analysts that Tesla will be able to distance itself from established automakers and dominate many of the world's biggest markets for battery-powered vehicles. Investors have bid the company's shares up 53 percent this year in anticipation of Musk debuting the Model 3 sedan, a more affordable car he's counting on to crack the mass market.

"If they can stick to the Model 3 timeline, they're going to be at the front edge of this for a while," BNEF analyst Colin McKerracher said of Tesla in a phone interview.

While BNEF expects Tesla, VW and GM will lead the EV charge in 2021, the research group owned by Bloomberg LP predicts at least three other automakers will have also surpassed the 200,000 cumulative sales mark in the U.S. by that year. After crossing that threshold, buyers are no longer eligible for the full federal $7,500 tax credit toward purchases of vehicles from those manufacturers.

Hitting the 200,000 unit milestone would portend more sustainable demand for electric vehicles. Though BNEF does expect some impact from the federal tax credit phase-out, industry sales could be even higher because the analysts' short-term forecasts are based only on electrified models disclosed to date.

Product introduction schedules for 2020 and 2021 are still taking shape. BNEF made its forecasts before Volvo Car Group announced plans July 5 to offer only hybrid or full-electric motors on every new model launched starting in 2019.

The prediction BNEF settled on that Volkswagen could climb to the No. 2 spot by 2021 was the "the most contentious" of the research group's projections, McKerracher said. The German automaker doesn't yet have the same presence in the U.S. market as other electric-focused automakers, though the opportunity is there for the company to rank among the leaders based on all the vehicle launches it's announced.

Hybrid Outlook

The expected rise in pure electric vehicle demand in the U.S. will come at the expense of some hybrid vehicle demand, BNEF said. This could pose a challenge for the likes of Toyota Motor Corp., known for gasoline-electric cars like the Prius. The company sold about 1.4 million traditional and plug-in hybrid vehicles last year and has delivered more than 10 million cumulatively since the first Prius debuted in 1997.

Battery electric cars have already surpassed plug-in electric hybrids in the U.S., with about 85,000 and 73,000 sold last year respectively, BNEF data show. The trend also holds globally, with 412,000 battery electric vehicles sold last year to 283,000 plug-in hybrids.BNEF expects Toyota's Prius

Prime plug-in hybrid to be the exception and hold the title of best-selling electrified vehicle in the U.S. this year. Tesla will get off to too late of a start with its Model 3 to catch up, with Musk planning to hold a handover party for its first 30 sedan customers on July 28. The company is aiming to ramp-up production to a rate of 20,000 cars per month in December.

"In the long term, we see battery electric vehicles winning because of the battery cost curve," McKerracher said.

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Simplifying Energy Tax Code System Proving Not So Simple

Posted July 06, 2017, 7:00 A.M. ET

By Laura Davison and Brian Dabbs

Proposals to simplify energy tax credits are garnering interest from Senate Democrats and House Republicans as congressional leaders contemplate comprehensive tax reform. Lawmakers are looking at tax reform or a bill to extend nuclear production tax credits as possible vehicles to help them untangle the current energy tax system, lawmakers and industry officials told Bloomberg BNA.

One idea involves moving to a "technology-neutral" tax credit. The subsidy would apply to all forms of renewable energy, such as wind, solar, and geothermal, to prevent Congress from having to create credits for new technologies as the industry innovates. Supporters laud the proposal for simplifying a complex energy tax quilt.

"It will prevent the need to shoehorn new technologies into statutory definitions, some of which have been written decades ago," said David K. Burton, a partner at Mayer Brown LLP who leads the firm's renewable energy group.

The effort comes as lawmakers are aiming to overhaul the tax code by year-end—an ambition that faces big hurdles, since Republicans have failed so far to agree on a framework. House Ways and Means Committee Chairman Kevin Brady (R-Texas) said he expects energy tax credits to be included in the legislation. Some lawmakers also hope technology-neutral provisions could be attached an extension of the nuclear production tax credit—a bill (S. 666) lawmakers from South Carolina and Georgia are looking to push through Congress quickly.

Sen. Ron Wyden (D-Ore.), ranking member of the Finance Committee, has been pushing the idea of streamlining the energy sections of the tax code with a technology-neutral credit for several years. His bill, Clean Energy for America Act (S. 1068), would let taxpayers choose between a production or an investment tax credit, scaled according to the amount of carbon emissions. It has 21 co-sponsors in the Senate, none of whom are Republicans.

Renewable energy groups, including the Solar Energy Industries Association and the American Council on Renewable Energy, have expressed support for the Wyden bill.

The tension between Democrats and Republicans on technology neutrality hinges on which energy sources will qualify for the credit. Wyden's bill allows zero-emission technologies, such as wind and solar, to qualify for the maximum credits, either 2.3 cents per kilowatt hour for the production credit or an investment tax credit of up to 30 percent. Rep. Tom Reed (R-N.Y.) has been exploring ways to create a Republican-friendly alternative that doesn't base eligibility on carbon.

"In a perfect world, you would start with a technology-neutral credit," rather than the patchwork of incentives that exists now, a GOP aide said.

Energy Priorities

For now, the strongest push in the Senate is to combine expired renewable energy credits under tax code Section 48 (H.R. 1090), the nuclear credit extension that passed the House in June, with an extension of a carbon sequestration tax credit, the aide said. The sequestration measure, which is spearheaded by Sens. Heidi Heitkamp (D-N.D.) and Sheldon Whitehouse (D-R.I.), hasn't been introduced yet this year but is expected to closely resemble legislation (S. 3179) from last Congress.

But if those don't pass, momentum could shift to a technology-neutral approach.

Republicans, however, still need to come up with a bill. The disagreement between the right and the left stems from how they view the idea, a Democratic aide said. Democrats see a technology-neutral approach as a climate issue "at its core," the aide said. For Republicans, this is about spurring energy innovation, a GOP aide said.

"Conservatives generally are for agnostic government policies that don't choose winners or losers but that instead empower consumers and encourage research and development," Rep. Carlos Curbelo (R-Fla.) said.

One idea that has been considered is to provide incentive to new technologies with a credit until they reach a certain level of power generation, a GOP aide said. That would allow the oil and gas sector to receive the credit for technologies that are more efficient than current systems. Aides of both parties said, however, that the approach could be open to litigation because it's hard to define what processes are "innovative."

A compromise between Democratic and Republican approaches, however, would be a delicate balancing act, and so far no real headway appears to have been made, Timothy Fox, an alternative power analyst at ClearView Energy Partners LLC, told Bloomberg BNA.

"The fact that this minimizes the tax code could generate some support for this, but tax reform is very difficult," he said. "If a bill with this regulatory construct could be drafted in a way that more services could qualify in terms of lowering the baseline, then the prospects that it advances are greater."

For example, plants that burn cleaner coal could benefit from a lower baseline, he said.

Competing Factions

Power plants that emit 35 percent less carbon than the national average would be able to qualify for the minimum credit under Wyden's plan. Those that emit zero carbon would access the full credit.

The bill, therefore, could benefit the "fossil fuel guys" who crack down on carbon emissions, Wyden told Bloomberg BNA.

But Republicans still often lock horns over the basic merits of subsidizing energy, tax and energy specialists said. "It's a spectrum type of thing. You're going to have conservatives who don't want to incentivize energy production and some that want to incentivize fossil energy and some that want to

incentivize renewable energy," Curtis Beaulieu, an energy lobbyist at Bracewell LLP, said. "I couldn't tell you how to amend this proposal to get the maximum Republican support."

Rep. David Schweikert (R-Ariz.), a member of the House Freedom Caucus, said the credits are likely to face resistance from some conservative members.

"If you have none, you are treating everyone the same," he said. "Wouldn't the ultimate policy-neutral perspective be really low rates accomplishing the same thing rather than a subsidy for energy?"

Christopher Guith, senior vice president of the U.S. Chamber of Commerce's Institute for 21st Century Energy, echoed that call, pointing to what he said were potential perils of the Wyden proposal or a related version.

"If you look at some of the struggles that are happening in competitive power markets right now that are pushing coal and nuclear out of the market, there's a growing consensus that the piecemeal approach to subsidizing renewables has had unintended consequences," he told Bloomberg BNA. "There's a growing realization that federal subsidies have caused more problems than solutions."

Since the White House's "energy week," which wrapped up June 30, President Donald Trump continues to tout the value of baseload power, which refers to fossil fuels and nuclear. Environmentalists and like-minded lawmakers, however, urge an immediate transition to carbon-free energy production in order to minimize emissions that cause climate change.

Compromise Search

Despite the uncertainty, Reed told Bloomberg BNA he is working with a group of Senate Democrats and Republicans to find a way to move a technology-neutral bill, especially since the House passed the nuclear tax credit bill. "My hope is that as that vehicle goes forward that our technology-neutral-type provisions are recognized in the same caliber as that legislation," Reed said.

Attaching technology-neutral provisions to the nuclear bill could be difficult, especially if the nuclear legislation is fast-tracked through the Senate in a unanimous-consent process as some Republicans are hoping.

Wyden indicated he would wait to see how a Republican bill looks, before committing to compromising on his bill, but added "we are looking for opportunities to advance this."

And Sen. Debbie Stabenow (D-Mich.), Wyden's deputy on the committee, said the measure could be a Democratic position in tax reform negotiations. "We're just now hearing that we may actually have an open process on tax reform in the committee, which would be a welcome change," she told Bloomberg BNA.

The proposal, in fact, could ultimately serve as an olive branch if Republicans need a few Democratic votes to pass comprehensive tax reform. "I'm not saying the inclusion of this proposal would lead those Democrats to support tax reform, but it could entice them. This might move the needle a bit," Beaulieu said.

France Seeks Carbon Price More Than 19 Times Market Level

Posted July 06, 2017, 10:42 A.M. ET

By Helene Fouquet, Mathew Carr and Mark Deen

French Environment Minister Nicolas Hulot said he wants to increase the government's target price for carbon emissions to more than 100 euros ($114) a ton by 2030 to meet the nation's climate-change goals.

"The objective is to accelerate the implementation of the Paris climate accord," Hulot said July 6 at a news conference in which he set out a wide-ranging environmental strategy. A Hulot adviser said an earlier report in Le Figaro newspaper that said the 2030 target would be 140 euros a ton was wrong, and that a precise figure would be given in September.

At 100 euros, a French permit to release a ton of the greenhouse gas still would be more than 19 times the current level of European Union carbon allowances.

Companies from Engie to Electricite de France SA have lobbied for a minimum price of at least 30 euros a ton, arguing it would boost the use of cleaner natural gas-fired power stations and carbon-free nuclear generation.

European Union carbon allowances dropped about 22 percent so far this year after the bloc has spent most of the past decade seeking to deal with an accumulated glut in its market that's the equivalent of a full year of supply. Nations, the region's parliament and the European Commission are seeking to finalize plans this year to establish a reserve in 2019 to mop up the program's glut.

The EU may have to consider pursuing a carbon-floor price or a tax in the next decade if the deal on the reserve fails to adequately revive EU allowances, a German government official said in March.

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China Poised to Blow Past Solar Goals Amid Push to Clear Skies

Posted July 06, 2017, 9:18 A.M. ET

By Bloomberg News

China is poised to blow past its solar targets several years ahead of schedule as the government presses ahead with efforts to fight pollution, solidifying the nation's role as the world's biggest solar market.

Based on a review of projects already announced or under construction, China could install more than 30 gigawatts of new solar capacity this year, Yvonne Liu, a Beijing-based analyst at Bloomberg New Energy Finance, said in a phone interview. That would push China past its stated goals for 2020.

In 2016, China set out a plan to have at least 105 gigawatts of solar installations in four years. The nation, the world's biggest investor in clean energy, had almost 85 gigawatts as of the end of March after adding 7.21 gigawatts during the first quarter, according to data from China's National Energy Administration.

London-based BNEF's most-optimistic forecasts for China this year see solar installations close to their peak, aided in large part by growth in the commercial solar market. China's overall solar

capacity has surged 13-fold since the end of 2012.

China installed a record 34.54 gigawatts of solar last year, according to the NEA. The growth of the market has benefited top panel manufacturers led by JinkoSolar Holding Co. and Trina Solar Ltd.

Policy Environment

The nation could add about 20 gigawatts in the first half after a rush of project development ahead of tariff cuts, said Peng Peng, secretary-general of the China Photovoltaic Power Investment & Financing Alliance. She raised her forecast for the year to at least 28 gigawatts from a previous estimate of 25 gigawatts.

The government's goal is "a bottom line," BNEF's Liu said, adding that China could install at least another 25 gigawatts of solar capacity in 2018 if the policy environment remains stable.

Leading to 2020, China is aiming to cut production costs and improve the efficiency of solar-generated power, Xing Yiteng, vice consultant in the new energy division at the NEA, said in February, adding that expansion is secondary.

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South African Farmers Wary of Fracking as Licensing Looms

Posted July 06, 2017, 8:57 A.M. ET

By Paul Burkhardt

Farmers in South Africa say they need more assurances that shale-gas drilling is safe for their industry as exploration licenses for companies including Royal Dutch Shell Plc are expected in months.

After emerging from the worst drought on record, farmers still aren't clear about where explorers will get the water they need to inject chemicals as part of a drilling technique known as fracking, Johannes Moller, the president of growers' body Agri SA, said July 5 at a press conference. There's also uncertainty about how land will be rehabilitated after drilling and how land owners will be compensated, he said.

The development of gas in the semi-desert Karoo region, which is estimated by regulators to hold as much as 201 trillion cubic feet of the resource, has been slowed by legislative delays. Momentum has increased following the introduction of a program to diversify South Africa's fuel mix by using natural gas, and Mineral Resources Minister Mosebenzi Zwane has said he favors the exploitation of shale resources.

"We can't support the government's view on progressing shale gas" until there are answers, Moller said. South Africa's Academy of Science in November also recommended further research before moving ahead with exploration.

Representatives of Shell, the Department of Minerals and the Department of the Environment didn't immediately return emails seeking comment.

The minister will decide on five applications in the third quarter, according to Petroleum Agency

South Africa. If permits are issued, Agri SA will appeal immediately, said Janse Rabie, the group's head of natural resources.

One of the least-populous areas of the country, the Karoo produces most of South Africa's wool and accounts for the bulk of the country's mohair output, as well as sheep and ostrich meat.

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Peru Steps Up Rainforest Protection as Police Raid Illegal Mines

Posted July 06, 2017, 9:20 A.M. ET

By John Quigley

Peru moved to halt the destruction of the world's largest rainforest by dispatching almost a 1,000 police to raid illegal mining camps on the edge of a major nature reserve in Peru's Amazon jungle.

Police raided 83 camps surrounding the Tambopata reserve in the Madre de Dios region of south east Peru, the Interior Ministry said in a statement July 5. They also destroyed millions of dollars' worth of equipment used to extract gold from river banks and beneath once virgin forest.

Illegal gold miners have encroached upon the reserve, which is home to jaguars and capuchin monkeys, even as Peru has stepped up controls in recent years. The Madre de Dios region accounts for about a fifth of the country's gold output and the activity has turned swathes of rainforest into wasteland and polluted rivers with mercury.

"Illegal mines have operated here for many years and the results, as you can see, are Dantesque," Deputy Interior Minister Ruben Vargas said. "This is an activity that's equally or even more lucrative than drug trafficking."

A preliminary investigation suggests the local authorities may have awarded mining rights in protected areas, and the ministry said it's considering taking legal action against Luis Otsuka, the regional governor.

Police arrested six people on charges related to illegal mining out of a total 225 questioned, in the biggest operation against mines since President Pedro Pablo Kuczynski took office almost a year ago. Three people were detained for suspected sex trafficking while eight women and minors were being kept in the camps against their will, the ministry said.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 7/5/2017 6:00:08 PM
Subject: Latest News from InsideEPA/climate

July 5, 2017

CEI Renews Call For Trump To Attack California Vehicle GHG Rule Power

The Competitive Enterprise Institute (CEI) is citing an early effort to develop bipartisan endorsement of negotiations over vehicle greenhouse gas and fuel economy rules as a new justification for the Trump administration to pursue attacks on California's vehicle GHG authority -- illustrating the challenges to forging any bipartisan consensus on the issue.

The latest update from *InsideEPA/climate* – from the editors of InsideEPA.com, delivering daily news, analysis and perspective on the renewed debate over climate change policies.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 11/9/2017 5:50:16 PM
Subject: EPA proposes repealing 'glider kit' part of truck rule

By Alex Guillén

11/09/2017 12:48 PM EDT

EPA today proposed repealing part of the Obama-era Phase 2 emissions rule for heavy-duty trucks that classified "glider kits" as new vehicles or engines that are subject to more stringent requirements.

Glider kits are new truck chassis with rebuilt engines and can cost significantly less than a new truck with a new engine. The proposal argues that EPA does not have the authority to regulate glider kits under the Clean Air Act.

In a statement, EPA Administrator Scott Pruitt said the Obama administration unlawfully tried to expand the Clean Air Act's reach. "Gliders not only provide a more affordable option for smaller owners and operators, but also serve as a key economic driver to numerous rural communities," he said.

Pruitt announced plans to revisit that part of the rule in August following a May meeting with and a July petition from Fitzgerald Truck Sales, the biggest U.S. manufacturer of glider kits.

WHAT'S NEXT: EPA will take public comment through Jan. 5 and hold a hearing on Dec. 4 at EPA headquarters in Washington.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/epa-proposes-repealing-glider-kit-part-of-truck-rule-095479

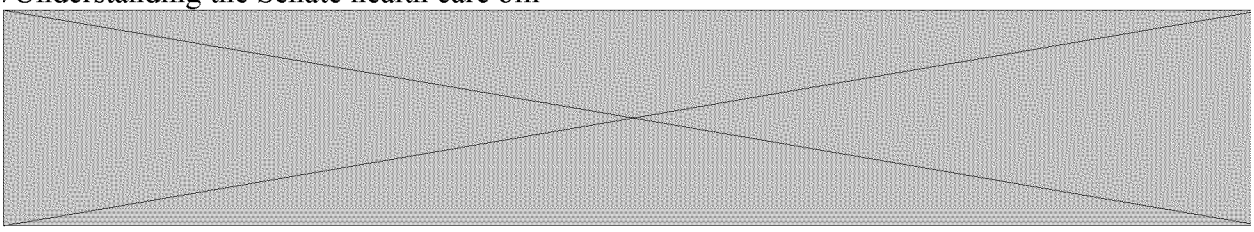
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Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Mon 6/26/2017 10:09:05 AM
Subject: AEI Today: Understanding the Senate health care bill

. Understanding the Senate health care bill



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

Understanding the Senate health care bill

Joseph Antos and James C. Capretta | Health Affairs

Senate Republican leaders released a discussion draft of their version of health care legislation, the Better Care Reconciliation Act. The Senate Republican plan is best understood as a GOP amendment to the existing Affordable Care Act (ACA). Indeed, one could imagine that, back in 2009, if the Republicans had attempted to modify rather than defeat the ACA, this is the kind of amendment they would have offered.

AEI

Did we win the War on Poverty?

Arthur C. Brooks | AEI video

In 1964, President Lyndon Johnson introduced the War on Poverty to "cure" and "prevent" destitution in the United States. Was the initiative successful? What went wrong? What, if

anything, went right? What would a real war on poverty look like in 2017? The War on Poverty has offered plenty of economic analgesics but few cures. AEI President Arthur Brooks briefly analyzes the results of LBJ's flagship effort.

Reuters

Austerity rules the 2018 defense budget

Mackenzie Eaglen | AEI

It is no secret that President Donald Trump's first defense budget falls short of his own rhetoric. The president's defense budget would repair, not rebuild, the military. Worse, it lacks the investments necessary to allow a robust rebuilding effort to begin a year from now. The request represents a more muscular status quo at best.

Reuters

What does a Trump supporter look like?

Karlyn Bowman | Forbes

In 2016, the Democracy Fund, a foundation based in Washington, DC, gathered a group of nearly two dozen academics and polling practitioners with diverse political points of view to take a deeper look at important currents in the 2016 election. The results of that work show that, far from being monolithic, there are five distinct types of Trump voters.

More from AEI

The pound's wake-up call for Brexit supporters

Desmond Lachman | AEIdeas

Education reform is best accomplished when passions are tempered

Frederick M. Hess | Education Next

Campus threats to free speech

Christina Hoff Sommers | Commentary

Looking at the Better Way tax plan on its anniversary

Alex Brill | AEIdeas

Putting Modi's Washington visit in context

Derek Scissors | AEIdeas

Has the world been fitted with a debt straitjacket?

Desmond Lachman | The International Economy Magazine

Understanding the structure of educational revolutions

Andy Smarick | National Affairs

Podcast: Discussing criminal justice reform

Spencer Moore | AEI Banter

Watch live: Targeting transnational organized crime in the Americas with opening remarks by Sen. Marco Rubio (R-FL)

Roger F. Noriega and Kirsten D. Madison | AEI event today at 3:45 PM ET

Last chance to RSVP: Ronald Reagan and the return of blue-collar conservatism

Karlyn Bowman and Jonah Goldberg | AEI event on Tuesday at 5:30 PM

Around the web: The coming productivity boom

Matt Winesett | AEIdeas

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/25/2017 2:27:08 PM
Subject: BREAKING NEWS: Senate Judiciary Committee issues subpoena for Manafort in Russia probe

The Senate Judiciary Committee has issued a subpoena for former Trump campaign chairman Paul Manafort to appear at a hearing Wednesday in the ongoing probe of Russia's activities during the 2016 campaign, the committee said Tuesday.

"While we were willing to accommodate Mr. Manafort's request to cooperate with the committee's investigation without appearing at Wednesday's hearing, we were unable to reach an agreement for a voluntary transcribed interview with the Judiciary Committee," Senate Judiciary Committee Chairman Chuck Grassley and ranking member Dianne Feinstein said in a statement. "Yesterday evening, a subpoena was issued to compel Mr. Manafort's participation in Wednesday's hearing."

Read more here: http://politi.co/2uwwOFN

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 10/5/2017 12:19:19 PM
Subject: Oct. 05 -- EHS State Regulatory Alert

EHS State Regulatory Alert

October 05, 2017 - Number 192

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Alaska

PESTICIDES
Pesticide Control
Alaska PESTICIDES

Final rule of the Department of Environmental Conservation amends regulations under 18 AAC 90.205 through .990 (nonconsecutive) and adopts regulations under 18 AAC 90.635 regarding pesticide product registration and certified applicator standards. The rule clarifies product registration period and renewal requirements, activities that require applicator certification, and exemptions from certification requirements. The rule also adds and modifies categories of use for applicators, adds requirements for new categories of use, and clarifies applicator certification renewal processes and recordkeeping items. In addition, the rule clarifies requirements for the storage of restricted-use pesticides, establishes standards for tenant notification of pesticide applications, deletes the discount for online pesticide product registration, and adds and revises definitions. Finally, the rule provides protective measures for automatic misting systems, clarifies when insurance coverage is required, and removes oral examinations as a certification procedure. The rule is effective Oct. 27, 2017. Contact: Rebecca Colvin; DEC, Division of Environmental Health; 907-269-7802; rebecca.colvin@alaska.gov

—Alaska Regulations (10/02/2017)

Regulatory Update

SOLID WASTE
Solid Waste Management
Alaska SOLID WASTE

Final rule of the Department of Environmental Conservation amends regulations under 18 AAC 60.005 through .990 (nonconsecutive); adopts regulations under 18 AAC 60.009 and .432; and repeals and readopts regulations under 18 AAC 60.007, .008, and .700 regarding solid waste management requirements for oil and gas exploration and production waste, coal ash, medical waste, and biosolids. The rule excludes drilling and medical waste treatment facilities and facilities that treat sewage solids or septage to create biosolids from the exemption for small

treatment facilities. The rule also revises the standards for the beneficial use of solid waste as structural fill material or as an ingredient in manufactured products, updates small treatment facility permitting and biosolid requirements, allows for the approval of short-term solid waste treatment facilities via plan approval rather than through permit, and updates standards concerning drilling waste disposal facilities. In addition, the rule updates fees and establishes standards concerning the closure of inactive reserve pits and drilling waste disposal facilities. The rule is effective Oct. 27, 2017. Contact: Rebecca Colvin; DEC, Division of Environmental Health; 907-269-7802; rebecca.colvin@alaska.gov

—Alaska Regulations (10/02/2017)

Regulatory Update

California Regions

AIR

NOx Emissions from Boilers, Steam Generators, and Process Heaters

California Regions AIR

Proposed rule of the Eastern Kern Air Pollution Control District amends regulations under Rule 425.2 to reduce nitrogen oxide (NOx) emissions limits for boilers, steam generators, and process heaters. The rule reduces NOx emission limits for units with an annual heat input of 90,000 therms or more during one or more of the three preceding years of operation to 30 parts per million by volume (ppmv) when operated on gaseous fuel and 40 ppmv when operated on liquid fuel. A workshop is scheduled for Nov. 2, 2017, in Mojave. Comments are due Dec. 4, 2017. Contact: Wunna Aung; Eastern Kern APCD; 661-862-5250; aungw@kerncounty.com

—California RegionsRegulations (10/02/2017)

Regulatory Update

AIR

NOx Emissions from Stationary Gas Turbines

California Regions AIR

Proposed rule of the Eastern Kern Air Pollution Control District amends regulations under Rule 425 to reduce stationary gas turbine nitrogen oxide (NOx) emissions limits. The rule reduces limits for stationary gas turbines with rated heat input of 10.0 megawatts (MW) or more to 9 parts per million by volume (ppmv) when operated on gaseous fuel and 25 ppmv when operated on liquid fuel. The rule also establishes limits for units rated 0.3 MW to less than 2.9 MW, units with greater than or equal to 4 MW that operate less than 877 hours per year, and units rated 2.9 MW to less than 10 MW. A workshop is scheduled for Nov. 2, 2017, in Mojave. Comments are due Dec. 4, 2017. Contact: Wunna Aung; Eastern Kern APCD; 661-862-5250; aungw@kerncounty.com

—California RegionsRegulations (10/02/2017)

Regulatory Update

AIR

Permits, CEQA Review/Risk Assessments
California Regions AIR

Proposed rule of the Eastern Kern Air Pollution Control District amends regulations under Regulation II and Rule 208.2 to revise air toxic risk management guidelines for purposes of permitting and California Environmental Quality Act review. The rule establishes a permitting risk threshold of less than 20 in one million cancer risk or a noncancer acute and chronic health index of less than or equal to one. The rule also provides that for CEQA purposes, projects that do not exceed this threshold will be considered to have an insignificant air quality impact. A workshop is scheduled for Nov. 2, 2017, in Mojave. Comments are due Dec. 4, 2017. Contact: Wunna Aung; Eastern Kern APCD; 661-862-5250; aungw@kerncounty.com

—California RegionsRegulations (10/02/2017)

Regulatory Update

WATER
NPDES General Permit/Discharges with Low Threat to Water Quality
California Regions WATER

Notice of the Central Coast Regional Water Quality Control Board announces a draft order to reissue a general National Pollutant Discharge Elimination System Permit (No. CAG993001) to allow discharges of untreated wastewater streams that will not affect receiving surface water quality (Order No. R3-2017-0042). The order applies to certain construction dewatering projects, agricultural or water supply well development or aquifer test discharges, discharges from advanced water treatment systems, and seafood processing wash water with low flow-rates or discharge volumes and that are of limited or intermittent duration. A hearing is scheduled for Dec. 7-8, 2017, in San Luis Obispo. Comments are due Oct. 28, 2017. Contact: Jessica Duffey; Central Coast RWQCB; 805-542-4787; jessica.duffey@waterboards.ca.gov

—California RegionsRegulations (10/03/2017)

Regulatory Update

Florida

WATER
Charlotte Harbor and Middle St. Johns River Basins TMDLs
Florida WATER

Final rule of the Department of Environmental Protection amends regulations under FAC 62-304.505 and .805 to establish nutrient total maximum daily loads (TMDLs) for surface water segments within the Charlotte Harbor and Middle St. Johns River basins. The rule establishes TMDLs for DeLeon Spring, Gemini Springs, Sanibel Slough West, and Sanibel Slough East. The rule is effective Oct. 18, 2017. Contact: Erin Rasnake; DEP, Division of Environmental Assessment and Restoration; 850-245-8338

—Florida Administrative Weekly (10/03/2017)

Regulatory Update

WATER
Southwest Florida WMD/Guidance and Minimum Levels for Lake Alice
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop on proposed amendments to regulations under FAC 40D-8.624 regarding guidance and minimum levels for Lake Alice in Hillsborough County. The workshop is scheduled for Oct. 24, 2017, in Tarpon Springs. Contact: Mark Hurst; SWFWMD; 352-796-7211; ADACoordinator@swfwmd.state.fl.us

—Florida Administrative Weekly (10/03/2017)

Regulatory Update

Illinois

SOLID WASTE
Municipal Waste Planning, Nonhazardous Municipal Waste Enforcement Grants
Illinois SOLID WASTE

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 871.101 through .605 and Appendices A and B to delete procedures regarding municipal waste planning and nonhazardous municipal waste enforcement grants. The rule reflects that the agency no longer issues such grants. Comments are due Nov. 13, 2017. Contact: Sara Terranova; IEPA, Division of Legal Counsel; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/29/2017)

Regulatory Update

SOLID WASTE
Municipal Waste Planning, Nonhazardous Waste Enforcement Grants
Illinois SOLID WASTE

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 870.101 through .310 to delete procedures for issuing municipal waste planning and nonhazardous solid waste or municipal waste enforcement grants. The rule reflects that the agency no longer issues such grants. Comments are due Nov. 13, 2017. Contact: Sara Terranova; IEPA, Division of Legal Counsel; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/29/2017)

Regulatory Update

SOLID WASTE
White Goods Collection Grants

Illinois SOLID WASTE

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 875.100 through .402 to delete procedures for white goods collection grants. The rule reflects that the agency no longer issues such grants. Comments are due Nov. 13, 2017. Contact: Sara Terranova; IEPA, Division of Legal Counsel; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/29/2017)

Regulatory Update

Michigan

OCCUPATIONAL SAFETY AND HEALTH
General Industry Safety Standards/Fixed Ladders
Michigan OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Licensing and Regulatory Affairs, Director's Office, rescinds regulations under MAC 408.10301 through .10372 (nonconsecutive) regarding the general industry safety standard for fixed ladders (Part 3). The rule replaces the standard with federal standards under 29 CFR 1910, Subpart D, that have been incorporated in a concurrently proposed rule regarding the general industry safety and health standard for walking-working surfaces (Part 2). A comment due date is not specified. Contact: DLRA; 517-373-1820

—Michigan Register (10/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
General Industry Safety Standards/Manlifts
Michigan OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Licensing and Regulatory Affairs, Director's Office, amends regulations under MAC 408.12501 and .12510 regarding the general industry safety standard for manlifts (Part 25). The rule aligns provisions with federal standards under 29 CFR 1910.68 regarding manlifts and 29 CFR 1910, Subpart D, regarding walking-working surfaces. A comment due date is not specified. Contact: DLRA; 517-373-1820

—Michigan Register (10/01/2017)

Regulatory Update

Rhode Island

AIR

Air Pollution Control Permits
Rhode Island AIR

Proposed rule of the Department of Environmental Management, Office of Air Resources, amends regulations under 250-RICR-120-00-9 (Air Pollution Control Regulation No. 9) regarding air pollution control permits to align with federal standards. The rule removes the restriction on increment consumption, which specifies that no major stationary source or major modification will be allowed to consume more than 75 percent of the remaining 24-hour increment or 25 percent of the remaining annual increment. The rule also revises applicability exemptions and definitions concerning major stationary sources or major modifications in attainment or unclassifiable areas. Comments are due Oct. 30, 2017. Contact: Karen Slattery; DEM, Office of Air Resources; 401- 222-2808; karen.slattery@dem.ri.gov

—Rhode Island Regulations (10/01/2017)

Regulatory Update

Utah

AIR
Emission Inventories/Oil and Gas Sources
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-150-1 and -3 and adopts regulations under R307-150-9 to require certain oil and gas sources to submit an emissions inventory every three years for each of the emission units. The rule reflects the implementation of a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
National Emission Standards for Hazardous Air Pollutants
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces the five-year review and continuation of regulations under R307-214 that incorporate by reference the national emission standards for hazardous air pollutants. The action is effective Sept. 8, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
New and Modified Sources Permits
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-401-2 through -16 (nonconsecutive) regarding permits for new and modified sources. The rule exempts oil and gas wells from the requirement to obtain a permit under R307-401. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
New and Modified Sources in Nonattainment, Maintenance Areas
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-403-1 through -9 (nonconsecutive) regarding permits for new and modified sources in nonattainment areas and maintenance areas. The rule updates provisions to reflect federal requirements for nonattainment area permitting and provides for new source review requirements to address fine particulate matter. Comments are due Oct. 31, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Dehydrators
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-507-1 through -5 to establish requirements for the control of emissions of volatile organic compounds from dehydrators associated with oil and gas operations to reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Leak Detection and Repair
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-509-1, -2, -3, -4, and -5 to establish requirements for leak detection and repairs at oil and gas operations to control emissions of volatile organic compounds to reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Natural Gas Engine Requirements
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-510-1, -2, -3, and -4 to establish requirements for natural gas-fired engines associated with oil and gas operations to control nitrogen oxide emissions to reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Registration Requirements
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-505-1, -2, and -3 to require oil and gas sources to register with the division. The current minor source permitting requirements for oil and gas wells are being replaced by a permit-by-rule system under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Storage Vessels
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-506-1 through -5 to establish requirements for the control of emissions of volatile organic compounds from storage vessels associated with oil and gas operations to

reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/Tank Truck Loading
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-504-1 through -4 regarding volatile organic compound emission control requirements for tank truck loading at oil and gas well sites. The rule requires facilities with emission controls for tank systems to control emissions from truck loading into the tank systems emission controls to reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

AIR
Oil and Gas Industry/VOC Control Devices
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-508-1 through -4 to establish requirements for volatile organic compound control devices for oil and gas operations to reflect current best available control technology. The rule implements a new permit-by-rule system for oil and gas wells under R307-504 through -510, proposed concurrently. Hearings are scheduled for Oct. 19 and 25, 2017, in Salt Lake City and Vernal, respectively. Comments are due Nov. 15, 2017. Contact: Mat Carlile; DEQ, Divisions of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

WATER
Construction of Public Drinking Water Facilities
Utah WATER

Proposed rule of the Department of Environmental Quality, Division of Drinking Water, amends regulations under R309-105-6 regarding the construction of public drinking water facilities. The rule allows the director to authorize the engineering manager to approve engineering plans and

modifications for public drinking water projects. The rule also specifies that the division, in place of the director, can require modifications to plans and specifications. Comments are due Oct. 31, 2017. Contact: Bernie Clark; DEQ, Division of Drinking Water; 801-536-0092; bernieclark@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

WATER
Drinking Water Program/Administration
Utah WATER

Proposed rule of the Department of Environmental Quality, Division of Drinking Water, amends, repeals, and recodifies regulations under R309-100-5 through -11 regarding the administration of the drinking water program. The rule clarifies that all engineering plans and specifications for public drinking water projects must be approved in writing but removes the specification that approval must come from the director. The rule also removes the requirement that the department determine feasibility of adequate water supply for proposed public water systems if requested by the local health department. Comments are due Oct. 31, 2017. Contact: Bernie Clark; DEQ, Division of Drinking Water; 801-536-0092; bernieclark@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

WATER
Drinking Water/Definitions
Utah WATER

Proposed rule of the Department of Environmental Quality, Division of Drinking Water, amends regulations under R309-110-4 regarding definitions relating to drinking water. The rule revises the definition of "plan approval" so the director can authorize the engineering manager to approve engineering plans and specifications for public drinking water projects. Comments are due Oct. 31, 2017. Contact: Bernie Clark; DEQ, Division of Drinking Water; 801-536-0092; bernieclark@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

WATER
Utah Pollutant Discharge Elimination System
Utah WATER

Notice of the Department of Environmental Quality, Division of Water Quality, announces the five-year review and continuation of regulations under R317-8 regarding the Utah Pollutant Discharge Elimination System, which provides the structure for the surface water discharge permit. The action is effective Sept. 12, 2017. Contact: Judy Etherington; DEQ, Division of Water Quality; 801-536-4344; jetherington@utah.gov

—Utah State Bulletin (10/01/2017)

Regulatory Update

Wisconsin

HAZARDOUS WASTE MANAGEMENT
Hazardous Waste Management Program
Wisconsin HAZARDOUS WASTE MANAGEMENT

Notice announces the intention of the Department of Natural Resources to amend regulations under WAC NR 660 through 679 regarding the hazardous waste management program. The rule incorporates new and revised federal regulations, including the Definition of Solid Waste Rule, the Generator Improvements Rule, and the Hazardous Waste Manifest Rule. The rule also incorporates the export provisions of the federal Cathode Ray Tube Rule and technical corrections and clarifications to federal hazardous waste rules regarding conditional exclusions from solid waste and hazardous waste for solvent-contaminated wipes and certain coal combustion residuals. In addition, the DNR proposes to incorporate, if finalized, the federal rule regarding management standards for hazardous waste pharmaceuticals. Hearings are expected to be held in August 2018. Comments are requested, but a due date is not specified. Contact: Joe Van Rossum; DNR, Bureau of Waste and Materials Management; 608-264-6286; Joseph.VanRossum@wisconsin.gov

—Wisconsin Administrative Register (10/02/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Fire Department Health and Safety Standards
Wisconsin OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Safety and Professional Services amends regulations under WAC SPS 330.003 through .23 (nonconsecutive) regarding minimum safety and health standards for public sector fire department employers and employees. The rule adds employers to the list of covered entities and clarifies incorporated standards of the National Fire Protection Association. The rule also revises requirements for complaints, requests for inspections, and fire fighter training and education. In addition, the rule revises apparatus and equipment standards and personal protective clothing and equipment standards. Finally, the rule addresses emergency operations and the member assistance referral program. Hearings are scheduled for Nov. 7, 8, and 16, 2017, in Appleton, Madison, and Eau Claire, respectively. Comments are due Nov. 16, 2017. Contact: Mindy Allen; DSPS, Division of Policy Development; 608-266-2112; DSPSAdminRules@wisconsin.gov

—Wisconsin Administrative Register (10/02/2017)

Regulatory Update

Wyoming

WATER

Commercial Oil Field Waste Disposal Facilities/Financial Assurance

Wyoming WATER

Proposed rule of the Department of Environmental Quality, Water Quality Division, amends regulations under Chapter 14 to remove an exemption from financial assurance requirements for grandfathered commercial oil field waste disposal facilities. The rule also requires such facilities to provide financial assurance for closure and post-closure activities and for corrective action within 90 days after the proposal is finalized. In addition, the rule clarifies that the provisions apply to all facilities that manage more than 10 tons of dried wastewater treatment sludges. Finally, the rule clarifies agent registration requirements, removes redundant provisions regarding bond and financial assurance release, and clarifies that the provisions do not apply to publicly owned facilities or facilities that receive nondomestic sludges. A hearing is scheduled for Dec. 5, 2017, in Cheyenne. Comments are due Nov. 17, 2017. Contact: Rich Cripe; DEQ; 307-777-7075; rich.cripe@wyo.gov

—Wyoming Regulations (10/02/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Fri 6/9/2017 2:04:39 PM
Subject: POLITICO's Morning Score: Ossoff raised $15M in two months, Handel $4M for Georgia special — Trump drives Virginia Democrats to the left — NRCC's Stivers talks through the House map

By Daniel Strauss | 06/09/2017 10:00 AM EDT

With Kevin Robillard

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

YUUUUGE BET - "Democrats bet on Trump in Virginia governor's race," by Campaign Pro's Kevin Robillard: "The Democratic primary to be Virginia's next governor has been an open race to the left, with Lt. Gov. Ralph Northam and former Rep. Tom Perriello scrambling to prove their progressivism ahead of Tuesday's primary vote and the November election. Behind it all is the one supporting character common to both campaigns: President Donald Trump... The president's 5-point loss in Virginia cemented Democrats' determination that the former red state has turned blue, and Northam and Perriello have responded with unapologetically liberal campaigns on abortion, guns, free college tuition, criminal justice reform and other issues - with a heavy dose of Trump-bashing thrown in. 'Let's prove that Donald Trump's values are not Virginia values,' Perriello says in one of his closing television ads. Northam has arguably gone further, using his TV campaign to call Trump a 'narcissistic maniac' - though Perriello answered Thursday with an ad of his own calling Trump 'authoritarian.'" **Read more.**

- MORE VIRGINIA: Friends of the Earth Action donated $25,000 to Perriello's campaign.

CASH FLOW - "Ossoff raised $15M in last two months," by Campaign Pro's Elena Schneider: "Democrat Jon Ossoff raised $15 million in the last two months leading up to Georgia's special House election, bringing his overall fundraising total to $23 million, a massive sum for a House candidate. Ossoff's campaign touted that the average contribution to his campaign was $20.49. Spending in the race has topped $40 million, shattering the record for the most expensive House race in history...Republican Karen Handel's team has not yet released her fundraising numbers. In the pre-primary report in April, Handel raised just under $500,000. Handel, who's run for several statewide offices, has struggled in the past with fundraising." **Read more.** Ossoff spent $16.3 million and had just over $1 million left on hand after May 31.

- "Handel raised $4M leading up to Georgia special election," by Campaign Pro's Elena Schneider: "Republican Karen Handel raised over $4 million for her campaign in Georgia's special House election in the last two months, according to her FEC report. Handel spent $2.8 million and had $1.4 million left over at the end of May." **Full story.**

- GEORGIA POLL - Ossoff 50, Handel 47 from WSB-TV/Landmark Communication: The poll is in line with the group's previous surveys, which have been showing Ossoff on top but well

within the margin of error. Read more here.

- FIRST IN SCORE - CLF runs new ad in GA-06: Ten days out, the Congressional Leadership Fund released another TV and digital ad that hammers Democrat Jon Ossoff for being a Nancy Pelosi "liberal" who "would make things worse" in Washington by "voting for higher taxes, more spending and job-crushing regulations," the ad's narrator says. "As Georgia's only woman in Congress, Karen Handel will fight hard for working families - supporting a Balanced Budget Amendment, fighting waste and putting Georgia taxpayers and Georgia jobs first." The ad is part of CLF's $7 million expenditure in the Georgia special election**. Watch the ad here.**

MORE CAMPAIGN FINANCE - Congressional Leadership Fund's pre-special election FEC report showed that the GOP House super PAC raised over $2.9 million in May, including $1 million from Western Refining's Paul Foster and $1 million transferred from American Action Network, CLF's sister nonprofit, which does not disclose its donors. Georgia GOP megadonor Bernard Marcus gave $250,000.

- On the House Democratic side, House Majority PAC raised $1.86 million - but in five full months, from Jan. 1 through May 31. Real estate magnate George Marcus gave $500,000, financier Donald Sussman gave $250,000, NextGen Climate Action gave $200,000, and political funds of the UAW and IBEW unions gave $100,000 apiece.

CLOSE CALLS - "NRCC chair: Georgia special election 'going to be a tight race,'" by Campaign Pro's Scott Bland: "Steve Stivers (R-Ohio), the chairman of the NRCC, said Thursday that he expects the special House election in Georgia to go down to the wire - but believes Republicans will hold the seat in the end. 'It's going to be a tight race all the way to the end,' Stivers said in an interview for C-SPAN's 'Newsmakers.' 'Karen Handel is a great candidate. When you look at what happened in April, we had 13 Republican candidates and they combined to get just over a majority of the vote. ... I feel very comfortable and confident that we are working it as a team with the NRCC.'"

- STIVERS IDs A 2018 BELLWETHER - "'I think of our seats, if you want to look at kind of a bellwether, it'd probably be Ryan Costello" in **Pennsylvania's 6th District** in the Philadelphia suburbs, Stivers said. 'He's a great young member, a rising star, but he's got a strong challenger and I would pay attention to that race.' ... And he sees Florida's 7th District, represented by freshman Democrat Stephanie Murphy, as a major target the GOP can flip to protect the House ... **'If we win in Florida, I believe that the Democrats are not taking back the majority. If they win in Pennsylvania against Ryan Costello, they've got a shot to take the majority,'** Stivers said." **Read more.**

Days until the 2017 election: 150.

Days until the 2018 election: 514.

Thanks for joining us. Your Morning Score author today is especially proud of the Quote of the Day. Make sure to read all the way to the end of Score. Go Blue! You can email tips to the

Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

OFF MESSAGE PODCAST BONUS EPISODE: On the eve of LGBTQ Pride marches around the country, president of the Human Rights Campaign Chad Griffin and *Indecent* playwright Paula Vogel join Isaac Dovere for a special bonus episode of Off Message. The two activists share their anxieties about the future of the LGBTQ community under the Trump administration. "Do I feel right now that we're at a volatile moment? Absolutely," Vogel tells Dovere. "Do I feel we're going to lose these rights? I think it's a real possibility." Listen and subscribe: iTunes | Panoply | Stitcher

NERDCAST PODCAST: James Comey made his first public appearance as the former director of the FBI Thursday. POLITICO's Scott Bland, Charlie Mahtesian, Ken Vogel and Eliana Johnson break down what he said and what it means for the Russia investigation. Plus, the latest on New Jersey and Virginia's gubernatorial races and what they say about the future of the Democratic Party - and what's new in Georgia's intense special House election. Listen and subscribe: iTunes | Panoply | Stitcher

MEANWHILE, IN SOUTH CAROLINA - Norman had $97,000 on hand in pre-special FEC report: Republican Ralph Norman is still the heavy favorite in the race to replace OMB Director Mick Mulvaney, but he won't get there by outspending Democrat Archie Parnell. A pre-election campaign finance report shows him with just $97,500 on hand as of the end of May. Norman is personally wealthy, so he could change that situation quickly. Norman spent just under $555,000 and raised $411,000 during the last campaign finance period, according to an FEC filing.

KOBACH GETS IN - "Kobach announces campaign for Kansas governor" by Campaign Pro's Daniel Strauss: "Kansas Secretary of State Kris Kobach launched his campaign for governor today. Kobach is one of the most high-profile secretaries of state in the country, an ally of President Donald Trump and a strident opponent of voter fraud and illegal immigration. Trump picked Kobach to serve as vice chairman of his commission on voter fraud and voter suppression." **Read more.**

- Former Missouri Secretary of State Jason Kander's Let America Vote group responded: "Let America Vote will make sure that Secretary Kobach answers for every time he stands in the way of eligible voters and the ballot box."

DEBATE RECAP - "Georgia House candidates debate in Comey's shadow," by Campaign Pro's Elena Schneider: "Ossoff and Handel debated Thursday morning for the second time in three days - this time in a meeting sponsored by an Atlanta public radio station that was also streamed online - mostly sparring over health care, taxes and foreign policy. But with the debate beginning just an hour before Comey appeared on Capitol Hill, both candidates were pressed on Comey's advance testimony, which was released on Wednesday. Both candidates deflected and

said the investigations should continue." **Full story.**

BOLTON BACKING - John Bolton's PAC is donating a net total of $100,000 to ten House Republicans' reelection campaigns. They are: Reps. Martha McSally (AZ-02), Mike Coffman (CO-06), Ron DeSantis (FL-06), Brian Mast (FL-26), Lee Zeldin (NY-01), Carlos Curbelo (FL-26), Elise Stefanik (NY-21), John Katko (NY-24), Will Hurd (TX-23), and Rep. Mike Gallagher (WI-08).

STAFFING UP - Rep. Raúl Labrador announced his gubernatorial campaign team on Thursday. The team is run by China Veldhouse Gum, the former executive director of the Republican Party and Labrador's 2010 and 2012 campaign manager. Axiom Strategies' Jeff Roe and Ethan Zorfas will serve as principal advisers on strategy, direct mail, and digital engagement. Public Opinion Strategies' Glen Bolger and Robert Blizzard are also on the team alongside Jim Innocenzi, who will run political advertising and messaging for the campaign.

HOUSE BATTLEGROUND WATCH - "A secret recording shows U.S. Rep. McSally has some concerns about reelection," by Tucson Weekly's Jim Nintzel: "Team McSally has been poo-pooing recent polls ... But last week, in a private talk to the Arizona Bankers Association, McSally conceded that in the current political environment, she has some real challenges in next year's election. McSally complained that President Donald Trump and his tweets were creating troubling 'distractions' and 'it's basically being taken out on me. Any Republican member of Congress, you are going down with the ship.' ... 'There's just an element out there that's just, like, so against the president. Like they just can't see straight. And all of a sudden on January 20, I'm like his twin sister to them. And I'm, like, responsible for everything he does, and tweets and says. And they want me to be spending my time as a pundit. "I disagree with that. I agree with this." I have a job in the legislature!'" **Full story.**

REDISTRICTING UPDATE - "State lawmakers [in North Carolina] are disregarding Gov. Roy Cooper's call Wednesday for an extra session to redraw the legislative districts struck down by the U.S. Supreme Court," WRAL's Laura Leslie reported. **Full story.**

CODA - QUOTE OF THE DAY: "I can guarantee you there will be no Harbaughs winning in Columbus in November." - NRCC Chairman Steve Stivers (R-Ohio), criticizing OH-07 Democrat Ken Harbaugh and University of Michigan football coach Jim Harbaugh all at once Thursday, in an interview for C-SPAN's "Newsmakers," which will air Sunday.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/06/09/ossoff-raised-15m-in-two-months-handel-4m-for-georgia-special-220752

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

House Energy Spending Chair Cuts Research Program He Likes

Posted June 28, 2017, 01:17 P.M. ET

By Rebecca Kern

Rep. Mike Simpson (R-Idaho) said that while he likes the Energy Department's ARPA-E program, which provides early stage investment in innovative energy technologies, his Energy and Water Subcommittee's fiscal 2018 appropriations bill would cut it "because of limited resources."

The House Appropriations Committee's Energy and Water Subcommittee approved by voice vote June 28 the $37.56 billion appropriations bill funding the Energy Department, Army Corps of Engineers, and other related agencies. The funding would be $209 million below the fiscal 2017 enacted level and $3.65 billion above the President Donald Trump's budget request. No amendments were offered during the markup.

The Advanced Research Projects Agency-Energy was proposed to be eliminated in Trump fiscal 2018 budget, which requested just $20 million to wind down remaining projects, compared to $291 million in the fiscal 2017 annualized continuing resolution.

While the House version would cut ARPA-E funding, the program has strong backing in the Senate. Sen. Lamar Alexander (R-Tenn.), chairman of the Senate Appropriations Committee's Energy and Water Subcommittee, told Energy Secretary Rick Perry during the Energy Department budget hearing June 21 that he wanted his assurance that Perry would continue to fund the program.

Simpson acknowledged the funding bill will be altered. "We'll go into conference and it will change. This is the first step in a process, but it will change along the way," he told reporters after the markup.

ARPA-E was created during President George W. Bush's administration. Since 2009, ARPA-E has funded over 400 potentially transformational energy technology projects.

House Compromise Struck on Interim Nuclear Storage Measure

Posted June 28, 2017, 11:56 A.M. ET

By Brian Dabbs

A bipartisan measure to authorize private interim storage of nuclear waste will move to the House floor following the Energy and Commerce Committee's approval June 28.

Lawmakers struck a compromise on an amendment to provide "adequate" funding for related transportation services, while ensuring a "base authorization for at least $150 million for the first private interim storage agreement," Rep. John Shimkus (R-Ill.) said at the markup.

"This gives those private storage initiatives financial surety," he said, noting that interim storage must have local support.

The legislation also reboots Energy Department research on a permanent repository at Nevada's Yucca Mountain site, which had been under study as the permanent U.S. burial site before the Obama administration mothballed it. Most Nevada lawmakers staunchly oppose using Yucca Mountain as a waste repository.

Another amendment aims to placate concerns over Nevada's water rights.

The underlying legislation (H.R. 3053) authorizes the Energy Department to strike contracts with private facilities on interim storage of spent fuel from commercial nuclear power plants, which is currently stored on-site at those plants.

But Rep. Ben Ray Lujan (D-N.M.) opposed the bill over concerns the interim storage facilities will become de facto permanent repositories. The Nuclear Regulatory Commission has received two applications from private companies to accept the spent fuel.

Pipeline Pinch Adds to Oil-Sands Woes as Keystone Wait Drags

Posted June 28, 2017, 03:33 P.M. ET

By Kevin Orland and Frederic Tomesco

Call it the pipeline pinch, or maybe the Keystone quagmire.

While plans by Canadian companies from Suncor Energy Inc. to Canadian Natural Resources Ltd. to boost oil output are racing to fruition, the construction of three pipelines needed to move that product to market, including the infamous Keystone XL, is lagging years behind.

The result: Producers have little choice but to move those extra barrels by train, with costs two to three times higher than pipeline shipping. It's an unwelcome added expense after oil plunged about 20 percent from this year's peak. Futures prices have settled in below $45 a barrel, after many predicted it would rise to $60.

"We're not going to see significant new pipeline capacity until late 2019 or 2020," said Nick Schultz, vice president for pipelines and regulatory matters at the Canadian Association of Petroleum Producers. In the meantime, the extra expense for shipping "impacts royalties and other things that impact the public."

During Barack Obama's administration, oil-sands producers feared a future when they would have to rely heavily on costly railway shipments if he didn't approve Keystone XL. That may start this year.

Pipelines in Western Canada, which holds the world's third-largest oil reserves, can carry about 3.3 million barrels of crude a day, according to CAPP. Meanwhile, the area is expected to produce 3.92 million barrels a day this year and 4.2 million next year as a number of large oil-sands projects come online.

The looming bottleneck adds a new urgency to the industry's calls for more capacity and may lend credence to its argument that the lack of lines hurts the nation's economy.

More Expensive

Canadian oil producers have long lamented the dearth of pipelines carrying their supplies to the nation's east and west coasts, saying that the situation leaves them able to export only to the U.S. and forces them to accept whatever price American refiners will pay. Environmentalists in Canada and the U.S. have opposed new or expanded pipelines, arguing that burning the crude locked up in the oil sands would contribute to catastrophic global warming.

The industry saw glimmers of hope last year, when government regulators approved expansions of Kinder Morgan Inc.'s Trans Mountain pipeline linking Alberta's oil sands with export facilities on British Columbia's Pacific Coast as well as Enbridge Inc.'s Line 3 running from Hardisty, Alberta, to the U.S. border in Manitoba.

The pipeline situation got another boost when U.S. President Donald Trump approved TransCanada Corp.'s Keystone XL, which spans from the oil sands to the U.S. Gulf Coast. Kinder Morgan this month entered into credit agreements totaling C$5.5 billion ($4.2 billion) to help fund the development of Trans Mountain.

More Hurdles

Yet Keystone still needs to win approvals from regulators in Nebraska, and the Line 3 project has faced delays that pushed its in-service date back to 2019. The fate of Trans Mountain also has been called into question after opponents of the project won power in British Columbia last month.

Meanwhile, there are a handful of massive new oil projects that will start production this year and next. Suncor's Fort Hills oil-sands project is expected to begin production in the fourth quarter and ramp up to about 90 percent of its capacity of 194,000 barrels a day within 12 months. Canadian Natural plans to complete another phase of expansion at its Horizon mine this year that will add 80,000 barrels a day.

While Suncor has pipeline space reserved for output from Fort Hills, the company believes market access is important to Canada's oil producers and its economy, said Sneh Seetal, a spokeswoman. Canadian Natural isn't concerned with transportation of Horizon's production because the operation produces light oil, which has fewer shipping constraints, said spokeswoman Julie Woo.

"Though transportation of crude oil by pipeline is our current and primary method of shipment, we evaluate and monitor on an ongoing basis where crude by rail has been, and will continue to be, an option," Woo said.

Offshore Project

More oil will be produced outside of Western Canada as well. The Hebron project off the coast of Newfoundland and Labrador also is expected to come online this year. Operated by Exxon Mobil

Corp. with investments by Chevron Corp., Suncor, Statoil ASA and Nalcor Energy Corp., Hebron is expected to have crude oil production capacity of 150,000 barrels a day at its peak.

All that extra Canadian crude promises to be a boon for railroad companies who were stung by declines in that business when crude prices crashed in 2014. In fact, some already are seeing a pickup in their oil business. Canadian Pacific Railway Ltd. Chief Executive Officer Keith Creel said on a conference call last month that the company had moved 17,000 carloads of oil so far this year, nearly meeting its forecast for 20,000 carloads for all of 2017.

Two-Year Window

Canadian National Railway Co. foresees a two-year window of opportunity before Trans Mountain starts up and crude-by-rail shipments are affected, Chief Commercial Officer Jean-Jacques Ruest told an investor presentation June 14.

If crude-by-rail demand "comes in, you want to ride it very hard, and if at some point the opportunity disappears, then you ride something else," Ruest said.

Crude and condensate accounted for about C$370 million of revenue at Canadian National Railway last year. That's less than half the C$750 million that the company generated from the same line of business in 2014. The company's overall revenue was C$12 billion last year.

Railways may benefit from a pickup in their oil businesses for the next year or two, said David Tyerman, an analyst at Cormark Securities.

"They view it as a short-term boost," he said. "They're happy to haul the stuff, but they're not going to spend a lot of money on infrastructure because they don't know if this is going to be around long."

But the oil industry's trade group sees a need for more pipelines beyond those that already are expected to enter service. Canada will need an additional 1.3 million barrels a day of pipeline capacity by 2030 to meet the nation's growing production, CAPP said in a report earlier this month.

"The urgent need for new pipelines to increase our competitiveness continues to be one of the biggest challenges facing our industry," CAPP CEO Tim McMillan said.

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Discoveries Boost Hopes for Alaska Oil Output

Posted June 28, 2017, 9:15 A.M. ET

By Alan Kovski

Oil discoveries on the North Slope of Alaska during the past few years have increased hopes for the economy of the region and the state.

The developments also could quiet worries about keeping viable the North Slope's oil lifeline—the Trans-Alaska Pipeline. If its volumes sink too low, it becomes uneconomical to operate.

Oil production on the North Slope increased during the past 12 months as new wells more than made up for declines at older wells, said Ed King, a special assistant to the commissioner of the

Alaska Department of Natural Resources.

The increases came from ConocoPhillips Co. operations primarily, and an Exxon Mobil Corp. project to a lesser extent. At the same time, BP Plc has slowed the decline at the super-giant Prudhoe Bay Oil Field.

"I don't anticipate that it'll be another increase in 2018," King said, referring to Alaska's fiscal 2018, which will start July 1. There are no notable new supplies set to come online during the next 12 months that would allow another increase, he told Bloomberg BNA.

After 2018, the picture becomes more complicated because of the difficulties in forecasting the output of new discoveries.

Sharply Differing Outlooks

The spring 2017 forecast from the Alaska Department of Revenue projected a decade of decline in North Slope output, without benefit of enough information to include significant volumes from recent discoveries.

Interior Secretary Ryan Zinke visited Alaska in late May. He signed an order to accelerate development of the National Petroleum Reserve-Alaska and to make a new estimate of potential oil reserves in part of the Arctic National Wildlife Refuge.

The Wilderness Society issued a report June 19 arguing that expected developments in North Slope oil fields should keep the Trans-Alaska Pipeline viable for many years to come.

"The pipeline will continue operating for decades, with no need to drill in controversial, ecologically important and federally protected Arctic regions, i.e., the Arctic National Wildlife Refuge, off-limits portions of the National Petroleum Reserve-Alaska, and the Arctic Ocean," the report said.

Pipeline Volumes Rise

The Trans-Alaska Pipeline carried more than 2.1 million barrels a day at its peak in 1988, but now is operating at a quarter of that amount.

Alyeska Pipeline Service Co., operator of the line for a consortium of oil companies, has not determined the lower limit at which the line would become uneconomical, said Michelle Egan, an Alyeska spokeswoman.

Flow through the pipeline rose in 2016 to 517,000 barrels a day, the first annual increase since 2002, according to Alyeska. Year-to-date flows in 2017 have averaged 557,000 barrels a day, Egan said June 26.

The increases in North Slope production that fed the pipeline occurred primarily because of more production from the Alpine and Kuparuk fields, both operated by ConocoPhillips, and the startup of Exxon Mobil's Point Thomson field.

Good management at the Prudhoe Bay field managed to temporarily arrest the long decline of output there, according to DNR's King.

"It'll be interesting to see if they can extend that," he said of the Prudhoe Bay work. "They did a

really great job last year."

Two Especially Big Fields

But big hopes for future production come from new fields.

Foremost is Nanushuk, which Armstrong Energy LLC is developing in partnership with Spanish oil giant Repsol S.A. The companies estimate that 1.2 billion barrels of light oil can be recovered, their calculation boosted this year by additional exploration wells.

Nanushuk's location is not too far from existing infrastructure and enough wells have been drilled to boost confidence in estimates.

Less certain is the discovery of Caelus Energy LLC's Smith Bay Project, because only two wells have been drilled. In October 2016, the company said it estimated that there could be several billion barrels of oil in the field in state waters off the northern coast of Alaska. How much of the oil is recoverable remains to be determined.

California Weighs Making Electric Cars Cheaper Right Off the Lot

Posted June 28, 2017, 12:07 P.M. ET

By Dana Hull and Ryan Beene

The federal tax credit for electric car purchases has an end in sight, but California doesn't want demand for the zero-emissions vehicles to meet the same fate.

The state, long a champion of electric cars, is considering a bill to provide rebates to electric vehicle buyers at the time of purchase, reducing the sale price right as customers drive off the lot. The bill, which does not specify the size of rebates but proposes giving more cash to low-income buyers, looks to set aside as much as $3 billion for the incentives.

If passed, the program could help bridge the "valley of death" looming on the horizon for electric vehicle demand as federal rebates begin to wind down, said Max Baumhefner, an attorney with the Natural Resources Defense Council's clean vehicles program.

"The conditions are right for a tipping point to occur but with uncertainty about the state's purchase rebates and the prospect of federal tax incentives expiring, it could tip in the wrong way."

The plan—dubbed the California Electric Vehicle Initiative—could be a key step in encouraging the purchase of battery-powered vehicles by bringing the price after credits more in line with similar gasoline-fueled models. Gov. Jerry Brown (D) set a goal of 1.5 million zero-emission cars on state roads by 2025, and the state already offers clean vehicle rebates for the purchase of models including the Chevy Bolt, Nissan Leaf and Tesla Model S and X, but customers have to apply for those credits after the purchase is complete, a possible deterrent.

Plan Details

The bill would eliminate the need for buyers to file tax rebates with the state, according to a draft statement on the bill seen by Bloomberg News. The income-based rebates would also help assuage concerns that tax dollars are helping wealthy buyers afford luxury cars such as the Tesla Model S,

which can sell for more than $100,000.

The legislation, which passed a vote on the assembly floor earlier this month, faces votes in two state Senate committees next week, the draft statement said.

The bill is modeled on the state's highly successful California Solar Initiative, which resulted in an uptick in rooftop solar installations on homes and commercial buildings across the state. Like that program, the electric vehicle proposal suggests the rebates decline over time as market penetration rises. Electric vehicles are forecast to become comparable price-wise with combustion-engine vehicles around 2026 in the U.S., according to Bloomberg New Energy Finance.

The bill comes as the federal tax rebate begins to run its course. Purchasers of only the first 200,000 electric cars sold by each manufacturer in the U.S. are eligible for the $7,500 federal tax credit before it starts to phase out, meaning the largest electric vehicle makers including General Motors Co., Nissan Motor Co. and Tesla Inc. will lose eligibility first, just as their more affordable, longer-range electrics are hitting the market.

Tesla is slated to begin in July production of its Model 3 sedan, which is expected to start at $35,000 before incentives or options. Tesla produced roughly 84,000 electric vehicles in 2016 and plans to make half a million in 2018, then 1 million in 2020.

As the nation's coal-fired power plants close, transportation is likely to eclipse electricity production as the nation's largest source of greenhouse gas emissions. That is already true in California, where transportation accounts for nearly 40 percent of the state's emissions.

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Connecticut's Renewable Efforts Get Court Approval

Posted June 28, 2017, 12:13 P.M. ET

By Adrianne Appel

A Connecticut effort to contract for renewable energy does not violate federal law, a federal judge ruled Wednesday.

The state and proponents of renewable energy hailed the decision as a broad win for states that seek to grow their renewables market by requesting proposals for renewable energy projects.

Allco Renewable Energy Limited, a solar developer and investment firm based in New York City, filed a suit in August 2016, claiming Connecticut violated the federal Commerce Clause by giving preference to energy developers based in the Northeast (Allco Finance Ltd. v. Klee, 2d Cir., No. 16-2946, 6/28/17).

China Is About to Bury Elon Musk in Batteries

Posted June 28, 2017, 9:04 A.M. ET

By Joe Ryan

As Elon Musk races to finish building the world's biggest battery factory in the Nevada desert, China

is poised to leave him in the dust.

Chinese companies have plans for additional factories with the capacity to pump out more than 120 gigawatt-hours a year by 2021, according to a report published this week by Bloomberg Intelligence. That's enough to supply batteries for around 1.5 million Tesla Model S vehicles or 13.7 million Toyota Prius Plug-in Hybrids per year, according to Bloomberg New Energy Finance.

By comparison, when completed in 2018, Tesla Inc.'s Gigafactory will crank out up to 35 gigawatt-hours of battery cells annually.

Lithium-ion batteries have long been used in smartphones, laptops, and other personal electronics, but demand is forecast to explode in the next five years as electric vehicles proliferate and power companies install giant storage systems to smooth the ebb and flow of wind and solar.

Telsa produced nearly 84,000 vehicles in 2016 and has said it plans to make 500,000 in 2018.

While Tesla may be building the biggest and splashiest factory, the Chinese government has launched a sweeping effort to increase the country's dominant market share.

Roughly 55 percent of global lithium-ion battery production is already based in China, compared with 10 percent in the U.S. By 2021, China's share is forecast to grow to 65 percent, according to Bloomberg New Energy Finance.

In all, global battery-making capacity is forecast to more than double by 2021 to 273 gigawatt-hours, up from about 103 gigawatt-hours today. That's a huge opportunity, and China doesn't want to miss it.

"The Gigafactory announced three years ago sparked a global battery arms race," said Simon Moores, a managing director at Benchmark Mineral Intelligence. "China is making a big push."

But don't count Tesla out. The company, based in Palo Alto, Calif., plans to announce locations for up to four new factories by the end of 2017. (It's exploring at least one site in Shanghai.) And there are few, if any, individual Chinese battery companies that can match the scale of Tesla's production toe to toe.

Yet while China lacks a dominant battery behemoth, it makes up for it with a constellation of smaller players, including Amperex Technology Ltd., Tianjin Lishen Battery Joint-Stock Co. and dozens of others.

Earlier this year, the Chinese government announced plans to consolidate battery manufacturers to help the industry mature. The initiative goes hand in hand with China's plans to flood highways with five million electric vehicles by 2020.

China's ambition to become the global leader in clean cars stems in part from pressure to clear pollution from smog-choked streets in Baoding, Xingtai, Shijiazhuang, and other cities. There's a second reason: creating a domestic market for Chinese battery manufacturers, said Logan Goldie-Scot, a Bloomberg New Energy Finance analyst.

"The Chinese government wants to encourage the creation of a domestic market to create a large enough base and gain a foothold," Goldie-Scot said. "From there, they can expand and sell globally."

—With assistance from Brian Eckhouse

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China State Grid Chairman Says Clean Energy Will Create Jobs

Posted June 28, 2017, 8:37 A.M. ET

By Bloomberg News

Thousands of renewable energy plants will create jobs as the world switches to clean power from coal, according to the chairman of the State Grid Corp. of China.

New roles will emerge during construction and for operators and maintenance personnel, Shu Yinbiao said at press briefing June 27 at the World Economic Forum's Annual Meeting of the New Champions in Dalian, China.

"We will have more opportunities for jobs," Shu said. "The transformation of energy will not impact employment, it will create opportunities."

The remarks followed the International Renewable Energy Agency's forecast that green energy jobs will continue to grow in developing nations, especially Asia. The clean-energy business employed 9.8 million people last year, up 1.1 percent from 2015, led by an expansion in solar photovoltaics, according to the Irena's annual report.

Green jobs may reach 24 million worldwide in 2030 as more countries work to combat climate change, Irena said.

China, the world's biggest emitter, plans to invest 2.5 trillion yuan ($360 billion) in renewable energy through 2020 to reduce greenhouse gases that cause global warming. The investment will help create 13 million jobs, Li Yangzhe, former deputy head of National Energy Administration said in January.

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Green Energy Investing Meets Crowd Funding in African Venture

Posted June 28, 2017, 9:32 A.M. ET

By Mathew Carr

Gullspang Invest led a group of investors providing 6 million euros ($6.8 million) to Trine Finance Ltd., a company that spurs off-grid solar power in emerging markets including Africa by tapping crowd funding in the U.K. and other advanced economies.

Trine offers crowd investors a return of about 5 percent, with money used to finance solar lamps and solar home systems from Zambia to Uganda, the Gothenburg, Sweden-based company said on its website. The electricity can be cheaper and safer than existing systems typically fueled by kerosene, which emit toxic fumes.

"When you can go in with everything from 25 euros and up, it's opening up finance to people who might not have had that opportunity before," said Lena Apler, founder of Collector AB and a member of Trine's advisory board, by email. "Sustainable solutions are not only turning out to be necessary, but also out competing traditional alternatives."

Trine Chief Executive Officer Sam Manaberi wants to channel 100 million euros of crowd-investment into solar energy projects over two years, up from more than 1 million euros distributed the past three years. Risks for the crowd investors, who spend a minimum 25 euros, range from fluctuating currencies to developing-country solar suppliers who might struggle to make payments.

Payments for the solar energy equipment can be made via mobile phones on a weekly or monthly basis, saving the need for large upfront costs and boosting its appeal. A Trine project listed for Kenya expects to save each participant 1,000 Kenyan shillings ($9.65) a month, about 10 percent of average income, the company said.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Mon 7/10/2017 2:10:09 PM
Subject: POLITICO's Morning Energy: Methane rule delay gets public spotlight today at EPA — U.S. lone climate holdout at G-20 — Tillerson gets oil industry award

By Anthony Adragna | 07/10/2017 10:00 AM EDT

With help from Annie Snider

FEEDBACK WELCOME! EPA Administrator Scott Pruitt's proposal to delay key methane leak detection and repair requirements for new oil and gas wells for two years is the subject of hours of public comment today. A list of speakers scheduled to show up at agency headquarters shows a bevvy of appearances on behalf of green groups with the Sierra Club and Moms Clean Air Force especially well-represented. "Most of the land where our children live, learn, and play is leased to the natural gas industry," Patrice Tomcik, a mother of two from Butler County, Pa., plans to say at the hearing. "The prospect of future operations unleashing harmful air pollution in proximity to children - among the most vulnerable to the impacts of air pollution - is a totally unacceptable risk for any family." ME is also curious to hear from the creatively-named Patriots From The Oil & Gas Shales.

Look for oil and gas representatives to tout their successes at reducing methane emissions even as production has surged over the past decade, while voicing strong support for Pruitt's two-year pause as the agency reconsiders the regulation. "We're doing our part and these trends are indicative of what our industry, when given the freedom to innovate, can achieve to improve the environment while protecting our nation's energy security," Howard Feldman, the American Petroleum Institute's senior director for regulatory and scientific affairs, says in his prepared remarks. "And progress will continue." Companies would, of course, not have to comply with the rule's requirements if Pruitt moves forward with the two-year pause on implementation.

The public hearing comes after a federal court rebuked Pruitt for trying to immediately pause the rule without taking public comment. As Pro's Ben Lefebvre reports, EPA on Friday asked the D.C. Circuit Court of Appeals to delay its decision from earlier in the week requiring the agency immediately resume enforcing the methane rule. The filing argues that immediate mandate deprived the EPA sufficient time to consider a rehearing.

LAST CALL FOR MONUMENT COMMENTS! Today's the last day to weigh in on the Trump administration's review of nearly two dozen monuments designated since 1996 under the Antiquities Act. As ME went to bed, more than 1.2 million comments have already poured in for Interior Secretary Ryan Zinke to mull over. It'll be a tight turnaround: He's due to deliver his final recommendations to Trump on Aug. 24. Comments on a separate, but related, review of national marine monuments are still being accepted until July 26 by NOAA.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and we're unveiling a new, cleaner version of our ME selves here. What do ya think? Bracewell's Frank Maisano was first on Friday to name the four state capitals with city in their names (Salt Lake City, Carson City, Jefferson City and Oklahoma City). For today: What was the first college to go co-ed in the

U.S.? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

ONE IS THE LONELIEST NUMBER: It was 19 versus an increasingly isolated U.S. at the end of the G-20 summit in Germany Saturday as world leaders took "note" in the final declaration of Trump's decision to leave the Paris climate agreement but declared the 2015 landmark accord to be "irreversible" and vowed to continue "moving swiftly towards its full implementation." As POLITICO's Andrew Restuccia reports , last-minute negotiations arose after several countries, including France, objected to U.S. insistence on mentioning fossil fuels in the final document, though the final version maintained the reference while pairing it with a call to use renewable energy. As POLITICO Europe's Matthew Karnitschnig reports, German Chancellor Angela Merkel acknowledged Europe's frustration with the U.S. withdrawal ran deep. "Everyone was against the United States of America," on climate policy, Merkel said at her closing press conference. "The dissent wasn't plastered over, but made clear."

Look no further than French President Emmanuel Macron for visible signs of the frustration with the Trump administration's climate posture. He announced plans to hold a climate summit this December on the two-year anniversary of the Paris accord and tweeted Saturday his country and China were united on climate action, provocatively adding in English the hashtag #MakeOurPlanetGreatAgain. British Prime Minister Theresa May added during a press conference Saturday she was "dismayed" by the U.S. decision and personally urged Trump to rejoin the agreement, while pronouncing her own country's commitment to climate action "as strong as ever." (Also worth watching: Turkish President Recep Tayyip Erdo??an warned the U.S. withdrawal made his country less likely to ratify the climate deal, Reuters reports.)

Trump officials tried to downplay differences with Trump chief economic adviser Gary Cohn telling reporters on the flight back that the declaration "came together pretty reasonably" given the various perspectives present. "We do go out of our way to say in there that that doesn't mean that we don't support environment, and we're still working for the environment," he said. "It was not a situation where there was contentious discussion going on."

GETTING REAL ON RUSSIA NUCLEAR THREAT: With government officials confirming to The Washington Post over the weekend that Russian hackers got into the business systems of U.S. nuclear power and other energy companies, the calls for Congress and the White House to bolster cyber defenses for the energy sector and the electric grid are bound to get louder still. Sens. Maria Cantwell and Angus King sounded the alarm Friday, based on earlier reports that pegged Russia as the top suspect. As POLITICO's Eric Geller, Darius Dixon and Martin Matishak report, a hard connection to Russia to the hacks would mark the latest evidence of Moscow's wide-ranging digital aggression and highlight the broad threats the Kremlin-backed digital army pose to the U.S.

Utility industry officials argued the power grid is ready for such threats and said their most sensitive systems are selectively disconnected from the internet. "This is not viewed as an escalation," said Marty Coyne, a spokesman for the North American Electric Reliability Corp. "Power utilities are routinely targeted by these types of actors." But past Obama cyber officials warn the threat is only likely to intensify. "It is probably the single greatest national security

threat to the United States right now," one former official said. **Eric's tweetstorm here is worth your time.** And former Energy Secretary Ernest Moniz offers his own here.

Speaking of Russia, House Republicans are mulling whether to change a Senate-passed sanctions bill to give U.S. energy companies a greater chance to stay in oil and gas projects involving Russian companies, Pro's Ben Lefebvre reports. Energy interests have warned the the bill could force them out of projects around the world where Rosneft, Lukoil or other Russian oil companies may have as little as a 5 percent stake.

TAKING STOCK OF ZINKE'S SAGE GROUSE TEAM: Among the four Interior political appointees tasked with potentially revamping the sage grouse land-use management plans put in place in 2015 is Kathleen Benedetto, a former House staffer who worked to increase access for minerals production on federal lands and pressed to give local communities more control over endangered species, Pro's Esther Whieldon reports. Other political appointees on the team include: Casey Hammond, also a former House Natural Resources Committee staffer, who was on the Trump administration's landing team at BLM; Timothy Williams of the Interior Department's Office of External Affairs and Vincent DeVito, a political ally of Zinke's who is now counselor to the secretary for energy policy. Zinke has asked for recommendations on the plans by Aug. 6, including how to encourage energy development on public lands.

CALIFORNIA DROUGHT LEGISLATION, ROUND 2: The historic drought in California is officially over, but the state's water woes aren't - and neither is House Republicans' bid to push some of their more controversial ideas, including many that got dropped from last year's compromise legislation. Rep. David Valadao's H.R. 23 is slated to come to the floor this week with a hearing Tuesday evening before the House Rules Committee. The measure would grease the skids for permitting new dams across the West, attempt to rebalance water rights within the Golden State and block the federal permits from touching on issues related to water rights.

LET THERE BE MARKUPS! House appropriators are marking up their $37.56 billion fiscal 2018 energy and water spending bill Wednesday at 10:30 a.m. ME readers likely remember the package zeroes out the late-stage research Advanced Research Projects Agency-Energy and prevents DOE from issuing new loan-guarantees, while also cutting spending on energy efficiency and renewables almost in half. Look to see if efforts to restore funding for those programs, some of which enjoy significant bipartisan support, are successful. Later that afternoon, an Appropriations subpanel takes up the as-yet unreleased Interior spending bill.

THIRD TIME'S THE CHARM? After two previous attempts were shelved, the Senate Environment and Public Works Committee on Wednesday at 9:45 a.m. intends to vote on the nominations of Annie Caputo and David Wright to the NRC as well as the selection to Susan Bodine to be EPA's top enforcement official. Lawmakers also intend to vote on legislation reauthorizing popular Brownfields and diesel engine retrofitting programs. Details here.

PETROLEUM GROUP GIVES TILLERSON AWARD: Secretary of State Rex Tillerson dropped by Istanbul Sunday where he accepted the World Petroleum Council's Dewhurst Award for what the group described as "outstanding contribution to the oil and gas industry" through his decade-long run running Exxon Mobil Corp. "I have to share [the award] with the men and

women of ExxonMobil, because I'm here because of what they did, not because of what I did," Tillerson said. "I miss you as colleagues, I miss you as partners, I miss you as competitors. I miss the healthy debates, the collaboration, the breakthroughs that were achieved that I witnessed during that 41 and a half years that have continued to deliver energy on a massive scale and a reliable way."

The award was announced before Trump picked Tillerson for his current position, though it is still raising eyebrows: "Secretary Tillerson's warped notion that it's appropriate to attend and accept an award at an oil industry conference proves yet again that he has no idea how to be the United States' chief diplomat," Greenpeace's Naomi Ages said in a statement. Tillerson is just the 10th person - past recipients have included heads of Shell and Chevron - to receive the "distinguished lifetime achievement award," according to the World Petroleum Council.

ME FIRST - GROUPS RALLY AGAINST SENATE ENERGY BILL: More than 350 groups, including Food & Water Watch, League of Women Voters, Our Revolution and the Center for Biological Diversity, are sending a letter to Senate leadership urging them to oppose the Senate's energy bill (S. 1460). The bill largely resembles legislation that virtually all Democrats backed last year despite objections from environmentalists over issues like liquefied natural gas exports. "No energy legislation is better than bad energy legislation that serves to increase our dependence on dirty fossil fuel production instead of building on successful policies to expand clean energy sources," they write. "We find it astounding that any energy bill could contain a 'Renewables' subtitle but not include provisions on solar and wind energy."

HERE'S... A NEW ONE: Two senior House Science Republicans - Chairman Lamar Smith and Rep. Randy Weber - released a letter Friday in which they asked Treasury Secretary Steven Mnuchin to investigate whether Russia has been funneling money to U.S. environmental groups in an effort to influence the domestic market. The lawmakers argue Russian interests may be trying to stymie domestic fracking as a way to bolster their energy sector. "If the above allegations are true, Russian entities have funneled money through shell corporations to U.S. environmental activist organizations to influence U.S. energy policy," they wrote.

WEIRD FOURSOME! Vice President Mike Pence, Zinke, Sen. Roy Blunt and Medicaid chief Seema Verma walk into a park. On horseback. On Friday. Here's the pic.

- Gov. Doug Ducey asks EPA for power to regulate Arizona streams. Arizona Daily Star.

- Rooftop Solar Dims Under Pressure From Utility Lobbyists. The New York Times.

- Tillerson launches personal diplomacy in Persian Gulf dispute. The Washington Post.

- Greenpeace activists charged with scaling Trump Tower with banner. Chicago Sun-Times.

- Gross Dam on its way to becoming the tallest dam in the state. Denver Post.

THAT'S ALL FOR ME!

To view online:
http://www.politico.com/tipsheets/morning-energy/2017/07/10/methane-rule-delay-gets-public-spotlight-today-at-epa-221234

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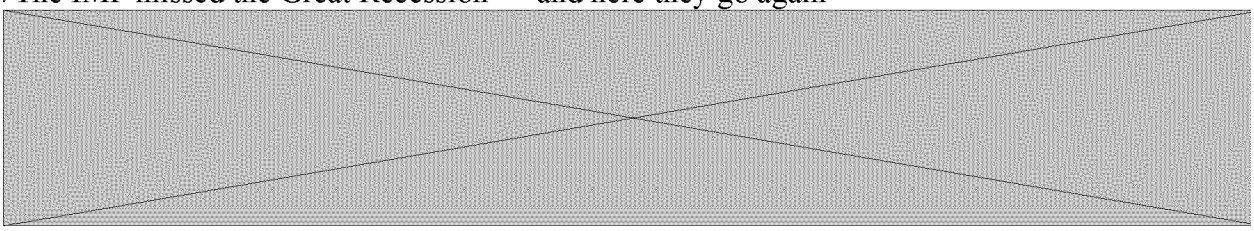
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Reuters

The IMF missed the Great Recession — and here they go again

Desmond Lachman | AEIdeas

The International Monetary Fund's track record in economic forecasting leaves a lot to be desired. It failed to anticipate the Asian economic crisis in 1998, the global Great Recession of 2008–09, and the European sovereign debt crisis of 2010. There's now every prospect that before 2018 is out, its latest economic outlook will be seen once again to have been wildly optimistic and blind to the real risks confronting the world's economic recovery.

Reuters

Al Jazeera: Symbol of press freedom or engine of extremism?

Michael Rubin | AEIdeas

As the crisis between Qatar and moderate Arab states approaches its second month, one of the key complaints of the anti-Qatar coalition centers on Al Jazeera, the Qatar-based channel that was once the most-watched Arabic station. Al Jazeera and its supporters argue that the station's hard-hitting reporting is simply an exercise of press freedom in a region that's sorely lacking it. Its detractors, however, say it fans the flames of terrorism.

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American factories produce 40 percent more today than 20 years ago . . . with 5 million fewer workers

Mark J. Perry | AEIdeas

Watch live today: Senators Sheldon Whitehouse (D-RI) and Brian

Schatz (D-HI) unveil their carbon tax proposal

Aparna Mathur | AEI event today at 3:00 PM ET

Quote of the day: Walter Williams on the intellectual conceit that all societies are created equal

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Around the web: Immigration restrictions led to automation — not wage increases

Matt Winesett | AEIdeas

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Today's POLITICO Playbook presented by Hewlett Packard Enterprise

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Thursday morning. PLAYBOOK EXCLUSIVE: **NADEAM ELSHAMI** , House Minority Leader Nancy Pelosi's chief of staff, is leaving Capitol Hill to join SIGNAL Group as executive vice president. The veteran communicator is expected to be involved in the firm's communications and lobbying operation. Elshami, who worked his way up the ranks from the Senate mailroom, spent 25 years on Capitol Hill, including more than 10 years for Pelosi. He also worked as senior communications adviser and spokesman to Sen. Dick Durbin, communications director for Rep. Jan Schakowsky of Illinois and deputy press secretary for former Sen. Barbara Boxer of California.

"Nadeam's deep insight and effectiveness has been a vital part of our Caucus' unity throughout his time as Chief of Staff, especially during critical battles to protect the Affordable Care Act, Wall Street Reform and other landmark progress for working families," Pelosi said in a statement.

DANNY WEISS , former long-time chief of staff to former Rep. George Miller (D-Calif.), is returning to Capitol Hill to serve as Pelosi's new chief of staff. Weiss currently works as vice president for federal policy and director of the Washington regional office for Common Sense Media. The transition will take place the week of Sept. 18.

FIRST IN PLAYBOOK -- **PAUL RYAN** and **JOHN BOEHNER TO FUNDRAISE TOGETHER IN GREEN BAY --** Speaker Paul Ryan and former Speaker John Boehner are holding a joint fundraiser at the Green Bay Packers vs. Cincinnati Bengals game Sept. 24 in Green Bay. If you want to attend the tailgate and the game it will set you back $10,000 -- just the tailgate will cost $1,000. ***PDF of the invite*** http://bit.ly/2eIHda6

THE AFTERMATH OF THE TRUMP-SCHUMER-PELOSI ALLIANCE ...

-- "GOP livid after Trump cuts deal with Democrats: Congressional Republicans say the move will only embolden Chuck Schumer and Nancy Pelosi in future talks," by Burgess Everett, Rachael Bade and John Bresnahan: "In the aftermath, Republicans seethed privately and distanced themselves publicly from the deal. They were left to hope that Trump's collaboration with Senate Minority Leader Chuck Schumer and House Minority Leader Nancy Pelosi was a temporary dalliance, and not the new MO for the president. ... 'A three-month debt ceiling? Why not do a daily debt ceiling?' cracked Rep. Mike Simpson (R-Idaho). 'He's the best deal-maker ever. Don't you know? I mean, he's got a book out!' ... White House officials apologized to congressional leaders after the meeting, according to a GOP source on Capitol Hill. But the damage was done." http://politi.co/2vOhaJO

-- "Trump's flirtation with Democrats makes Republicans nervous about 2018: GOP worries about whether Trump will be a reliable force for the midterms," by Josh Dawsey and Burgess Everett: "Trump's aides have teamed up with the [NRSC] to target vulnerable Democrats and plan presidential travel to help the GOP maintain its congressional majorities during the elections that are 14 months away. White House officials, particularly political director Bill Stepien and legislative affairs head Marc Short, have had regular conversations with aides at the NRSC ... Internally, Trump officials have discussed the president taking trips to 10 states to push tax reform and attack Democrats in states where Trump enjoys wide support. Before he left the White House, former chief strategist Steve Bannon had also plotted with other White House officials about 'tough votes' for Democrats - and how to make them happen, a Bannon ally said." http://politi.co/2wL3aO6

FOR THE RECORD ... None of the president's usual allies -- in or out of the White House -- is defending this deal to us. Marc Short said on Air Force One that the president was trying "clear the decks" for tax reform. We mentioned that comment to a member of the House Ways and Means Committee -- the panel charged with a tax-code rewrite -- who said that was a "real head scratcher." How does setting up a bunch of deadlines at the end of the year help with getting tax reform done ... by the end of the year?

WSJ EDITORIAL BOARD: "The Pelosi-Schumer-Trump Congress: The Republican gang that can't even shoot at each other straight." http://on.wsj.com/2xRv3Ez

COMING ATTRACTIONS -- MARC SHORT is meeting with members of the House Freedom Caucus today.

-- WAPO'S BOB COSTA: "Freedom Caucus leaders vent to Paul Ryan after talks with Steve Bannon": "Ryan heard out three members of the influential conservative group: Reps. Mark Meadows (R-N.C.), Jim Jordan (R-Ohio), and Scott Perry (R-Pa.), the people said. Meadows is the chairman of the Freedom Caucus, which counts about three dozen members, and he has been a friend and ally of Bannon for years." http://wapo.st/2wJepsd

-- TOP TWEETS: @EWErickson: "When [Boehner] cut a deal with Obama on the debt ceiling, conservatives tossed him. Trump cut one with Pelosi and it's Paul Ryan's fault? WTF?" ... **Josh Barro (@jbarro):** "Trump may have hit on an insight: If Republican voters will like him no matter what, he can become popular by doing whatever Democrats want." ... **@PatrickSvitek:** "Cruz on Trump, circa 2016: 'He'll go and cut a deal with Chuck Schumer ... and Nancy Pelosi.'"

TRUMP is dining with Speaker Paul Ryan tonight, just a day after the president tossed Ryan, Senate Majority Leader Mitch McConnell, Treasury Secretary Steven Mnuchin, House and Senate Republicans under the bus.

BULLETIN at 6:22 a.m.: "NEW YORK (AP) - Amazon opens search for second headquarters, to spend more than $5 billion and add as many as 50,000 jobs."

BEHIND THE SCENES -- THE CONFUSION IN THE DEBT-CEILING DEAL ...

-- WHEN DONALD TRUMP and Hill leaders left the White House Wednesday, they thought they had a deal, whether they liked it or not: a three-month extension of government funding, a three-month hike of the debt ceiling and a pile of Harvey aid. **BUT THERE'S A LOT OF CONFUSION AND A QUIET TIFF THAT'S ERUPTED ON THE HILL**. Typically, the Treasury secretary can use what we call "extraordinary measures" to extend the debt limit beyond its projected deadline. The government can, for example, temporarily stop investing in the Civil Service Retirement Disability Fund. This is a standard tactic aimed at buying more time for Congress to get its act together.

Some Democrats are telling us they thought the Dec. 15 deadline was firm -- and no extraordinary measures could be used. They want a hard deadline in the middle of December, not a debt limit in January or February. While Republicans -- and, quietly, some Democrats -- say Treasury Secretary Steven Mnuchin should be allowed to manage the debt by pushing the deadline off using those measures. Many Republicans and Democrats say it would be irresponsible for Congress to handcuff the administration. **WILL THIS BLOW UP THE DEAL?** Eh, we don't think so. But it needs to be resolved. Every indication we've gotten is that Mnuchin will be allowed to use these measures.

HOW TO THINK ABOUT THE TRUMP-SCHUMER-PELOSI DEAL -- Capitol Hill was a bit of a mess yesterday after this deal was cut at the White House. But both sides agree that Republicans got nothing out of this deal. Trump accepted Democrats' first offer, and now the party deep in the minority has the opportunity to use the must-pass bills in December to pressure Trump and Republicans to do pretty much whatever they want.

TRUMP is hosting the entire Cabinet at Camp David this weekend -- scoop from CNN's Kaitlan Collins: "CNN has learned that the President will host the members of his Cabinet at the secluded government-owned retreat in Maryland starting Friday. They are expected to discuss a wide range of issues, spanning from the administration's

legislative strategy for tax reform to the growing nuclear crisis in North Korea.

"A source familiar said because of logistics and limited lodging space, half of the Cabinet will travel to the 125-acre retreat on Friday and stay overnight. The rest of the Cabinet will travel there on Saturday, when a full Cabinet meeting will take place. The first half of the Cabinet will then return back to Washington Saturday while the second half stays the night and returns Sunday." http://cnn.it/2xRDsb5

WE HEAR that Steve Bannon sat down with Charlie Rose for three hours yesterday for the Sunday "60 Minutes" piece. Two sources involved in the interview told us Bannon vociferously defended the Trump administration and the president. **PORTIONS OF THE INTERVIEW** will air this morning on "CBS This Morning."

****** **A message from Hewlett Packard Enterprise** : How are Hewlett Packard Enterprise's supercomputers helping create the future in science, medicine and national security? Learn more: hpe.com/supercomputing ******

THE LATEST ON HURRICANE IRMA -- AP's Danica Coto and Anika Kentish in San Juan: "Hurricane Irma has killed at least eight people and injured 23 in French Caribbean island territories as the dangerous Category 5 storm roared over the Caribbean, France's interior minister said Thursday. Speaking on French radio France Info, French Interior Minister Gerard Collomb said the death toll in Saint-Martin and Saint-Barthelemy could be higher because rescue teams have yet to finish their inspection of the islands. ...

"Irma blacked out much of Puerto Rico, raking the U.S. territory with heavy wind and rain while staying just out to sea, and it headed early Thursday toward the Dominican Republic and Haiti. To the east, authorities struggled to get aid to small Caribbean islands devastated by the storm's record 185 mph (298 kph) winds earlier Wednesday, while people in Florida rushed to get ready for a possible direct hit on the Miami area. ... Nearly every building on Barbuda was damaged when the hurricane's core crossed almost directly over the island early Wednesday and about 60 percent of its roughly 1,400 residents were left homeless, Antigua and Barbuda Prime Minister Gaston Browne told The Associated Press." http://bit.ly/2wKtgkg

--AP/SAN JUAN: "French President Emmanuel Macron will go to the islands hit by Hurricane Irma as soon as weather conditions permit, after authorities announced at least eight people died on Saint-Martin. Macron's office said Thursday that the president will travel to France's Caribbean territories 'as soon as possible' once immediate rescue operations are complete. The president of the territorial council, Daniel Gibbs, said on Radio Caraibes International that Saint-Martin is '95 percent destroyed.'" http://bit.ly/2gNcGfP

ALL IN THE FAMILY -- "Trump says Ivanka asked to tag along on tax reform trip - 'Daddy, can I go with you?'" by Nolan McCaskill: http://politi.co/2f5bVuI

SORRY GARY -- "President Trump Unlikely to Nominate Gary Cohn to Become Fed Chairman," by WSJ's Mike Bender, Harriet Torry and Nick Timiraos: "President Donald Trump is unlikely to nominate Gary Cohn, his top economic adviser, as the next Federal Reserve chairman, according to people familiar with the president's thinking, adding to the uncertainty over the U.S. central bank's leadership and policies next year. Mr. Trump told The Wall Street Journal in July that he was considering Mr. Cohn as a potential successor to Fed Chairwoman Janet Yellen, whose term as central bank chief expires in early February. ...

"The shift in Mr. Cohn's prospects for the top Fed job arises largely from his criticism of Mr. Trump's response to the violence in Charlottesville, Va. ... Mr. Trump has told people that he is impressed with Ms. Yellen, leaving them with the sense he might ask her to serve another term. ... Mr. Cohn may have doomed his chances for the top Fed job with comments he made to the Financial Times last month ... One White House official said the president visibly bristles at the mention of his economic adviser." http://on.wsj.com/2gMD09C

MATT NUSSBAUM -- "Trump's favorite dodge: 'We'll see': Whether asked about war with North Korea or canning his aides, the president has often deployed this verbal tic": "Again and again on Wednesday - 11 times in total, before 1 p.m. - President Donald Trump deployed some form of his favorite dodge: 'We'll see.' ... Whether he's facing an uncomfortable question, trying to keep some mystery around his future plans, or simply filling up verbal space, Trump has frequently thrown out the phrase 'we'll see' when facing a barrage of questions from reporters. He's used the verbal tic on topics big and not-as-big - from whether the U.S. will go to war with a nuclear North Korea, to whether Steve Bannon would be ousted from the West Wing." http://politi.co/2eNJR25

FOR YOUR RADAR -- "Behind North Korea's Nuclear Advance: Scientists Who Bring Technology Home," by WSJ's Jeremy Page and Alastair Gale in Harbin, China: "When North Korea tested what it said was a domestically produced hydrogen bomb on Sunday-a week after launching its 18th ballistic missile of the year-it was a reminder of a conundrum at the heart of the country's nuclear program. How has it advanced so rapidly despite concerted international efforts to keep weapons-related technology out of its hands?

"The answer may lie in expertise brought home by North Korean scientists who studied abroad, especially in China, sometimes in apparent violation of 2016 United Nations sanctions that ban teaching North Koreans certain subjects. Hundreds of North Korean scientists have studied outside the country in recent years, according to a Wall Street Journal review of official figures, academic papers and data from universities, many in areas the U.N. says could help Pyongyang's weapons programs." http://on.wsj.com/2vOeV9b

THE LATEST ON RUSSIA -- "Russian firm tied to pro-Kremlin propaganda advertised on Facebook during election," by WaPo's Carol D. Leonnig, Tom Hamburger and Rosalind S. Helderman: "Representatives of Facebook told

congressional investigators Wednesday that the social network has discovered that it sold ads during the U.S. presidential campaign to a shadowy Russian company seeking to target voters, according to several people familiar with the company's findings.

"Facebook officials reported that they traced the ad sales, totaling $100,000, to a Russian 'troll farm' with a history of pushing pro-Kremlin propaganda, these people said. A small portion of the ads, which began in the summer of 2015, directly named Republican nominee Donald Trump and Democrat Hillary Clinton, the people said, although they declined to say which candidate the ads favored. Most of the ads, according to a blog post published late Wednesday by Facebook's chief security officer, Alex Stamos, 'appeared to focus on amplifying divisive social and political messages across the ideological spectrum - touching on topics from LGBT matters to race issues to immigration to gun rights.'" http://wapo.st/2f65ojr

THE JUICE ...

-- FIRST IN PLAYBOOK: THE REPUBLICAN MAIN STREET PARTNERSHIP, the outside group which has supported the "governing wing" of the GOP, is expanding its footprint, starting a group inside the Capitol. The group voted Wednesday to start the Republican Main Street Caucus, a group that aims to be one of the large caucuses inside the House of Representatives alongside the RSC, Freedom Caucus and Tuesday Group. Rep. Pat Tiberi (R-Ohio) will chair the group until the end of 2018.

The group will be focused on economic and national security issues. The partnership, as it exists on the outside, has 75 members, but lawmakers need to sign up to be a member of the caucus. **WHY SHOULD YOU CARE?** The Republican Main Street Partnership has dough to spend to elect its members. Having a bloc inside the Capitol could help them stand out.

-- DEPT. OF DON'T BELIEVE THE HYPE!: -- The NRCC today is releasing a digital ad campaign titled **"The House at Work."** "There are so many things that we have actually done in the House that people just don't know about," Paul Ryan says in the video. The NRCC is spending five figures on the buy. ***1-min. video*** http://bit.ly/2f5LGob

--SPOTTED: COREY LEWANDOWSKI and **ROBERT DRAPER** deep in conversation over dinner last night at Joe's Stone Crab -- ***pic*** http://bit.ly/2eIPScM

PLAYBOOK ON THE ROAD WINNERS! - CONGRATS to Tara Mancini, policy manager at The National Campaign to Prevent Teen and Unplanned Pregnancy, who took a photo in Cancun, Mexico. ... Travis Ballie, organizer at NARAL Pro-Choice America, who took a pic off the Southern Coast of Iceland. ... Jake Rubin, director of PR for the American Gas Association, who took his picture in Paradise Valley, Arizona. ***Check out Matt Sobocinski's wrap up video*** http://politi.co/2wKTCCQ

HAPPENING TODAY -- The latest "Playbook University" event is happening today at Georgetown University. Join us at 4:15 p.m. as Jake and Anna talk with GU Politics'

newly-minted fellows class at their annual open house. #PlaybookAtGU http://bit.ly/2g6HHel

PLAYBOOK AT UNGA -- Join us Sept. 18 and 19 in New York for the 2017 Concordia Annual Summit. Sorry the registration links did not work in yesterday's Power Briefing. ***RSVP for Anna's talk with Tim Phillips and David Axelrod*** http://bit.ly/2wETVit ... ***RSVP to the Playbook Global Briefing*** http://bit.ly/2gGAdey ... ***The summit*** http://bit.ly/2xQgiSj

Playbook Reads

PHOTO DU JOUR: Senate Minority Leader Chuck Schumer speaks to President Donald Trump in the Oval Office prior to his departure from the White House on Sept. 6. | Alex Wong/Getty Images

THANKS, VLAD! -- Reuters/Vladivostok, Russia: "Vladimir Putin took a jab at Rex Tillerson on Thursday, joking that the U.S. Secretary of State had 'fallen in with the wrong company' since he had awarded him a Russian state honor for his contribution to Russian-U.S. relations. ... Addressing a U.S. citizen at a plenary session of an economic forum in the far eastern city of Vladivostok, Putin said: 'We awarded your compatriot Mr. Tillerson the Order of Friendship, but he seems to have fallen in with the wrong company and to be steering in the other direction.' 'I hope that the wind of cooperation, friendship and reciprocity will eventually put him on the right path,' Putin added, drawing cheers from the crowd." http://reut.rs/2xd0wnn

SCOOP -- "Buried in backlog, Feds give top-secret clearances to murderers, rapists," by McClatchy's Tim Johnson: "Under a crushing backlog in the issuing or renewing of security clearances, federal authorities have given interim clearances to people they later discovered were murderers and pedophiles, a senior government official said Wednesday. 'This is very, very dangerous,' said Daniel E. Payne, head of the Defense Security Service, a federal office that oversees the granting of temporary clearances. ... 'I've got murderers who have access to classified information. I have rapists. I have pedophiles. I have people involved in child porn,' Payne said. 'This is the risk we are taking.'" http://bit.ly/2j5jk1O

-- "Hundreds of EPA Workers Leave in Recent Days," by WSJ's Timothy Puko: "Nearly 400 workers have left the Environmental Protection Agency in recent days, the agency said Tuesday, a wave of departures that soon could take the agency's staffing to its lowest point in almost 30 years. ... 'We're giving long-serving, hardworking employees the opportunity to retire early,' EPA Administrator Scott Pruitt said." http://on.wsj.com/2gNuM1b

TRUMP WORLD -- "Michael Cohen Would Take a Bullet for Donald Trump: In

advance of his congressional testimony, Trump's personal lawyer wants the world to know that his loyalty to the president is deep and unwavering, and then some. 'I'd never walk away,' he says," by Vanity Fair's Emily Jane Fox: "'The part that's most disappointing is that I haven't spoken to the president in several weeks. I haven't spoken to Melania or any of the kids,' Michael Cohen, Donald Trump's longtime lawyer and confidante, lamented to me last week. It was a Friday morning and Cohen was biting into eggs over easy and dry seven-grain toast at a coffee shop in Water Mill, the hamlet of Southampton, which was sandwiched between a Tracy Anderson studio and a farmers' market, and near his vacation home.

"It was the unofficial last weekend of summer, and while the diners around us discussed their upcoming boat trips or blueprints for new houses, Cohen was facing a more pressing, and public, summons. As one of several figures under scrutiny in an F.B.I. and congressional investigation into purported links between the Trump campaign and Russia, Cohen was preparing to testify before the House Intelligence Committee." http://bit.ly/2gIQMXt

VANITY FAIR - "How Will History Judge the Trump Presidency?": "Donald Trump may be a radical break from the past, but history will have its say. Six scholars of the presidency -- A. Scott Berg, Robert Dallek, Jon Meacham, Edmund Morris, Stacy Schiff, and Garry Wills -- put the current occupant of the Oval Office into perspective." http://bit.ly/2eN640c

****** **A message from Hewlett Packard Enterprise**: A nation's strength is increasingly measured by its technical prowess. As the designer and builder of more supercomputers than any other company in the world, Hewlett Packard Enterprise is proud to lead the way in one of the future's most important technologies. Visit hpe.com/supercomputing to learn more about how Hewlett Packard Enterprise's supercomputers are helping create the future in science, medicine and national security. ******

2020 WATCH -- "Pro-Israel group slams Booker in new ad," by Gabe Debenedetti: "The first attack ad of the 2020 election cycle has landed. The conservative Committee for Israel nonprofit group is launching a television broadside against Democratic New Jersey Sen. Cory Booker on Wednesday, assailing him for voting against a measure that would scale back funding to the Palestinian Authority." http://politi.co/2wIUoBQ ... ***The ad*** http://bit.ly/2xd6btL

ROLLING STONE on **SEN. KIRSTEN GILLIBRAND (D-N.Y.) -- "How Kirsten Gillibrand Is Outsmarting Donald Trump":** http://rol.st/2xODwbu

HAPPENING TODAY - BETSY DEVOS is delivering a "major policy address" on Title IX enforcement today at GMU's Arlington campus. CBS News correspondent Jan Crawford will sit down with her right after the speech for an interview for "CBS Evening News" and Friday on "CBS This Morning."

HILLARY CLINTON on Anthony Weiner via The Daily Beast's Gideon Resnick: "When Clinton describes Comey's last-minute announcement in October about the discovery of what appeared to be additional emails in the final days of the campaign, she writes about him with even more malice. 'Was this a bad joke?' she writes. 'It had to be. The FBI wasn't the Federal Bureau of IFs or Innuendos. Its job was to find out the facts. What the hell was Comey doing?' Upon learning more about the news, and its link to disgraced former congressman Anthony Weiner, his wife and close Clinton adviser Huma Abedin burst into tears, Clinton writes. 'When we heard this, Huma looked stricken,' she writes. 'Anthony had already caused so much heartache. And now this.' "This man is going to be the death of me," [Abedin] said, bursting into tears.'" http://thebea.st/2wJzWAV

-- "Democrats dread Hillary's book tour," by Isaac Dovere and Gabe Debenedetti: "President Donald Trump may be the only person in politics truly excited about Hillary Clinton's book tour. Democratic operatives can't stand the thought of her picking the scabs of 2016, again - the Bernie Sanders divide, the Jim Comey complaints, the casting blame on Barack Obama for not speaking out more on Russia. Alums of her Brooklyn headquarters who were miserable even when they thought she was winning tend to greet the topic with, 'Oh, God,' 'I can't handle it,' and 'the final torture.'" http://politi.co/2gMSk68

SPEAKING OF HILLARY -- PHILIPPE REINES, who is writing a book about his time working as a consigliere for Clinton and his views of the Trump presidency, in POLITICO Magazine, **"What I Learned From Playing Donald Trump:** My three months of immersive debate prep taught me being Trump means never having to face the consequences of your actions": "[T]he one thing that stood out more than anything, and hasn't been adequately explored even now, is that Trump has never paid the price for his actions. I couldn't find even one instance. He didn't pay taxes. Nothing. He didn't pay creditors. Nothing. He didn't pay contractors. Nothing. I'd even argue he came out for the better. He skipped out on his debts, but kept the planes, the helicopters, the penthouses and properties. If you go bankrupt once and there are no consequences, why not do it three more times? Same with his personal life. He betrayed and publicly embarrassed his first wife-the mother of his eldest three children-in spectacular fashion. No matter-he simply got a second wife (with whom he betrayed his first)." http://politi.co/2vNZP3y

JACK SHAFER in POLITICO Magazine, **"This Pro-Hillary Website Looks Like North Korean Agitprop:** Peter Daou, the prickly pro-Clinton operative, has launched a propaganda rag so shameless it would make Kim Jong Un blush: "As Daou's Verrit manifesto puts it, the site hopes to become the trusted source for the 65.8 million voters who cast their ballots last November for Clinton and who seek verified 'facts' they can use to argue politics. ... The headline to one early Verrit borrows from the literary methods of Kim Jong Un's North Korea to assert, 'Hillary Democrats Are the Heart and Conscience of America.' Does anybody outside of the Daou re-education camp really think this way?" http://politi.co/2el1a0O

NEW NATION COVER STORY - "The Department of Justice Is Overseeing the Resegregation of American Schools: A major investigation reveals that white parents are leading a secession movement with dire consequences for black children," by Emmanuel Felton: http://bit.ly/2gJ9vCj ... ***The cover*** http://politi.co/2wKSGhN

MEDIAWATCH -- MICHAEL CALDERONE returns to POLITICO - Carrie Budoff Brown emails the staff: "We're excited to announce that Michael Calderone, one of the best known and most respected media writers in the business, is joining POLITICO - rejoining, we should note - to be senior media writer and author of our Morning Media column. Michael has covered all of the top media stories of the last decade, first for The New York Observer, then POLITICO and since 2011 at The Huffington Post. ... Michael will ensure that Morning Media remains a source of fresh scoops and analysis for the most sophisticated media consumers; he will also help us build out the brand with more live events and video."

-- MAGGIE HABERMAN in NYMag, "How I Do It": "On convincing people to talk to her: 'I don't know how I do it. I'm annoying, and I won't stop contacting them. I was a bartender for four years, and that was the best training that I had for learning how to approach people.'" http://bit.ly/2gNfHwK

-- KRISTEN WELKER is featured on the cover of Philadelphia Weekly, her hometown weekly alternative paper. ***The cover*** http://bit.ly/2gHyxRZ ... ***Q&A:*** http://bit.ly/2f4QslV

--JONATHAN LEMIRE, AP White House reporter, has joined NBC News and MSNBC as a political analyst (h/t Morning Media).

-- JAY SURES, who represents many top political TV journalists, has been named co-president of United Talent Agency.

Playbookers

SPOTTED: Megyn Kelly last night at Off the Record ... Montana Sen. Jon Tester (D) in a baseball cap with his son Sean walking down H Street NE yesterday evening.

SPOTTED at Rich Taylor's ESA farewell party last night at Baby Wale: Dan Hewitt, Christian Genetski, Jonathan Lamy, David Green, Ed Desmond, Ingrid Sanden, Michael Meehan, Mark Wallace

WHITE HOUSE ARRIVAL LOUNGE -- Daniel Bucheli has accepted the national press secretary position at the Office of National Drug Control Policy in the Executive Office of the President. He most recently was comms director and deputy chief of staff for Rep. Mike Coffman (R-Colo.).

TRANSITIONS -- Dave Hoppe, the former chief of staff to Speaker Ryan, has joined 38

North Solutions as a senior principal. ... **Phil Perry** has joined Asna Creative Strategy as vice president of client services. Perry previously led digital corporate and public affairs campaigns at Adfero and Burson-Marsteller and advised multiple political campaigns. ... **Reed Galen** has joined the Serve America Movement as chief strategist. ... Societe Generale de Banque au Liban has hired **Daniel Glaser**, former Treasury Assistant Secretary for Terrorism Finance, as senior adviser. ...

... VOX Global has promoted **Carey Tarbell** to general manager, and **Mike Marker** to managing director. ... Kountoupes Denham Carr & Reid (KDCR Partners) has named **Julie Hershey Carr** and **Randi Reid** as its new partners as the firm marks its 10th anniversary this year.

ENGAGED -- Liz Goodwin, reporter for Yahoo News, got engaged over Labor Day weekend to **Labib Fawaz,** a data scientist at Booz Allen. "He proposed on a walk on the beach in Tulum ... We met a few months before I was asked to move from NYC to DC to cover Congress. Lots of Amtrak/megabus miles before he was able to move here in June!" ***Pic*** http://politi.co/2wa8zfP

HAPPY 4th ANNIVERSARY to Bennett and Lindsey Richardson

BIRTHWEEK (was yesterday): Lizzi Ulmer, who does comms for DAGA (hat tip: Ashley Pratte)

BIRTHDAY OF THE DAY: Kate Andersen Brower, author of "First Women: The Grace and Power of America's Modern First Ladies" and "The Residence: Inside the Private World of the White House," a CNN contributor and former Bloomberg WH correspondent. **What she's reading:** "I just finished 'The Glass Castle' by Jeannette Walls and it's a wonderful read. She describes these horrific things that happened to her growing up and she somehow writes about them with a sense of humor. And Harry Truman's memoir, '1945: Year of Decisions.' He's remarkably honest and I think the book shows the loneliness of the presidency." **Read her Playbook Plus Q&A:** http://politi.co/2xQZt9W

BIRTHDAYS: Maralee Schwartz ... Peggy Noonan ... Joe Klein ... WaPo photojournalist Bill O'Leary ... Mark Whitaker ... Jim Mahoney, longtime public-policy exec at Bank of America ... Gayle Tzemach Lemmon ... Chris Padilla, VP of gov't and regulatory affairs for IBM and former under Secretary of Commerce in Bush 43 (h/t Scott Kamins) ... Politico Europe's Zoya Sheftalovich ... Robert Blizzard, partner at Public Opinion Strategies ... Fentress Boyse (h/t sister Natalie) ... photojournalist Katie Orlinsky ... Laura Edwins, social media editor at Bloomberg Business ... Amb. Stuart Holliday, president and CEO of Meridian International Center ... Meredith Raimondi ... BuzzFeed's Zoe Tillman ... iHeartMedia's Bryan Watkins ... Eric Kanter, Seth Moulton's senior policy adviser, who will be celebrating with both FlyWheel and Funfetti (h/t Matt Corridoni) ... Gabby Friedman, who works on gov't relations at The Gap (h/t Alex Catanese) ...

... Rafael Lemaitre, founder and principal strategist at Third Way Strategies and a FEMA alum (h/ts Cameron Hardesty and Katie Green) ... Robin Reck, managing director of the Incite Agency and senior director at Bully Pulpit Interactive (h/t Marshall Cohen) ... Mary Jeka, SVP and general counsel at Tufts ... Ren Zheng, IT wizard (h/ts Jon Haber) ... John Michael Walker ... Rep. Ryan Costello (R-Pa.) ... Nick Ciarlante ... Craig Higgins ... Matthew Grill ... Derrick Dockery ... Johan Propst ... Eric Martin ... Sam Stefanki ... Elizabeth Fox ... Matt McCluskey ... David Grant ... Meg Peterson ... Gregory Petzold ... Janelle Kovacevich ... Michael Coritsidis ... Philip Watson ... Jeff Schrade ... Brandon Rettke ... Rob Engle ... Glenn Carlson ... Sheila Cochran ... Cheryl Parker Rose ... Joan Silver ... Vince Walsh (h/ts Teresa Vilmain)

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Sent: Thur 7/27/2017 2:05:36 PM
Subject: POLITICO's Morning Score: House Democrats tread lightly into 2018 primaries — Ohio Democrats 'wait and see' amid Cordray rumors — Messer jumps into Indiana Senate race

By Elena Schneider | 07/27/2017 10:00 AM EDT

With Kevin Robillard and Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

A LIGHT TOUCH - "House Democrats take cautious approach to 2018 primaries," by Campaign Pro's Elena Schneider: "The DCCC has stated its policy on primaries over and over: The committee "reserves the right" to get involved in them. So far, though, House Democratic leaders have adopted a more hands-off approach than in years past as hundreds of candidates across the country flood into potential battleground races. Operatives said that House Democrats' somewhat laissez-faire attitude is explained by the 'embarrassment of riches' when it comes to the volume of candidates interested in running this cycle, said John Lapp, a Democratic media strategist and former DCCC executive director. ...The committee still has favorites in some seats - and may signal more in the future. DCCC Chairman Ben Ray Lujan donated to six challengers in the first half of 2017 via his leadership PAC, in an array of districts with unusual primaries, long-shot contenders or particularly notable candidates. But strategists and other observers say the effort to clear primary fields and anoint nominees has been much less aggressive in the early stages of the 2018 election cycle than in past years." **Full story.**

THE WAITING IS THE HARDEST PART - "Ohio Democrats 'wait and see' amid Cordray rumors," by Campaign Pro's Daniel Strauss: **Full story.**

GETTING IN - Messer jumps into Indiana Senate race: Rep. Luke Messer jumped into Indiana's Senate race on Wednesday, beating fellow Rep. Todd Rokita to the punch for the GOP primary to take on vulnerable Democratic Sen. Joe Donnelly. Messer's short Twitter missive - "We're in!" - didn't include the traditional announcement video or many details, indicating there's probably more to come at Messer's annual family BBQ on August 12. But Messer did reveal his slogan: "I Like Luke."

- The Rokita campaign is working hard to claim the momentum. They released a poll hours after Messer's entrance into the race showing Rokita leading him 28 percent to 20 percent in a head-to-head matchup, and with a similar lead among a larger field. (Messer had released polling last week showing the pair tied.) And that poll comes a day after a memo from Rokita general consultant Tim Edson arguing Messer is overly reliant on PAC money that will dry up not long after he enters a race against an incumbent Senator. And that memo came after news Rokita massively outraised Messer in the second quarter, which came after a series of hits on Messer's wife's high-paid legal work for an Indianapolis suburb and other stories highlighting Messer's

home in McLean, Va.

GETTING IN, PART DEUX - Nicholson starts Wisconsin field: Iraq and Afghanistan veteran and businessman Kevin Nicholson is the first Republican to enter the field to take on Democratic Sen. Tammy Baldwin after trucking heiress Nicole Schneider and Rep. Sean Duffy both opted against running. Nicholson has obvious appeals: He's a veteran with no voting record and graduate degrees from Harvard and Dartmouth. But he has one obvious negative: He was president of the College Democrats of America and spoke at the 2000 Democratic National Convention.

- Nicholson's announcement video, which covers his impressive biography, hints at how he'll handle the College Democrat attacks. "In my younger days, I was a Democrat. I used to do nothing and know everything," he says in the 3-minute long video. "But since then, we've had three kids, fought in two wars and worked in businesses around the world. And after you've been hit in the face with that much reality, you can not help but become a strong conservative." **Watch it here.**

- Will the Club for Growth endorse Nicholson? The group issued a statement "welcoming" him to the race. Nicholson already has a super PAC seeded with $3.5 million from GOP superdonor Richard Uihlein, and the Club could provide additional cash for a primary. "This is the most important development of today," an advisor close to Nicholson said. "Dick Uihlein and the Club for Growth in a primary are a force that alone can match any self-funder dollar for dollar." It's worth noting Uihlein has donated to the Club for Growth in the past. The self-funder would presumably be 2012 GOP primary runner-up Eric Hovde. State Sen. Leah Vukmir is also considering the race, and has already questioned Nicholson's conservatism..

BAWITDABA - Kid Rock launches voter registration nonprofit, says he's still exploring Senate bid: Kid Rock is continuing to look at a Senate bid in his home state of Michigan, he wrote in a post that went up at midnight, and is starting a voter registration nonprofit in the meantime. "The one thing I've seen over and over is that although people are unhappy with the government, too few are even registered to vote or do anything about it," he wrote. "We have over a year left until an actual election, so my first order of business is to get people engaged and registered to vote while continuing to put out my ideas on ways to help working class people in Michigan and America all while still calling out these jackass lawyers who call themselves politicians." But he also notes Democrats "are 'shattin' in their pantaloons' right now" and says he'll hold a press conference sometime in the next six weeks to discuss a potential bid. **Read more.**

Days until the 2017 election: 102.

Days until the 2018 election: 466.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

ON THE HILL - "'Skinny' Obamacare repeal still lacks votes to pass," by POLITICO's Burgess Everett, Jennifer Haberkorn and Seung Min Kim: "Even a bare-bones repeal of Obamacare is no sure thing in the Senate. A handful of key Republican senators who had spurned earlier overtures from GOP leadership endorsed the latest plan to gut Obamacare's individual and employer coverage mandates and its medical device tax. But several centrists said they're undecided on the so-called skinny repeal, leaving the GOP in limbo through at least the end of the week." **Full story.**

- "Heller defends health care vote amid Democratic attacks," via POLITICO's Burgess Everett: "Democrats are escalating their attacks on Nevada GOP Sen. Dean Heller for voting to open debate on Obamacare repeal and signaling support for a trimmed-down repeal bill. But Heller, who faces a tough reelection contest next year, says he is at peace with his decisions. ...In an interview on Wednesday, Heller said he is satisfied with how he has handled the grueling health care debate, which includes standing with Gov. Brian Sandoval to lash proposed cuts to Medicaid, getting needled by President Donald Trump in front of other colleagues and then aiding Senate Majority Leader Mitch McConnell in moving forward on the repeal effort." **Full story.**

DAILY WAR EAGLE - Not gonna happen, Mo: An odd turn in the Alabama senate race: Rep. Mo Brooks said he'd withdraw from the race-if everyone else did so too, so that the beleaguered Jeff Sessions could get his old seat back. Brooks, in a statement: "If all Republican candidates collectively agree to simultaneously withdraw from this race, then we clear the way for the Republican Party of Alabama to nominate Jeff Sessions to be the Republican nominee for the December 12, 2017 general election. He can return to the Senate where he has served us so well. President can then appoint whomever he wants as Attorney General." He also called the president's treatment of Sessions a "public waterboarding of one of the great people Alabama has ever produced." **Full story.**

- Brooks goes after Trump in radio interview: In a radio interview this morning, Brooks previewed his pro-Sessions stance and criticized President Donald Trump. He immediately pronounced he was "disappointed and chagrined with what what's happening with Jeff Sessions and President Trump right now." Asked about his pre-election criticisms of Trump, Brooks declares: "It looks like a lot of the reservations I had are turning out to be prophetic." He later says Trump hasn't been helpful during the Obamacare repeal process, and refuses to say he has confidence in the president. **Listen here**.

OOPS - "Watchdogs Say Cuomo Is Skirting Campaign Finance Rules," by The New York Times' Brian Rosenthal: "At the end of a video promoting Gov. Andrew M. Cuomo's immigration policies, a disclaimer noted the advertisement's funding source: an obscure anti-discrimination group called New Yorkers United Together. The fledgling group, which has financed only the one online video, claims it has no ties to any politician. Two of the group's co-founders said in interviews that the governor had nothing to do with the ad, other than agreeing to appear in it alongside several celebrities. But a closer examination shows otherwise. ... To

government watchdogs, the connections are evidence that Mr. Cuomo is again skirting campaign finance rules by using a secretive nonprofit to advance his agenda." **Full story.**

FROM THE COURTROOM - "Lawyers for Brady, rival rebut claims of illegal campaign payoff," by The Philadelphia Inquirer's Jeremy Roebuck, Chris Brennan and Tricia L. Nadolny: "U.S. Rep. Robert Brady's lawyer pushed back Wednesday against federal prosecutors' claims that the congressman secretly paid a political rival $90,000 to drop a bid to unseat him in the 2012 Democratic primary. Scoffing at the depiction of the money as a covert payoff, attorney James Eisenhower said that the funds were intended in part to acquire exclusive rights to valuable polling data from the primary challenger, Municipal Court Judge Jimmie Moore." **Full story.**

PELOSI, PELOSI, PELOSI - "Voter by voter, GOP super PAC tries to separate the party from Trump," by The Washington Post's Dave Weigel: "...The CLF's multimillion-dollar campaign, unfolding this year in 20 targeted districts and expanding next year to 30, is an ambitious bet that the Republican House majority can be spared from midterm backlash over President Trump. If it works, each endangered Republican will be reintroduced to voters as a post-partisan who delivers on their key issues; each Democratic challenger will be framed as a vote for Rep. Nancy Pelosi (D-Calif.) to snatch back the speaker's gavel while empowering an anti-Trump 'resistance' that only wants to wreck the country." **Full story.**

ICYMI - Facebook donates $500,000 to 'secure elections' from meddling, via POLITICO's Nancy Scola: "Facebook is contributing half a million dollars to getting off the ground a new Harvard project aimed at combating digital interference in democratic elections, the tech company said today." **Full story.**

CODA - QUOTE OF THE DAY: "We don't comment on casting." - An ABC spokeswoman, asked to comment on the possibility that "Dancing with the Stars" is trying to recruit former press secretary Sean Spicer, POLITICO reported.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/27/house-democrats-tread-lightly-into-2018-primaries-221553

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Today's PLAYBOOK presented by Morgan Stanley
05/31/2017 06:42 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman) and ANNA PALMER (anna@politico.com; @apalmerdc) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Good Wednesday morning. THE TWEET READ ROUND THE WORLD -- @realDonaldTrump at 12:06 a.m.: "Despite the constant negative press covfefe". The tweet stood alone -- nothing before it, or after it. If you had any doubt that the president of the United States was sitting late at night with his own device in the White House residence, this should probably dispel that. Trump deleted the tweet at some point in the 5 a.m. hour. #covfefe is now a trending hashtag on Twitter and launched an Urban Dictionary entry overnight (http://bit.ly/2qzNP3i). ***See the deleted tweet, which got over 126,000 retweets and 160,000 likes*** http://bit.ly/2sdnZPy

--@realDonaldTrump at 6:09 a.m.: "Who can figure out the true meaning of "covfefe" ??? Enjoy!"

--@jimmykimmel at 2:15 a.m.: "More what makes me saddest is that I know I'll never write anything funnier than #covfefe".

NOW BACK TO REALITY -- AP's VIVIAN SALAMA: "Trump's cellphone diplomacy raises security concerns": "President Donald Trump has been handing out his cellphone number to world leaders and urging them to call him directly, an unusual invitation that breaks diplomatic protocol and is raising concerns about the security and secrecy of the U.S. commander in chief's communications. Trump has urged leaders of Canada and Mexico to reach him on his cellphone, according to former and current U.S. officials with direct knowledge of the practice. Of the two, only Canadian Prime Minister Justin Trudeau has taken advantage of the offer so far, the officials said. ...

"Presidents generally place calls on one of several secure phone lines, including those in the White House Situation Room, the Oval Office or the presidential limousine. Even if Trump uses his government-issued cellphone, his calls are vulnerable to eavesdropping, particularly from foreign governments, national security experts say. 'If you are speaking on an open line, then it's an open line, meaning those who have the ability to monitor those conversations are doing so,' said Derek Chollet, a former Pentagon adviser and National Security Council official now at the German Marshall Fund of the United States." http://apne.ws/2qAheGe

BUZZ -- The White House is scouting office space for the much-speculated about new White House "war room" in the Eisenhower Executive Office Building next to the White House. (There isn't much open office space in the West Wing these days.) The war room would manage fallout from the scandals engulfing the Trump administration. Corey Lewandowski -- one of the potential hires for the war room -- has been spotted in and around the White House in recent days.

FIRST IN PLAYBOOK: MITT ROMNEY'S annual retreat -- the E2 Summit -- will be June 8-10 at the Stein Eriksen Lodge in Park City. On the docket this year: Sens. John McCain (R-Ariz.) and Lindsey Graham (R-S.C.), Speaker Paul Ryan (R-Wis.), former Canadian Prime Minister Stephen Harper, former CIA Director Mike Morell and Microsoft Chairman John Thompson. **GET YOUR MONEY'S WORTH!:** There will be "enthusiast sessions" like trap shooting with Paul Ryan, pilates with Ann Romney and early-morning hikes with Mitt Romney.

HOT VIDEO -- @AlexanderEmmons: "Watch as Stuart Jones, a high-level acting official in the State Dept, is asked why they criticize Iranian elections but never Saudi Arabia:" http://bit.ly/2qz8VP0 ... ***Jones is retiring soon after a career as a foreign service officer.***

INSIDE THE WEST WING -- "As Trump Weighs Shake-Up, He Faces Recruiting Challenge," by NYT's Peter Baker and Maggie Haberman: "[T]alks with two former advisers, Corey Lewandowski and David N. Bossie, about joining the White House staff [have grown] more complicated. Mr. Bossie ... signaled that he does not plan to join the staff, citing family concerns, one person close to the discussions said Tuesday. ... Whether Mr. Trump will actually reorganize his White House team remained uncertain.

"He has often talked about expelling people from his orbit, only to decide not to, as he did with Stephen K. Bannon, his chief strategist, a few weeks ago. Seemingly reinvigorated, Mr. Bannon is now among those leading the effort to convince the president that he needs to overhaul his operation to focus more intensely on the nationalist policy goals that animated his candidacy. ... The president has joked repeatedly with [Reince] Priebus, whose mother is of Greek descent, that he would send him to Athens as ambassador to Greece. Speculation grew last week when a list of ambassadors was compiled at Mr. Priebus's request, and the Athens position was left blank, officials said." http://nyti.ms/2sl95Gi

POLITICO STARS ANDREW RESTUCCIA and **JOSH DAWSEY: "Russia probe scares off potential appointees":** "Four people who work closely with prospective nominees told POLITICO that some potential hires are having second thoughts about trying to land executive branch appointments as federal and congressional investigations threaten to pose a serious distraction to Trump's agenda. ... According to the nonpartisan Partnership for Public Service, the White House has announced nominees for just 117 of the 559 most important Senate-confirmed positions." http://politi.co/2rDE8Rd

-- WHO REPLACES MIKE DUBKE?: Communications director to President Donald Trump is a nearly impossible job. Setting a message for a man who could undermine it with a tweet is not a terribly appealing job to the top communicators in D.C., many of them tell us. Who should get the job? Drop us a line, we'll be publishing a round of ideas in the coming Playbooks.

DEADLINE WATCH -- PRESIDENT TRUMP must decide by tomorrow whether he will move the U.S. embassy from Tel Aviv to Jerusalem. He can sign a six-month waiver to keep the embassy in Tel Aviv while he continues to seek Middle East peace. He can also extend the waiver while signaling his intent to move it eventually. That's what we hear he'll do.

DEPT. OF TIME TICKING -- "Trump's window for scoring early legislative victories is shrinking," by WaPo's Damian Paletta and Mike Debonis: "President Trump faces an increasingly narrow path to win major legislative victories before the looming August recess, with only two months left to revive his health-care or tax initiatives before Congress departs for a long break. White House officials said Tuesday that Trump has become increasingly incensed that legislation is bogging down in the Senate, something they blame on Democrats. ...

"White House officials plan to push Senate Republicans in June to vote on a repeal of the Affordable Care Act, and they want to spend the rest of the summer whipping up support for major tax cuts. They are also planning to push lawmakers soon to consider an infrastructure package, although that effort has also moved more slowly because his staff hasn't put together a final plan." http://wapo.st/2slrpip

-- BACK IN REALITY ... -- Can the Senate cobble together a health-care plan in June? Sure anything can happen. Is it likely? No. They have hardly started putting together their own version of a health-care overhaul, and last week, Senate Majority Leader Mitch McConnell said, "I don't know how we get to 50 (votes) at the moment. But that's the goal." That means they are nowhere close, at the moment. Keep in mind the next time you hear the White House predict something: they've been saying for months that they are on the brink of releasing an infrastructure package. After the August recess it only gets tougher. Congress will have to fund government, lift the debt ceiling and then it's campaign season.

****** **A message from Morgan Stanley:** Morgan Stanley's innovative financing is helping Unilever advance a commitment to sustainable growth. Capital creates change. Read the full story at morganstanley.com/unilever. CRC 1313323 10/15 ******

FOR YOUR RADAR -- "Bombing in diplomatic area of Kabul kills 80, wounds scores," by AP's Rahim Faiez and Amir Shah in Kabul: "A massive explosion rocked a highly secure diplomatic area of Kabul on Wednesday morning, killing 80 people and wounding as many as 350, an attack that left a scene of mayhem and destruction and sent a huge plume of smoke over the Afghan capital. The target of the attack -- which officials said was a suicide car bombing -- was not immediately known, but Ismail Kawasi, spokesman of the public health ministry, said most of the casualties were civilians, including women and children. It was one of the worst attacks Kabul has seen since the drawdown of foreign forces at the end of 2014.

"Associated Press images from the scene showed the German Embassy and several other embassies located in the area heavily damaged in the explosion. It wasn't known if any foreign diplomats were among the casualties but Germany and Pakistan said some of their embassy employees and staff were hurt in the explosion." http://apne.ws/2qzy9Nf

JARED'S MOOD from **ANNIE KARNI,** the master of Jared intrigue **-- "Kushner tries to pretend everything's normal":** "There has been no rallying the troops in the White House, and no open acknowledgement from President Donald Trump's son-in-law, Jared Kushner, that he has transformed from behind-the-scenes West Wing powerbroker to its lead distracting story. Kushner led three meetings in the West Wing on Tuesday -- and never once acknowledged the stories about him that dominated cable news since last week, when it was reported that during the campaign he discussed setting up a secret communications backchannel to Moscow." http://politi.co/2qyFBbB

MATT NUSSBAUM, TARA PALMERI and **JOSH DAWSEY -- "Spicer's 'middle finger' to the press":** "On the recent trip abroad, he repeatedly showed the strain of the job. At one point, he got drinks with a group of other staffers and reporters in Jerusalem, where he was adamant that the conversation steer clear of work. 'The most we've seen of Sean [Spicer] was at a rooftop bar in Jerusalem,' said one U.S. journalist on the trip. 'But he refused to take work-related questions and said if you asked him a work-related question, then you had to take a shot.' The comment was made in jest, according to people present, and no shots were taken." http://politi.co/2rTM14V

INSIDE STATE -- "Tillerson's Enigmatic Chief of Staff Wields Power, Not Spotlight," by Bloomberg's Nick Wadhams: "One unfamiliar name stood out among the coterie of family and aides President Donald Trump brought into his meeting with Pope Francis at the Vatican last week: Margaret Peterlin. The presence of Peterlin -- Secretary of State Rex Tillerson's chief of staff -- underscored the former congressional staffer and Mars Inc. lawyer's growing clout in the administration. Not even Press Secretary Sean Spicer, a practicing Catholic who interacts with Trump almost daily,

made it to the Papal audience, which included Tillerson as well as Melania and Ivanka Trump.

"Peterlin, a Navy veteran who as a congressional aide helped draft the Patriot Act after the Sept. 11 attacks, gained Tillerson's trust by navigating him through his Senate confirmation hearings in January. With most top State Department jobs unfilled, Peterlin has more power than any chief of staff in recent memory, bringing in key associates to fill critical openings." https://bloom.bg/2qzcVzh

-- FASCINATING DETAIL: "She's become famous within the State Department for the Post-it notes she leaves on staff members' computer monitors asking them to chase tasks. Other times she prints out emails and attaches Post-its to them, with instructions on how to proceed."

THE FAMILY -- "Arrested, missing China activists spark criticism of Trump," by AP's Erika Kinetz in Shanghai: "The arrest and disappearance of three labor activists investigating a Chinese company that produces Ivanka Trump-branded shoes in China prompted a call for her brand to cease working with the supplier and raised questions about whether the first family's commercial interests would muddy U.S. leadership on human rights. The men were working with a U.S. nonprofit to publish a report next month alleging low pay, excessive overtime and possible misuse of student labor, according to China Labor Watch executive director Li Qiang, who lost contact with the investigators over the weekend. China Labor Watch has been exposing poor working conditions at suppliers to some of the world's best-known companies for nearly two decades, but Li said his work has never before attracted this level of scrutiny from China's state security apparatus." http://apne.ws/2rj1GI2

NEW POLITICO/MORNING CONSULT POLL -- "Poll: Support for Trump impeachment rises," by Steven Shepard: "An increasing percentage of voters want Congress to impeach President Donald Trump - even if they don't think Trump has committed the 'high crimes and misdemeanors' the Constitution requires. Forty-three percent of voters want Congress to begin impeachment proceedings, according to a new POLITICO/Morning Consult poll, up from 38 percent last week. ...

"But that's still less than the 45 percent who don't want Congress to impeach Trump, down a tick from 46 percent the week before. Only three American presidents in history have faced legitimate impeachment threats. Much of the support for impeaching Trump comes from political considerations, the poll shows - not a belief that Trump is actually guilty of impeachable offenses, like treason, bribery or obstructing justice." http://politi.co/2rEa34b

MEDIAWATCH -- "Scott Pelley out as CBS Evening News anchor," by Hadas Gold: "Scott Pelley is out as 'CBS Evening News' anchor, POLITICO has confirmed. Pelley will stay with the network as a full-time correspondent for '60 Minutes,' according to people familiar with the decision. The New York Post first reported the news on Tuesday evening. A formal announcement is expected on Wednesday. Those familiar with the

situation said the removal has been in the works for a while. Guest anchors will fill the evening news chair until a replacement is chosen. Pelley has been out on '60 Minutes' assignment for the past few days, but he's expected to return to the anchor seat to say farewell to viewers." http://politi.co/2rDwZR2

-- SEND US YOUR IDEAS for who should take over the anchor chair at CBS. We'll publish some names in Playbook.

TRUMP'S WEDNESDAY -- THE PRESIDENT is meeting with Secretary of State Rex Tillerson and later will host Vietnamese Prime Minister Nguyen Xuan Phuc to the White House.

THE JUICE ...

-- FIRST IN PLAYBOOK -- OZY Fest, happening July 22 at Central Park's Rumsey Playfield in NYC, is adding a number of political speakers to its lineup: Sen. Kirsten Gillibrand (D-N.Y.), Jill Biden, Mark Cuban and Marcus Samuelsson.

-- HAPPENING TODAY -- Recode co-founders Kara Swisher and Walt Mossberg will interview Hillary Clinton at Recode's annual Code Conference in Rancho Palos Verdes, California. Clinton is expected discuss Russia's efforts to influence 2016, the state of play in politics and tech's gender gap. The interview will be broadcast live on CNBC and livestream on Facebook and Periscope at 3:15 p.m. eastern.

INTRODUCING LONDON PLAYBOOK: Jack Blanchard -- currently the Daily Mirror's political editor -- is joining POLITICO Europe to launch a London Playbook starting Sept. 4. Blanchard will bring our flagship product to London and all those interested in what makes Europe's global city tick, as the U.K. seeks out a new role in Europe and the world. Blanchard has worked at the Boston Standard and Yorkshire Post, and he is also a Sky News contributor. ***Read POLITICO Europe Executive editor Matt Kaminski memo*** http://politi.co/2qF16lZ ... ***To sign up early*** http://politi.co/2qyWQJA

-- POLITICO EUROPE has also launched a U.K. Election Tracker. ***Available for iPhones*** http://politi.co/2sl4gN1

Playbook Reads

TRUMP'S PARIS OPTIONS -- "Trump's climate conundrum nears a verdict," by Andrew Restuccia: "Donald Trump's advisers have sent wildly different messages to U.S. allies about the president's willingness to remain in the Paris climate agreement - adding to the confusion as he appears set to render a verdict this week. ... For all the mystery, though, Trump has only a few main options for dealing with the non-binding climate deal, one of former President Barack Obama's proudest diplomatic

achievements. He can stick with the deal, while unwinding most of Obama's climate policies and pledges for reducing greenhouse gas pollution. He can use the threat of leaving to push other countries for concessions that benefit U.S. fossil fuels. He can even try to renegotiate the agreement - highly implausible, given that nearly 200 governments took part in crafting it. Or he can do nothing." http://politi.co/2qyQOZt

FLYNN WATCH -- "Flynn to provide some documents in response to Senate subpoenas," by Darren Samuelsohn and Austin Wright: "Michael Flynn has now agreed to provide some documents to the Senate Intelligence Committee as part of its investigation into Russia's meddling in the presidential election. The decision by President Donald Trump's former national security adviser comes after initially refusing last week to comply with an initial subpoena.

"Flynn informed the committee in a letter Tuesday he will provide some documents related to his two businesses, along with some personal materials, according to a source close to Flynn who spoke on the condition of anonymity. Flynn is expected to begin providing documents on a rolling basis by June 6, the source said." http://politi.co/2rDQpoX

-- "Mike Flynn's Pro-Turkey Work: An Unfinished Documentary to Boost Country's Image," by WSJ's Dion Nissenbaum: "Last fall, as retired Lt. Gen. Mike Flynn traveled the country stumping for Donald Trump, his business partner holed up in a small Washington hotel room with the former head of Turkish military intelligence to work on a special project. 'General, hi. I'm Bijan Kian, welcome to Washington, D.C.,' Mr. Kian, the head of Mr. Flynn's consulting firm, greeted the Turkish dignitary. 'Gen. Flynn, my partner, sends his regards to you.' The hotel room meeting was filmed as part of a documentary the Flynn Intel Group was producing for a Turkish businessman, who paid $530,000 to the lobbying shop to polish the country's image after a botched military coup. That contract has landed Mr. Flynn in legal jeopardy. The unfinished, never-distributed film, details of which haven't been previously reported, appears to represent the core of the Flynn Intel Group's work for Turkish interests." http://on.wsj.com/2qyIRno

****** **A message from Morgan Stanley:** Capital creates a fresh perspective. Can business contribute to a sustainable future? Absolutely. Morgan Stanley helped Unilever point the way forward raising £250 million ($415 million) with a first-of-its-kind green bond offering. The capital went toward projects that promote Unilever's vision of reducing waste, water use and greenhouse gases by 30% in existing factories compared with 2008 levels. In new factories funded by this green bond, Unilever is committed to cutting in half CO2 emissions, water use and waste. Now Unilever can have less impact on the planet.[1] Capital creates change. morganstanley.com/unilever

DISCLAIMER:
[1]Above statements based on Unilever's project selection criteria, communicated in the company's press release dated March 19, 2014. Exchange rate used to calculate "$415 million" was as published by Bloomberg on March 19, 2014, of 1.6644. For further details and information about Unilever's green bond issuance, please see Unilever's

press release dated March 19, 2014. CRC 1297328 10/15 ******

DEEP DIVE - BETHANY MCLEAN in Vanity Fair's Summer issue, "How Wells Fargo's Cutthroat Corporate Culture Allegedly Drove Bankers to Fraud": "Most Americans have assumed their bank accounts are sacrosanct. But with the major scandal unfolding at Wells Fargo, angry former employees illuminate the alarming pressure that allegedly led local bankers to defraud perhaps more than a million customers." http://bit.ly/2sdaaAJ

WHAT WALL STREET IS READING - "Steven Cohen's Hedge-Fund Comeback Shoots for a Record Target: $20 Billion," by WSJ's Rob Copeland: "Mr. Cohen's goal is to amass $20 billion once he gets back in the business as early as next year, he and his representatives have said in conversations with bankers, colleagues and potential investors. That would likely include his family fortune of $11 billion. The new target would blow past the $16 billion managed at peak by Mr. Cohen's SAC Capital Advisors LP, one of the most profitable hedge-fund firms in the U.S. before it pleaded guilty to criminal insider trading charges in 2013." http://on.wsj.com/2ragquC

MEDIAWATCH -- "Megyn Kelly: I don't love politics," by Hadas Gold: "Megyn Kelly has a confession: She doesn't love politics. 'I was not born to be a political news anchor,' she said, in a POLITICO interview. The newly minted NBC anchor was known for her fast-paced, hard-hitting nightly show on Fox News and moderating prowess on the debate stage, tangling with then-candidate Donald Trump. But now that she's set to launch a Sunday news magazine show and a daily morning show on NBC, Kelly said she's happy to be leaving the political frying pan. 'No, I'm not going to miss the crazy news cycle. The audience enjoyed the show and I'm grateful for it,' Kelly said. 'But it wasn't who I was and it isn't who I am. ... While I will cover politics ... I don't want to do only that. It's not enough for me personally.'" http://politi.co/2rTrYn4

PHIL RUCKER: STAR OF THE ONION -- "'Washington Post' Reporter Frustrated Every Space In Parking Garage Taken Up By Anonymous Source" - The Onion: http://bit.ly/2rnaOhb

Playbookers

SPOTTED -- Sen. Patty Murray (D-Wash.) in coach on a Seattle-appropriate purple rain jacket, on a delayed Alaska 2 from Seattle to DCA Tuesday ... House Transportation Chairman Bill Shuster in jeans and short sleeves at Joe's Stone Crab's bar Tuesday ... Arkansas Lt. Gov Tim Griffin and Rep. Barbara Comstock (R-Va.) at Landini Brothers Restaurant last night in Old Town Alexandria. Griffin and Comstock go way back to when they were counsels on the House Government Reform Committee with investigator Dave Bossie. Comstock and Griffin later led the research effort in 2000 on Al Gore with senior researcher Matt Rhoades. Griffin was a member of Congress from 2010 until 2014.

WEEKEND WEDDING -- Emily Howell, former POLITICO assistant editor, on Saturday married **Lyndon DeSalvo,** a recent graduate from University of Pennsylvania's city planning masters program. The ceremony was at Mad River Barn in the beautiful Green Mountains in Waitsfield, Vermont. The couple met more than a decade ago while attending Carleton College in Northfield, Minnesota. They have since traveled the globe together. After a honeymoon in Mexico, the newlyweds are moving to Cambridge this summer where the bride will be pursuing a MPH at Harvard. Among the attendees were bridesmaid Vivyan Tran (former Politico and current WSJ, who sat behind Bernie Sanders on her flight back to Newark from Burlington) and Tim Lueders-Dumont (policy director for Vermont State Treasurer). ***Pics*** http://bit.ly/2rDt3j2 ... http://bit.ly/2rDYjyt

WELCOME TO THE WORLD -- Ashley Verville, communications director for Rep. Ed Perlmutter (D-Colo.) and **Shane Verville** , performance coach at U.S. Bank, welcomed Olivia Lynn Verville last Wednesday. ***Pic*** http://politi.co/2rjeiz7

-- Molly Murphy, partner at ALG Polling, and **Sean Dryden,** senior analyst at PerryUndem Research and Communication, welcomed a baby boy, Charlie Cooper Dryden, over the Memorial Day weekend. Charlie came in at 7 lbs 8 oz. Since his parents are pollsters, "the kid is going to have a knack for math and was statistically within the margin of error in all categories."

ENGAGED - ROMNEY ALUMNI -- Micah Spangler, deputy director of legislative affairs at the United Nations Foundation, proposed to **Jill Nguyen**, senior client strategy manager at Phone2Action, over the Memorial Day weekend. "Micah popped the question on the steps of Mexico City's historic Metropolitan Cathedral. The two first met in early 2016 but didn't start dating until this year, when, after preparing to collaborate on an advocacy event at UN Headquarters, Jill (a vocal Hillary supporter) texted Micah (a former Romney 2012 staffer), 'I can't believe you're a Republican.'" ***Pic*** http://politi.co/2qyMYjf

TRANSITIONS -- Julie McClain Downey started last week as national director of campaign communications at EMILY's List. She most recently served as the New Hampshire communications director for the Hillary Clinton campaign. ... **John Martin** started on Tuesday as principal associate commissioner for legislation at the FDA. Martin, the pride of Grapevine, Texas, most recently served as legislative director for Sen. Tom Cotton (R-Ark.). ... **Tom Rogan** has been named a commentary writer at the Washington Examiner. He was previously a contributor. http://bit.ly/2rakB9S ... **Alberto Martinez,** EVP at Targeted Victory and former chief of staff to Sen. Marco Rubio, has joined Maverick PAC's board of directors.

BIRTHWEEK (was yesterday): Jake Hargraves ... Scott Mason, former Lowe's lobbyist, former director of congressional affairs for the Trump campaign and the transition, now at Holland & Knight (hat tip: Theo Meyer) ... Jeff Freeland, OMB legislative staffer, former deputy COS for Rep. Chris Collins and former Trump congressional volunteer ... Stratton Kirton ... Rob Noel ... Loren Duggan ... **(was**

Saturday): Andrew Tabler of The Washington Institute for Near East Policy (h/t Mallory Shelbourne)

BIRTHDAY OF THE DAY: Lauren Passalacqua, comms director at the DSCC, a Gillibrand alum and noted country music fan. How she's celebrating: "It's a surprise! I've shown uncharacteristic restraint by not prying for information." Read her Playbook Plus Q&A: http://politi.co/2qA0y1P

BIRTHDAYS: Michael O'Connor, partner at Williams & Connolly and co-chair of its Transactions and Business Counseling practice group (h/t Robert Barnett) ... Al From, the pride of South Bend, Ind. ... Clint Eastwood is 87 ... Bernard Goldberg is 72 ... Katie Troller Bond ... Aditi Srinivas ... Rep. Larry Bucshon is 55 (R-Ind.) ... Rep. Madeleine Z. Bordallo (D-Guam) is 84 ... Politico's Janet Michaud, Brad Bosserman, Matt Berman, Jamie Oh and Hugh Stapleton ... RNC finance alum Angela Meyers ... Debra DeShong, EVP and managing director at Subject Matter (h/t Amy Weiss) ... McClatchy's Julie Moos ... Dan Iten ... Clark Judge, founder and managing director of White House Writers Group ... Phil Elwood, principal at Chester Creek Consulting ... "Last Week Tonight" writer Juli Weiner ... former Rep. Duncan Hunter (R-Calif.) is 69 ...

... Bert Kaufman ... Ray Quintero, principal at Healthsperien (h/t Kristofer Eisenla) ... Vidhya Murugesan ... Saul Levine is 79 ... Jay Dana is 3-0 ... Dan Pino is 28 ... Howard Homonoff, SVP at MediaLink (h/t Michael Knopf) ... billionaire Ira Rennert is 83 ... Rabbi Aaron Potek is 31 (h/ts Jewish Insider) ... Fariba Yassaee (h/t Ben Chang) ... Marilyn Tavenner, president and CEO of AHIP ... Erik Telford, VP of digital at In Pursuit Of ... Ray Quintero ... Sara Carter, national security/war correspondent at Sinclair's Circa ... Paul Heinan ... Stephanie Weix ... Rhonda Roberts (h/ts Teresa Vilmain) ... Karen Quarles ... Pamela Hughes ... Steve Duprey ... Bill Oglesby ... Alix Heard ... Joe Namath is 74 ... DMC is 53 ... Brooke Shields is 52 ... Colin Farrell is 41 (h/ts AP)

****** **A message from Morgan Stanley:** Capital creates a fresh perspective. Can business contribute to a sustainable future? Absolutely. Morgan Stanley helped Unilever point the way forward raising £250 million ($415 million) with a first-of-its-kind green bond offering. The capital went toward projects that promote Unilever's vision of reducing waste, water use and greenhouse gases by 30% in existing factories compared with 2008 levels. In new factories funded by this green bond, Unilever is committed to cutting in half CO2 emissions, water use and waste. Now Unilever can have less impact on the planet.[1] Capital creates change. morganstanley.com/unilever

DISCLAIMER:
[1]Above statements based on Unilever's project selection criteria, communicated in the company's press release dated March 19, 2014. Exchange rate used to calculate "$415 million" was as published by Bloomberg on March 19, 2014, of 1.6644. For further details and information about Unilever's green bond issuance, please see Unilever's press release dated March 19, 2014. CRC 1297328 10/15 ******

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Daily Environment Report

July 12, 2017 - Number 132

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Leading the News

Budget

House Seeks EPA Budget Cut, But Not As Much As Trump Wants

House appropriators proposed a modest cut for environmental and public lands agencies in their spending bill for fiscal year 2018, reducing funding to $31.4 billion from the $32.37 billion for current spending levels. That funding level is $4.3 billion above what was included in President Donald Trump's budget request.

Climate Policy

Colorado Vows Carbon Cuts in Support of Paris Climate Deal

Colorado vowed to slash statewide greenhouse gas emissions by a quarter from 2005 levels by 2025 as Gov. John Hickenlooper (D) announced plans to join a multi-state alliance to meet the goals of the international Paris climate change agreement.

News

Biotechnology

Dow Soybean Draws Objection From EU Environment Panel

The European Parliament environment committee July 11 signaled to EU regulators that they shouldn't authorize use of a Dow AgroSciences genetically modified soybean.

Budget

House Appropriators Reject Call to Shutter Chemical Safety Board

The U.S. Chemical Safety Board, targeted for elimination in the White House's budget request earlier this year, would continue operating under a funding proposal released July 11 by a House subcommittee.

Chemical Security

EPA, Industry Back Chemical Security Rule Delay

EPA Administrator Scott Pruitt acted appropriately when he moved to delay new chemical plant security rules, agency attorneys and industry groups said in court filings July 10.

Climate Change

Banks Heed Carney's Call to Tackle Risks of Climate Change

Eleven major banks including Barclays Plc, Citigroup Inc. and UBS AG said they'll seek ways to address the financial risks of global warming, after Bank of England Governor Mark Carney urged investors to act on the threat.

Climate Regulation

EU Panel Backs 'Stop-the-Clock' Emissions Exemption for Airlines

Long-haul flights that arrive in or leave European Union airports would continue to be exempted from a requirement to participate in the bloc's greenhouse gas emissions trading system, under a legislative proposal backed by the European Parliament's environment committee July 11.

Emissions Trading

California Reaches Deal to Extend Climate Trading Program

Large California industries would be shielded from local greenhouse gas regulations, but would need to curb emissions of other harmful air pollutants under bills to reauthorize the state's carbon trading program.

Emissions Trading

EU May Be Required to Keep Carbon Sink Emissions At, Below Zero

European Union countries would be required to keep combined greenhouse gas emissions from carbon sinks, such as forests, at or below zero from 2021 to 2030, under a plan approved July 11 by the European Parliament's environment committee.

Energy

Tesla's Australian Battery Fix Comes at 'Big Price,' Analyst Says

Billionaire Elon Musk's plan to install a giant battery to help fix a power crisis in South Australia will come at a "big price" with installation costing 60 percent more than alternative open cycle gas plants, according to Wood Mackenzie Ltd.

Energy

Trump Taps Business Executives for Energy Undersecretary Jobs

President Donald Trump announced his intent July 11 to nominate executives at J.P. Morgan and Berkshire Hathaway Energy for two Energy Department undersecretary posts.

Enforcement

U.S. Wants Man Convicted in Illegal Dump Case to Pay $3.7M

An upstate New York man convicted in 2013 of allowing his property to be used as an illegal dump for hazardous construction debris should be ordered to pay $3.7 million to reimburse the EPA for cleaning up the site, the Justice Department said.

Fuel Efficiency

Carmaker Fines for Fuel Economy Shortfalls Under Review by U.S.

The Trump administration is considering easing steeper fines proposed by Obama-era regulators for automakers that don't meet tougher fuel economy standards, a move that would give a break largely to luxury brands like Jaguar, BMW and Porsche that have paid the highest penalties in the past.

Maritime Affairs

Ships Get More Time to Combat Invasive Marine Organisms

The world's 40,000 merchant shipowners and operators have been granted two extra years—until 2024—to prepare for new rules on how to treat ballast water to prevent invasions of aquatic species, the International Maritime Organization said July 11.

Mining

Alaska Gold Mine Project Inches Forward

The Trump administration took the next step July 11 toward allowing a massive gold, copper, and molybdenum mine to be built in Alaska.

Motor Vehicles

China Likely to Extend Tax Break on Electric Cars, Auto Group Says

China is likely to extend a purchase-tax exemption on electric cars to promote the vehicles, whose sales have outpaced broader industrywide deliveries, according to the state-backed auto association.

Motor Vehicles

London's Iconic Black Cabs Go Electric; Bound for Amsterdam

Hundreds of London's black cabs will start appearing on the roads of Amsterdam next year, powered by batteries instead of diesel fuel, marking the first international sale for Geely Automobile Holdings Ltd.'s new electric taxi.

PCBs

Monsanto's PCB Superfund Countersuit Tossed Again

Monsanto Co. can't pursue Superfund cost recovery counterclaims against Spokane, Wash., over PCB river contamination, the Eastern District of Washington ruled July 10 (City of Spokane v. Monsanto Co., 2017 BL 236833, E.D. Wash., No. 15-cv-00201, 7/10/17).

Pesticides

Environmentalists Urge EPA to Test All Pesticide Ingredients

The EPA must assess environmental and health effects for all pesticide ingredients, not just the active ingredients that kill pests, the Center for Food Safety argued in a July 10 petition to the agency.

Risk Assessment

EPA Chemical Risk Reviews Demand New Rigor Under Amended Law

EPA scientists are grappling with meticulous new methods imposed by the nation's primary chemicals law for reviewing risks, a senior agency official said.

Practitioner Insights

Chemicals

Practitioner Insights: EPA's New Chemical Delays Causing Ripple Effect

By Robert F. Helminiak: Experts agree the Frank R. Lautenberg Chemical Safety for the 21st Century Act (LCSA), the Toxic Substances Control Act (TSCA) reform bill enacted last June, is an improvement over the old TSCA of 1976. It clearly strengthened it. However, the new law has created a major disruption to supply chains due to the backlog of pre-manufacture

notices (PMNs), and innovation is starting to suffer. Society of Chemical Manufacturers and Affiliates (SOCMA) member companies are ...

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 6/15/2017 6:39:12 PM
Subject: Pruitt defends watershed work despite proposed cuts

By Annie Snider

06/15/2017 02:35 PM EDT

EPA Administrator Scott Pruitt sought to reassure skeptical lawmakers that the Trump administration's proposal to defund popular watershed cleanup programs would not interfere with their goals.

He did not offer any specifics on how that would happen.

Facing critical questions from both Democrats and Republicans on a House Appropriations subcommittee, Pruitt acknowledged that Congress was unlikely to go along with the proposal to zero-out programs targeting regions like the Great Lakes, which received $300 million this year, and Chesapeake Bay, which got $73 million.

Pruitt told Rep. Marcy Kaptur (D-Ohio) he could not recall whether he asked OMB Director Mick Mulvaney or other White House staff to eliminate the watershed programs. "In our discussions with OMB [we] talked about the importance of the Great Lakes Initiative," he said.

EPA will continue to facilitate states' efforts around such cleanups, he said.

"Honestly, money's important, but I think this leadership role is important as well, and that's going to continue," Pruitt told Rep. Dave Joyce (R-Ohio). Joyce was careful to call the funding blueprint the "Mulvaney budget" rather than attributing it to Trump.

As an example, Pruitt pointed to EPA's role bringing the six Chesapeake Bay states together around a landmark cleanup plan. As Oklahoma's attorney general, Pruitt joined a lawsuit challenging that plan, but he has recently said that he now sees the effort as a model for how states and the federal government can work together. However environmental groups say the administration's proposal to eliminate funding for the program would devastate that effort.

WHAT'S NEXT: The Appropriations subcommittee is expected to write EPA's fiscal 2018 spending bill later this summer.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/pruitt-defends-watershed-work-despite-proposed-cuts-089170

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Sent: Mon 8/28/2017 10:51:36 AM
Subject: POLITICO Playbook, presented by the American Bankers Association: 'CATASTROPHE' in Houston -- WAPO: Trump Organization wanted to build Trump Tower in Moscow during 2016 campaign -- Rove playbook back in 2018 -- JOHNNY DESTEFANO wedding -- B'DAY: Bill C...

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Today's POLITICO Playbook presented by the American Bankers Association

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to the Playbook Audio Briefing

Driving the Day

BUZZ-- **THERE IS ALREADY DISCUSSION** about Congress allocating emergency money to help rebuild Houston -- America's fourth-largest city -- after this massive storm. Remember: these legislative fights are not easy. As HuffPo's Matt Fuller **(@MEPFuller)** pointed out last night on Twitter, it's not always easy to pass these kinds of bills. We have to imagine the level of devastation in Houston, combined with the state's large delegation in Congress, will make this a bit easier.

Good Monday morning. WELCOME TO THE LAST WEEK of relative quiet in Washington. Congress is back next week and also has to deal with:

The National Flood Insurance Program expires at the end of September. ... **The FAA** needs its authority renewed by the end of September. ... **SCHIP,** a state-based children's health-care program, must be renewed by the end of September. ... **AND,** the government runs out of money Sept. 30 and the debt ceiling needs to be lifted by Sept. 29.

THERE ARE ROUGHLY 50 LEGISLATIVE DAYS left in 2017.

HOUSTON CHRONICLE FRONT PAGE - "SWAMPED BY HARVEY" http://bit.ly/2wVjq1k ... **NYT:** "Deadly Storm Transforms Houston Streets Into Raging Rivers" http://nyti.ms/2xqfMu1 ... **WAPO:** "Catastrophic flooding in Houston" ... **USA TODAY:** "CATASTROPHE: Inundated Houston faces an 'unprecedented' 50 inches of rain" ... **WSJ:** "Rain, Floods Deluge Texas".

DEVASTATION IN TEXAS -- HOUSTON CHRONICLE: "No end in sight to historic floods caused by Harvey," by Mike Tolson: "The normally matter-of-fact National

Weather Service joined in the excited reaction to a deluge that began just after dark Saturday night and promised never to end: 'All impacts are unknown and beyond anything experienced,' it said in a Sunday tweet. One of its meteorologists, Patrick Blood, hardly knew what to call it. 'It's catastrophic, unprecedented, epic -- whatever adjective you want to use,' he said.

"Houston Mayor Sylvester Turner said late Sunday that police and fire officials received nearly 6,000 calls and had rescued more than 1,000 people. Many of the high-water rescues involved people trapped on their roofs or in their attics in southeast Houston. 'It breaks your heart,' Houston Police Chief Art Acevedo said via livestream on Twitter, as he stood in waist-high water in north Houston. 'But it's Texas, we'll get through it.' ...

"Gov. Greg Abbott said 3,000 National Guard members will join the Texas Guard in areas ravaged by Harvey. The federal government declared Harris County a disaster area Sunday morning. President Trump said he would come to Texas to inspect damage on Tuesday if possible. On Sunday, the president praised the government response in a tweet, writing: 'Wow - Now experts are calling #Harvey a once in 500 year flood! We have an all-out effort going, and going well!'" http://bit.ly/2vC44Ky

-- Brian L Kahn (@blkahn): "Coast Guard flyover reveals stunning scope of Harvey flooding. Everything is underwater" http://bit.ly/2vBLum3

-- IT WILL BE INTERESTING TO WATCH how Trump surveys this storm. Both Houston airports, Hobby and George H.W. Bush Intercontinental, are closed. The city is completely paralyzed.

-- "Why Wasn't Houston Evacuated Before The 'Unprecedented' Storm?" by BuzzFeed's Nidhi Prakash: "Houston Mayor Sylvester Turner defended the decision, telling reporters at a press conference Sunday that officials did not expect the city to be directly in the line of the storm, and that there was not time to evacuate residents safely. 'In this particular case, the hurricane, we were not in the direct line,' Turner said. 'It is true we anticipated a lot of rain, a lot of rain. But the best place for people to be is in their homes.' 'You cannot in the city of Houston put 2.3 million people on the road. That is dangerous,' he continued.

"'When you combine Houston and Harris County, you literally cannot put 6.5 million people on the road. If you think the situation right now is bad, you give an order to evacuate, you are creating a nightmare. Especially when it's not planned.' To illustrate this, Turner pointed to the city's disastrous evacuation efforts during Hurricane Rita in 2005, when some 2.5 million residents tried to leave Houston before the storm, creating monumental traffic jams and leaving 100 people dead.'" http://bzfd.it/2wCcSF4

-- "FEMA director says Harvey is probably the worst disaster in Texas history," by WaPo's Joel Achenbach and Lisa Rein: "The disaster Hurricane Harvey - now a tropical storm - has created is immense in scale, encompassing thousands of square miles of

Southeast Texas. It has brought epic flooding that will affect millions of people. Rivers are still rising, the rain still falling. 'This will be a devastating disaster, probably the worst disaster the state's seen,' William 'Brock' Long, administrator of the Federal Emergency Management Agency, told The Washington Post on Sunday. 'The recovery to this event is going to last many years to be able to help Texas and the people impacted by this event achieve a new normal.'" http://wapo.st/2xFfizz

-- CLICKER - "Hurricane Harvey in Photographs: Powerful photos from the storm battering the Gulf Coast." ***28 pix on one page*** http://nyti.ms/2vvER5o

THE IMPACT, by AP's Marcy Gordon: "With the heavy precipitation expected to last for days, it's still unclear how bad the damage will be, but there is already evidence of widespread losses. Key oil and gas facilities along the Texas Gulf Coast have temporarily shut down, and flooding in the Houston and Beaumont areas could seriously pinch gasoline supplies. Companies operating in the Gulf of Mexico have evacuated drilling platforms and rigs, crimping the flow of oil and gas. Experts believe gasoline prices could increase as much as 25 cents a gallon." http://bit.ly/2wC2sVJ

HELPING HOUSTON -- DONATE TO THE RED CROSS http://rdcrss.org/2xqrjcC

MEXICO TO TRUMP: WE'RE NOT PAYING FOR THE WALL -- CNN: "In response [to a Trump Sunday tweet], the country's foreign ministry released a statement saying Mexico would not pay for a wall or other physical barrier at the border 'under any circumstances.' 'This determination is not part of a Mexican negotiating strategy, but a principle of national sovereignty and dignity,' the statement said." http://cnn.it/2xq6VIA

TRUMP'S MONDAY -- THE PRESIDENT will lunch with VP Mike Pence and Secretary of State Rex Tillerson. At 2 p.m., he's meeting with Education Secretary Betsy DeVos. At 3:15 p.m., Finnish President Sauli Niinisto gets to the White House. At 4:20 p.m., the two leaders hold a joint press conference.

****** **A message from the American Bankers Association:** It's no secret that banks help create jobs and economic growth by lending to America's employers. But America's banks themselves employ thousands of women and men. Can you guess how many? Is it 200,000, 1 million or 2 million? Find out:
http://www.aba.com/aba/americasbanks/index.html#jobs ******

SIREN -- "Trump's business sought deal on a Trump Tower in Moscow while he ran for president," by WaPo's Carol Leonnig, Tom Hamburger and Ros Helderman: "While Donald Trump was running for president in late 2015 and early 2016, his company was pursuing a plan to develop a massive Trump Tower in Moscow, according to several people familiar with the proposal and new records reviewed by Trump Organization lawyers. As part of the discussions, a Russian-born real estate developer urged Trump to come to Moscow to tout the proposal and suggested that he could get President Vladimir Putin to say 'great things' about Trump, according to several people who have been briefed on his correspondence.

"The developer, Felix Sater, predicted in a November 2015 email that he and Trump Organization leaders would soon be celebrating - both one of the biggest residential projects in real estate history and Donald Trump's election as president, according to two of the people with knowledge of the exchange. Sater wrote to Trump Organization Executive Vice President Michael Cohen 'something to the effect of, 'Can you believe two guys from Brooklyn are going to elect a president?" said one person briefed on the email exchange. Sater emigrated from what was then the Soviet Union when he was 6 and grew up in Brooklyn.

"Trump never went to Moscow as Sater proposed. And although investors and Trump's company signed a letter of intent, they lacked the land and permits to proceed and the project was abandoned at the end of January 2016, just before the presidential primaries began, several people familiar with the proposal said.

"Nevertheless, the details of the deal, which have not previously been disclosed, provide evidence that Trump's business was actively pursuing significant commercial interests in Russia at the same time he was campaigning to be president - and in a position to determine U.S.-Russia relations. The new details from the emails, which are scheduled to be turned over to congressional investigators soon, also point to the likelihood of additional contacts between Russia-connected individuals and Trump associates during his presidential bid." http://wapo.st/2wKZJdj

SUSAN GLASSER: "For All His Fire And Fury, Trump Hasn't Changed Much: Six months in, the president who shocked the world is a lot more conventional than his words suggest" http://politi.co/2xFQw2j

TRUMP'S WHITE HOUSE -- "Trump's prized perk: Oval Office photo ops," by Josh Dawsey: "Donald Trump has grown frustrated with many parts of being president. But the former showbiz star is still in love with one perk: The Oval Office photo op. Despite the weight of multiple Russia investigations, open war with GOP leaders and a stalled congressional agenda, Trump has spent considerable time grinning behind the Resolute Desk, where he summons visitors from PGA star John Daly to former campaign aides to pastors, truck drivers, tech CEOs, teachers and even journalists to pose in front of the gold curtains.

"He tells aides, from senior White House advisers to his private bodyguard, Keith Schiller, to snap the photos on cell phones, or he shouts for Shealah Craighead, the official White House photographer, to come in. The often impatient president will sometimes pose for several minutes per sitting, taking variations of a photo with a single group. He even stands with people to inspect the photos. 'Check the lighting,' one senior White House official said, describing his comments. 'Are your eyes closed? Do you want another? He knows these are special moments for people.'

"The photos illustrate how master-marketer Trump sees the job, White House officials say - and are one part of the presidency that don't seem to grate on him, even though

other presidents have barely tolerated the click-and-grin sessions." http://politi.co/2wBV6Sa

2018 WATCH -- "Team Trump turns to Rove playbook to juice 2018 turnout," by Alex Isenstadt: "Donald Trump's White House may take a page from the Karl Rove playbook. The administration has been in talks to put conservative initiatives on the ballot in 2018 midterm battleground states in hopes of energizing base voters dispirited by the performance of Republican-controlled Washington. The strategy is similar to the one Rove used in 2004. The George W. Bush political guru helped engineer a slate of anti-gay marriage amendments that year to boost GOP turnout in swing states such as Ohio, an approach that many are convinced helped pave the way for Bush's reelection. (Rove has denied accounts that he orchestrated the 11-state effort.)

"White House aides are less interested in a ballot initiative campaign focused on social issues, fearful that it would only serve to further stoke an already-motivated liberal base. Instead, according to three people familiar with the deliberations, they're considering initiatives involving tax reform and other economic issues seen as more likely to invigorate conservatives. Tax reform also goes to the heart of Trump's agenda, and he's expected to spend much of the fall pursuing it." http://politi.co/2whIIUl

FIRST IN PLAYBOOK - HMM -- AMERICAN ACTION NETWORK, the big-time conservative outside group, is launching a five-figure TV and digital ad thanking Rep. Tim Ryan (D-Ohio) for supporting tax reform. It's AAN's first ad to applaud a Democrat. ***The ad*** http://bit.ly/2xq4fuQ

SHADE, THROWN -- "Gorka Says McMaster Has 'Obama Lens' on Threat of Radical Islam," by Jerusalem Post's Michael Wilner: "In an interview with The Jerusalem Post, Gorka said he had not once heard H.R. McMaster speak critically of the state in his six months since taking office. 'I'm not here to feed stories of palace intrigue - I hate that, and I'm still loyal to the president and his agenda,' Gorka said. But 'I have never heard Gen. McMaster say things that are anti-Israeli. I've never heard that.' Gorka did, however, offer harsh criticism of McMaster's stance toward Islamists, speaking of the violent extremism as a problem inherent to Islam itself. McMaster 'sees the threat of Islam through an Obama administration lens, meaning that religion has nothing to do with the war we are in,' Gorka said. 'He believes -- and he told me in his office -- that all of these people are just criminals. That is simply wrong.'" http://bit.ly/2wBRorR

SARAH ELLISON in October's Vanity Fair, "Exiles on Pennsylvania Avenue: How Jared and Ivanka Were Repelled by Washington's Elite: "When I asked a longtime associate how Jared and Ivanka felt about their time in Washington, the first word uttered was 'sacrificial.' ... Ivanka is more practiced in the spotlight than Kushner, though she can be cold to staffers, particularly those who are not in favor with the president, according to a former West Wing aide. 'She tries to charm you at first, and then there'll be the cutting remark in front of her father,' the former adviser added. Kushner, though he tries to be casual and jokes with other staffers, can have even more of an edge.

"Once, when [Reince] Priebus asked Kushner what his team of [Reed] Cordish and [Chris] Liddell had been up to, Kushner retorted, according to someone who heard the exchange, 'Reince, we aren't getting paid. What the f*** do you care?' ... When they lived in New York, Kushner used to remind Ivanka that 'we're in the zoo, but let's try hard not to be part of the animals.' He often would add, 'You want to be watching.' The friend noted that Kushner has traded up into a higher-powered circle: 'He is rolling with the prince of Saudi Arabia and not the real-estate guys anymore.'" http://bit.ly/2xFJHxl

WSJ: "Uber Selects Expedia CEO Dara Khosrowshahi to Lead Company," by Greg Bensinger: "Uber Technologies Inc.'s board has voted to appoint Expedia Inc. Chief Executive Dara Khosrowshahi as its new CEO, capping a tumultuous nine-week search after Travis Kalanick resigned in late June, according to people familiar with the matter. Uber's board was deciding on Sunday between Mr. Khosrowshahi and Meg Whitman, chief executive of Hewlett Packard Enterprise Co., ultimately electing the lesser-known executive who has been at the helm of Expedia since 2005. Representatives for Uber didn't return requests for comment and an Expedia spokeswoman declined to comment." http://on.wsj.com/2wBVnEB

FUN STORY -- "Former Eagles All-Pro Jon Runyan explains why he's an Uber driver - and what happens when fans recognize him," by PhillyVoice's Matt Mullin: "Runyan, the one who spent nine of his 14 seasons in the NFL with the Eagles - has actually been driving for Uber for almost nine months now. And before you ask, he isn't broke. ... [H]e made more than $40 million in his NFL career and has continued to work throughout his post-football life - in addition to his work on radio on and TV, Runyan was a two-term U.S. Representative former New Jersey's 3rd congressional district (2011-2015) and is about to enter his second season as the NFL's Vice President of Policy and Rules Administration. So, no, Runyan isn't driving for Uber because he needs the money. The truth is, he just gets bored sometimes." http://bit.ly/2vBQg2F

REMINDER -- Power Briefing, our afternoon edition, is taking a break this week.

Playbook Reads

PHOTO DU JOUR: An unidentified man helps Carlos Torres, in tube, get to dry ground after Torres drove his tractor-trailer into a freeway flooded by Tropical Storm Harvey on Sunday near downtown Houston, Texas. | Charlie Riedel/AP Photo

MORE ZINKE DRAMA -- "Sale of Interior secretary's motor home raises $25K question," by AP's Bobby Caina Calva in Helena, Montana: "U.S. Interior Secretary Ryan Zinke's dormant congressional campaign committee recently sold a 2004 motor home at a steep discount to an old friend in the Montana Legislature. But a seemingly ordinary transaction between friends, when seen through the optics of stringent

campaign finance laws, can raise a bevy of questions - especially when those friends are politically high-powered and well-connected. ...

"The buyer, state Sen. Ed Buttrey, said the 37-foot (11-meter) recreational vehicle had engine problems and other damage, which would undercut its value. But he still felt he got a 'nice deal.' Buttrey maintains there was nothing improper about the transaction. Yet he acknowledged it might prompt questions, especially because he says he's in the final vetting stages for a key post in Zinke's Interior Department." http://bit.ly/2xpG3Zo

AT THE PENTAGON -- "Trump Forges Ahead on Costly Nuclear Overhaul," by NYT's David Sanger and William Broad: "During his speech last week about Afghanistan, President Trump slipped in a line that had little to do with fighting the Taliban: 'Vast amounts' are being spent on 'our nuclear arsenal and missile defense,' he said, as the administration builds up the military. The president is doing exactly that. Last week, the Air Force announced major new contracts for an overhaul of the American nuclear force: $1.8 billion for initial development of a highly stealthy nuclear cruise missile, and nearly $700 million to begin replacing the 40-year-old Minuteman missiles in silos across the United States.

"While both programs were developed during the Obama years, the Trump administration has seized on them, with only passing nods to the debate about whether either is necessary or wise. They are the first steps in a broader remaking of the nuclear arsenal - and the bombers, submarines and missiles that deliver the weapons - that the government estimated during Mr. Obama's tenure would ultimately cost $1 trillion or more." http://nyti.ms/2xq6b6q

****** **A message from the American Bankers Association:** America's banks play a critical role in generating economic growth while delivering safety and convenience for customers. The two million women and men who work for America's banks safeguard $12.9 trillion in deposits and originate $2.4 trillion in home loans. They provide $331 billion in loans to small businesses and $175 billion in loans to farmers and ranchers. Banks' fraud protection measures stop at least $11 billion in attempted fraud each year. And thousands of banker volunteers deliver financial literacy lessons annually to millions of young Americans to help them become financially successful adults. Find out more at www.aba.com/AmericasBanks, #AmericasBanks ******

SPEAKING OF TAX REFORM ... -- **"How Stephen M. Ross' gift to the University of Michigan ended up in tax court,"** by Detroit Free Press' Matthew Dolan and David Jesse: "On his way to becoming the University of Michigan's largest donor, Stephen M. Ross and a group of business partners donated a collective gift to his alma mater. In return, the partnership claimed a giant charitable tax deduction: $33 million. The [IRS] didn't buy it. IRS lawyers flagged Ross and his partners as engaging in a 'tax avoidance scheme lacking in economic substance ... to the benefit of Mr. Ross and his associates at Related Companies.' It would take nearly a decade of legal wrangling before U.S. Tax Judge James S. Halpern sided with the IRS last month and disallowed the entire $33-million write-off that the judge valued at a more paltry $3.4 million. The judge also

imposed maximum civil penalties for a 'gross valuation misstatement' that could now cost Ross and his partners millions more." http://on.freep.com/2vkrZ5X

THE WAVE OF PROTESTS -- "Masked anarchists violently rout right-wing demonstrators in Berkeley," by SF Chronicle's Lizzie Johnson, Erin Allday, Michael Cabanatuan and Nanette Asimov: "An army of anarchists in black clothing and masks routed a small group of right-wing demonstrators who had gathered in a Berkeley park Sunday to rail against the city's famed progressive politics, driving them out - sometimes violently - while overwhelming a huge contingent of police officers.

"Hundreds of officers tried to maintain calm in and around Martin Luther King Jr. Civic Center Park before the 1 p.m. 'No to Marxism in Berkeley' rally, putting up barricades, searching bags and confiscating sticks, masks, pepper spray and even water bottles. ... But once again, counterdemonstrators frustrated efforts by police, who numbered about 400. As the crowd swelled to several times that size, officers stepped aside and allowed hundreds of people angered by the presence of the right-wing rally to climb over the barriers into the park." http://bit.ly/2waStWA

Playbookers

SPOTTED: Rex Tillerson at Cactus Cantina with his wife and security on Sunday afternoon ... Janet Yellen on a United flight from Jackson Hole to Chicago in coach Sunday morning. She was coming back from the Fed conference at Jackson Lake Lodge ... Mike Cernovich yesterday at the Whole Foods in Logan Circle.

WEEKEND WEDDINGS -- BOEHNERLAND -- Johnny DeStefano, assistant to the president and director of presidential personnel, and **Sarah Cascio** got married on Saturday at the Cathedral of the Immaculate Conception in Kansas City, Missouri. ***Pic*** http://bit.ly/2iCECTV **SPOTTED:** Mike Sommers, Guy Harrison, Rep. Kevin Yoder (R-Kan.) and his wife Brook, former Rep. Deborah Pryce (R-Ohio), Josh Pitcock and his wife Katie, Paul and Autria Lindsay, Brian and Natasha Walsh, Mike Shields and Katie Walsh, Matt Lakin, Brett Loper, Anne Bradbury, John Criscuolo, Tom and Amy Allman Dean, Patrick Lyden, Kevin McGrann, Dave Schnittger, Josh Saltzman and his wife Mary.

-- **Robin Levy,** DC-based communications manager for Exelon, and **Justin Gray,** the Washington correspondent for Cox Media Group's TV news stations, were married Saturday at Lake Massapoag in Sharon, Massachusetts, where Robin grew up sailing. "The mid-afternoon wedding was followed by a reception in a boathouse overlooking the water. Following the wedding, the guests played bocce and cornhole before feasting on a traditional New England clambake, and ending the night with old school bomb pops. ... They met the traditional DC way, through mutual friends." ***Pic, courtesy of Zac Wolf*** http://bit.ly/2vk6RwD

-- CNN Situation Room producers **Meghan Rafferty** and **Elizabeth Hartfield** married on Saturday at the home of Mimi Gurbst and Tom Hartfield in the Sonoma County California wine country town of Healdsburg. The couple will be honeymooning on a road trip to Yellowstone. ***Pics*** http://bit.ly/2wVlg23 ... http://bit.ly/2gjjEJc **SPOTTED:** Wolf Blitzer, Amy Entelis, Virginia Moseley, David Chalian, Adam Levy, Vaughn Sterling and Jay Shaylor.

ENGAGED -- Claire Magee, corporate counsel at Raycom Media and formerly assistant general counsel at Allbritton, got engaged to **Russ Ferguson,** an attorney at Womble Carlyle Sandridge & Rice and former Senate Judiciary Committee staffer. "Russ popped the question at the Bartholdi Fountain [at First and Independence S.W.] and had both families waiting as a surprise at Corduroy, the site of their first date 8 years ago." ***Pic*** http://bit.ly/2xpQHiN

FIRST IN PLAYBOOK - OBAMA ALUMNI -- Miguel E. Rodriguez, who was Obama's director of legislative affairs and also a State and Hillary alum, has been hired as senior vice president of government affairs for the Center for American Progress. He most recently was a partner at Bryan Cave.

BIRTHDAY OF THE DAY: Bill Cohen, chairman and CEO of The Cohen Group and former secretary of defense and senator from Maine. **What he's reading:** "I'm reading multiple books, but completing one of my own, a novel entitled 'Second Strike.' It involves the hazards of mining asteroids -- an endeavor that we and other nations are exploring. Some asteroids could accidentally be put on a collision course with Earth. What are the options if we have little notice?" **Read his Playbook Plus Q&A:** http://politi.co/2vCjoal

BIRTHDAYS: Alex Skatell, founder and CEO of Independent Journal Review (hat tips: Benny, Anton, Gerrit, and Camden) ... R.C. Hammond (h/t Matt Mowers) ... Politico's Marty Kady and Kimberly Plumer ... AP's Ken Thomas ... WSJ alum Allison Lichter ... Tori Stilwell, Yale law student and Bloomberg alum ... Pat Pelletier ... Robert Greenwald, founder and president of Brave New Films ... Morgan Chalfant, cybersecurity reporter at The Hill (h/t Raffi) ... Matthew Swift, chairman, co-founder and CEO of The Concordia Summit ... Hilary Halpern, associate at the Cypress Group ... Ryan McDevitt ... Ellen Carmichael ... Brian Horn ... Ellen Ratner ... Jessica Herrera-Flanigan, EVP of gov't and corporate affairs at Univison Communications (h/t Stewart Verdery) ... Darius Tandon, celebrating in New Orleans with Tracy Sefl ... Sarah Brooke Carlson, director of NBC's "Meet the Press" (h/t Olivia Petersen) ...

... Thomas Winslow, a principal on the mobilization and campaign management team at Precision Strategies (h/t Tom Zigo) ... Meghan Snyder ... Jim O'Brien, vice-chair of the Albright Stonebridge Group ... Connor Ryan ... Rep. Julia Brownley (D-Calif.) (h/t Samantha Greene) ... Ann Marie Jablon ... Robert Simpson ... Scott Miller ... Michael Keefer ... Jay Wegimont ... Luke Bunting ... Luci Arveseth ... Abbie Sumbrum ... Lindsay Gill ... Arlet Abrahamian ... Rachael Dollar ... Charles Schneider ... Jennifer Cervantes ... Nick Tropin, student at Columbia Business School ... Taylor Bolhack ... Kate Peyton,

spending her birthday doing what she LOVES to do - fishing ... Laura Seaholm, proud finisher of the Madison, Wisconsin 2016 Ironwoman race ... Carol Kelly (h/ts Teresa Vilmain) ... Steve Nichols ... Naila Alam ... Paul Moran ... David Gray ... Tim Birdseye ... Lane Roberts

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To: Jackson, Ryan[jackson.ryan@epa.gov]
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Sent: Wed 11/1/2017 8:43:00 PM
Subject: Environment & Energy Report Highlights

Environment & Energy
Wednesday, November 01, 2017

Highlights

Leading the News

Engineers Question Millions FEMA Spent on Generators for Puerto Rico

By *Jonathan Levin* and *Naureen S. Malik*

The Federal Emergency Management Agency spent $35.1 million on renting two emergency generators to help power blacked-out San Juan, Puerto Rico. But a group of engineers says existing infrastructure could have been used more effectively at a fraction of the cost.

Three LNG Export Terminal Authorizations Upheld in D.C. Circuit

By *Rebecca Kern*

Energy Department authorizations of liquefied natural gas export terminals in Louisiana, Maryland, and Texas were upheld today by a federal appeals court, which denied lawsuits from the Sierra Club that claimed the government didn't do enough to assess indirect environmental impacts of the projects.

Today's News

Limestone Company Not Liable as Superfund Arranger

By *Peter Hayes*

A Virginia limestone company isn't liable as a Superfund arranger for disposal of hazardous waste absent proof it hired another party for the disposal, the Western District of Virginia said.

Retailers Get More Time to Meet EPA Wood Glue

Emissions Rule

By *Pat Rizzuto*

Retailers, including Mitchell Gold + Bob Williams furniture stores, will have more time to meet formaldehyde emission limits for wood products after the EPA extended the compliance deadline and revised some requirements in last December's rule.

Shippers Question $14 Billion Cost of Greening California Ports

By *Carolyn Whetzel*

AP Moller-Maersk, Evergreen Shipping Agency, and other terminal operators, along with dozens of trucking companies, would shoulder most of the $14 billion cost of a plan to address air pollution at the city-owned ports of Los Angeles and Long Beach.

Vietnam Seen as Frontier for Solar, But Not at Expense of Coal

By *Lien Hoang*

Solar water heaters and rooftop panels are nothing new in Vietnam, but only recently has there been a glimmer of light suggesting the government will bring solar power into the national electric grid.

Biggest Aluminum Maker Outside China Aims for Low Carbon Brand

By *Jack Farchy*

United Co. Rusal, the biggest aluminum maker outside China, plans to sell a quarter of its output under a "low carbon" brand in the next three to four years to tap into demand for metal produced with less pollution and to mark itself off from rivals relying on power generated from coal.

U.K. Nuclear Industry Sees No Brexit Win from Euratom Pullout

By Alex Morales

There is no upside to Britain withdrawing from the European Union's treaty dealing with such issues as radioactive materials transport to nuclear reactor parts. That was the unanimous verdict of four industry insiders quizzed by a cross-party panel of lawmakers Nov. 1.

Gas Retailers Seek Bounty in Blue-Sky Push in Indian Capital

By *Debjit Chakraborty* and *Rajesh Kumar Singh*

A ban on dirty fuels in areas surrounding one of the world's most polluted cities is set to spur sales at India's natural-gas retailers.

Japan-Based Toda to Sell Millions in Green Bonds for Wind Farm

By *Chisaki Watanabe*

Toda Corp., a Japanese construction company, plans to sell 10 billion yen ($88

million) of green bonds to build a floating wind farm.

Emphasis on Coal Moves Japan in the Wrong Direction, Report Says

By Chisaki Watanabe

Japan's support for coal power is pushing against global trends and ignores the nation's advantages in clean-energy technology, according to a *report* released Nov. 1.

Tuesday Night Wrapup

Critics Say EPA Panel's New Scientists to Skew Public Confidence

By *Sylvia Carignan*

EPA Administrator Scott Pruitt's new scientific advisers could erode public confidence in industry and agency environmental efforts, former EPA advisers say, while industry representatives support Pruitt's vision.

Pennsylvania High Court to Weigh Duty to Warn on Asbestos

By *Leslie A. Pappas*

An appeals court in Pennsylvania is asking the state Supreme Court if manufacturers have a duty to warn about asbestos-related hazards of component parts made by third parties.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/20/2017 12:04:36 PM
Subject: June 20 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 20, 2017 - Number 117

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Alaska

WATER
APDES Permit/Domestic Wastewater Treatment Works
Alaska WATER

Notice of the Department of Environmental Conservation announces the proposed issuance of an Alaska Pollutant Discharge Elimination System (APDES) general permit to small publicly and privately owned treatment works providing secondary treatment of domestic wastewater up to 1 million gallons per day to fresh or marine surface water. The permit establishes effluent limits for ammonia, five-day biochemical oxygen demand, dissolved oxygen, enterococci bacteria, fecal coliform bacteria, pH, total residual chlorine, and total suspended solids. The permit also allows applicants to request modified effluent limits and facility specific mixing zones for dissolved oxygen, fecal coliform bacteria, pH, or total residual chlorine. Comments and hearing requests are due July 18, 2017. Contact: Marie Klingman; DEC, Division of Water; 907-451-2101; marie.klingman@alaska.gov

—Alaska Regulations (06/16/2017)

Regulatory Update

California

GENERAL ENVIRONMENT AND SAFETY
Mobile Automotive Repair Advertising
California GENERAL ENVIRONMENT AND SAFETY

Notice announces the disapproval by the Office of Administrative Law of a proposed rule of the Bureau of Automotive Repair that would have amended regulations under 16 CCR 3371.1 and adopted regulations under 16 CCR 3351.7.1, 3351.7.2, and 3351.7.3 to establish registration, advertising, and other standards for automotive repair dealers that engage in the business of

mobile automotive repair and that do not operate a currently registered place of business where the diagnosis or repair of motor vehicles is performed. The OAL disapproved the rule because it did not meet Administrative Procedure Act procedural requirements. The action is dated June 6, 2017. Contact: Brian Clark; Bureau of Automotive Repair; 916-403-8560; brian.clark@dca.ca.gov

—California Regulatory Notice Register (06/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Construction Safety Orders/Scaffolds
California OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Industrial Relations, Occupational Safety and Health Standards Board, amends regulations under 8 CCR 1637 regarding construction safety orders related to the use of scaffolds. The rule requires rest platforms when hook-on and attachable ladders are used on supported scaffolds that are more than 35 feet high. The rule also establishes a maximum height of 24 inches for the bottom rung of ladders from the scaffold supporting level to prevent employee slips and falls while transitioning between the support level and the ladder. The rule is effective June 5, 2017. Contact: Marley Hart; DIR, Cal-OSHA Standards Board; 916-274-5721; mhart@dir.ca.gov

—California Regulatory Notice Register (06/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
General Industry Safety Orders/Emergency Action Plans
California OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Industrial Relations, Occupational Safety and Health Standards Board, amends regulations under 8 CCR 3220 regarding emergency evacuation plans. The rule incorporates federal standards under 29 CFR 1910.38 to require emergency evacuation procedures to identify escape procedures and exit route assignments specific to the type of evacuation. The rule also specifies that provisions cover employees performing rescue and/or medical duties. The rule is effective June 5, 2017. Contact: Marley Hart; DIR, Cal-OSHA Standards Board; 916-274-5721; mhart@dir.ca.gov

—California Regulatory Notice Register (06/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Workers' Compensation/Attorney Disclosure Form
California OCCUPATIONAL SAFETY AND HEALTH

Notice announces the decision of the Division of Workers' Compensation to deny a request for reconsideration of a previously denied petition submitted by an individual requesting an emergency rulemaking to properly adopt DWC Form 3, the written attorney disclosure form to be provided to an injured worker at the time of their initial consultation, under 8 CCR 10134. The petitioner claims that the agency did follow procedural requirements in the adoption by

incorporation by reference of the form. The petition is denied because the agency finds that the regulation was exempt from Administrative Procedures Act formal rulemaking provisions at the time of adoption and because the agency held hearings prior to the initial adoption and amendment of the regulation. Contact: Yvonne Hauscarriague; DWC, Legal Unit; 510-286-0680

—California Regulatory Notice Register (06/16/2017)

Regulatory Update

District of Columbia

WATER
Water Supply Fees
District of Columbia WATER

Proposed rule of the Water and Sewer Authority amends regulations under 21 DCMR 112, 4104 and 4199 regarding water supply fees and retail water and sewer rates. The rule revises the water system replacement fee (WSRF) to establish procedures for a multi-family WSRF adjustment. The rule also revises the customer classifications and associated definitions. Comments are due July 17, 2017. Contact: Linda Manley; Water and Sewer Authority; 202-787-2332; Lmanley@dcwater.com

—District of Columbia Register (06/16/2017)

Regulatory Update

Montana

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carrier Safety/Hazardous Materials Transportation
Montana HAZARDOUS MATERIALS TRANSPORTATION

Final rule of the Department of Transportation amends regulations under ARM 18.8.1502, .1503, and .1505 regarding motor carrier services safety requirements. The rule updates the incorporation by reference of federal motor carriers safety standards under 49 CFR 373 through 399, as of Feb. 17, 2017, and requires certain commercial vehicles to be equipped with electronic logging devices to record hours-of-service of drivers. The rule also updates the incorporation by reference of federal standards under 49 CFR 107, 171, 172, 173, 177, 178, and 180, as of Feb. 17, 2017, regarding transportation of hazardous materials. In addition, the rule updates the incorporation by reference of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria as of April 1, 2017. The rule is effective June 24, 2017. Contact: Dennis Hult; DOT, Motor Carrier Services Division; 406-444-9237; dhult@mt.gov

—Montana Administrative Register (06/23/2017)

Regulatory Update

WATER
Water Quality/Nutrient Standards Variances
Montana WATER

Final rule of the Department of Environmental Quality amends regulations under ARM 17.30.660 to revise procedures for granting variances from base numeric nutrient standards and factors considered when deciding whether a person may be granted an individual nutrient standards variance. The rule incorporates by reference the June 2017 version of the Nutrient Standards Variances document (Department Circular DEQ-12B). The rule is effective June 24, 2017. Contact: Denise Hartman; DEQ; 406-444-2630; dhartman2@mt.gov

—Montana Administrative Register (06/23/2017)

Regulatory Update

Pennsylvania

AIR
Emission Inventories Submissions/Electronic Format
Pennsylvania AIR

Notice of the Department of Environmental Protection announces that owners and operators of air contamination sources subject to emission inventory requirements under 25 PAC 135.3 must submit emission inventories to the department in an electronic format beginning with the 2018 emission reporting year. Case-by-case exceptions may be allowed for owners and operators who demonstrate to the applicable regional office that the requirement would pose an undue burden. Contact: John Krueger; DES, Bureau of Air Quality; 717-783-9264

—Pennsylvania Bulletin (06/17/2017)

Regulatory Update

AIR
SIP Revision/Infrastructure Requirements
Pennsylvania AIR

Notice of the Department of Environmental Protection announces proposed revisions to the state implementation plan concerning the infrastructure requirements under Section 110(a) of the Clean Air Act regarding the 2012 annual fine particulate matter (PM-2.5) national ambient air quality standard. The revisions address significant contribution to nonattainment and interference with maintenance requirements under the good neighbor provision. Hearings are scheduled for July 18, 2017, in Harrisburg, Norristown and Pittsburgh. Comments are due July 20, 2017. Contact: Roma Monteiro; DEP, Bureau of Air Quality; 717-787-9495; rmonteiro@pa.gov

—Pennsylvania Bulletin (06/17/2017)

Regulatory Update

AIR

SIP Revision/Lebanon County PM-2.5 Nonattainment Area

Pennsylvania AIR

Notice of the Department of Environmental Protection announces a proposed revision to the state implementation plan (SIP) regarding the Lebanon County nonattainment area for 2012 annual fine particulate matter (PM-2.5) national ambient air quality standard. The SIP revision contains the 2011 comprehensive base year inventory to conform with a Jan. 15, 2015, clean data determination by the EPA. The revision will be submitted to the EPA for approval. A hearing is scheduled for July 19, 2017, in Harrisburg. Comments are due July 20, 2017. Contact: Roma Monteiro; DEP; 717-787-9495; rmonteiro@pa.gov

—Pennsylvania Bulletin (06/17/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Mon 6/26/2017 9:44:09 AM
Subject: Morning Energy, presented by Exelon: Put your hands in the air for Energy Week! — Pruitt's got a posse — The trade dispute that could ruin solar

By Eric Wolff | 06/26/2017 05:41 AM EDT

With help from Esther Whieldon, Andrew Restuccia, and Ben Lefebvre

WELCOME TO ENERGY WEEK! WHATEVER THAT MEANS! President Donald Trump aims to make this week Energy Week. You may recall theme weeks from such prior weeks as Tech Week, Workforce Development Week, and Infrastructure Week. The fact that these weeks seem not to have drawn much attention has more to do with the steady drumbeat of news on the Senate health care bill and the ever-widening, ever-deepening Russia scandal, as POLITICO's Andrew Restuccia and Josh Dawsey report in a story going live this morning.

Of course, part of the problem is Trump himself, who can't seem to stay focused. The White House tried to fill his schedule with wonky policy events to create a counter-narrative, but they haven't succeeded in keeping the president on topic. Asked about other theme weeks that may be coming in the future, a senior Trump aide told Andrew and Josh, "Whatever he tweets."

Here's the Energy Week itinerary:

Today Trump will discuss energy with Indian Prime Minister Narendra Modi. India is the third largest coal consumer, and it's appetite is growing, so Trump could take the opportunity to press the case for the U.S. coal industry to get into the market there. But then, Modi has said he is still committed to the Paris climate accord, and his ambitious plans to develop solar power there could alter the course in the power-starved country.

On Wednesday Trump will host Wisconsin Gov. Scott Walker, Maine Governor Paul LePage, and Nebraska Gov. Pete Ricketts along with other local and tribal leaders for a discussion regarding local and state energy.

On Thursday Trump, will give a speech on "Energy Dominance" after meeting with EPA Administrator Scott Pruitt, Interior Secretary Ryan Zinke, and Energy Secretary Rick Perry, who will host the American Energy Dominance Panel at DOE with labor and industry groups.

Not happening: A long-hoped for visit by Trump to an LNG export terminal in Louisiana this week has been scratched. The reasons? Sources tell ME that last week's Tropical Storm Cindy (complete with floating squads of fire ants), the need to be in D.C. to twist arms for the Senate health care bill, and the lack of advance planning made organizing the trip too difficult.

JUST ANOTHER MANIC MONDAY! I'm your fill-in host Eric Wolff, and I want you to know that every week is Energy Week at ME, as we provide you with the latest news with a spring in our step and a song in our hearts. It's been fun pitching in for a couple of days of ME glory, but Ben Lefebvre will take over tomorrow, so while you can send me your comments at

ewolff@politico.com, you should send your ME tips to blefebvre@politico.com. Anthony will be back Wednesday, along with trivia answers, so you can find him at aadragna@politico.com, or follow us on Twitter @ericwolff, @aadragna, @bjlefebvre, @Morning_Energy, and @POLITICOPro.

PRUITT'S POSSE: EPA's Pruitt is relying on a skeleton crew of loyalists with little experience in environmental regulations, augmented by former industry lobbyists, as he pursues an ambitious agenda of seeking to undo the agency's Obama-era rules, your morning host reports. Trump's molasses-slow pace in announcing nominations has left Pruitt running an agency out of the Office of the Administrator, with senior advisers keeping tabs on key policy making offices from the Office of Policy. In filling these jobs he has drawn from his time as Oklahoma Attorney General, bringing in former campaign staff, the former head of both the Republican Attorneys General Association and the Rule of Law Defense Fund, and a gaggle of Sen. Jim Inhofe's ex-aides. Both supporters and opponents question whether the team he's assembled is up to the task.

A tight inner circle: Pruitt hasn't made his life easier by his unwillingness — which he has transmitted to his hand-picked subordinates — to trust career staff. "If you are Pruitt, you have a handful of folks around you that you trust and have confidence in," said Stephen Brown, top lobbyist for oil refiner Tesoro. "You head an agency of 15,000, many of whom can be described as 'the resistance.' What would anyone do except hunker down and deal only with those you trust?"

Golden padlock: Investigative Reports and Editors, a journalists' association, gave Pruitt its "golden padlock" award on Friday for requiring a two-year lawsuit to get him to turnover key emails form his time as Oklahoma Attorney general.

GTM: TRADE DISPUTE COULD CRUSH U.S. SOLAR INDUSTRY: A report out today by GTM Research finds that if Trump implements the solar import trade tariffs solar panel makers Suniva and SolarWorld Americas are seeking, it could wipe out nearly two-thirds of the solar projects set to be built in the U.S. cumulatively from 2018 through 2022. Between 36.1 gigawatts and 47.5 gigawatts might fall to the wayside if Trump sets tariffs and minimum prices for imported solar panels and cells, the report says. It "could send shockwaves through the U.S. solar industry," GTM said in the report.

The largest solar plants, which are in the utility-scale sector, will be hit the hardest because the majority are moving forward under power purchase agreements that may need to be canceled or renegotiated, the report said. Developers are scrambling to pre-order cheap imported modules in case Trump enacts the changes next year. But Cory Honeyman of GTM tells ME that only about 1.3 gigawatts-worth of projects are on track to get modules in time. The U.S. International Trade Commission is slated to rule on the trade complaint by Sept. 22 and send its findings to Trump in mid-November.

ZINKE GOIN' TO THE COUNTRY (PEACH EATING UNCERTAIN): Interior's Zinke will head to the resort town of Lake Tahoe, Nev. to make an announcement on the Trump administration's "commitment to rural communities." Zinke will be addressing the Rule of Law Defense Fund (which, of course, ME mentioned above in connection to Pruitt).

Then on Tuesday Zinke heads to Whitefish, Mont. (the most delicious town to spread on a bagel) to address the Western Governors Association. For Zinke, the event is a chance to head back to the town where he grew up and starred on the high school football team (Go Bulldogs!).

** **A message from Exelon:** Innovation always begins with the spirit of discovery—the search for new ideas and answers to our biggest questions. As America's largest clean energy provider, what happens when 34,000 Exelon engineers, analysts, and innovators put their heads together to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

CITY MAYORS CLIMATE POWERS, ACTIVATE! Former New York Mayor Michael Bloomberg will today announce a $200 million philanthropic effort to help cities fight climate change and to increase their voices at the national level, the New York Times reports. Bloomberg is set to make the announcement as part of a speech at the U.S. Conference of Mayors' annual meeting in Miami Beach, Fla. As part of the effort, cities will be able to apply for six- and seven-figure grants to support policy experimentation.

Form of: Climate resolutions! The mayors will also vote today on resolutions to establish a 100 percent renewables by 2035 target, accelerating the electrification of transportation, and "Supporting a Cities-Driven Plan to Reverse Climate Change." Climate warriors look toward cities and states to carry on the carbon reduction work as the federal government under President Trump pulls the federal government out of the carbon reduction business.

Shape of: G20 demands! The mayors of 46 "megacities", have put out a statement asking the G20 leaders to aggressively push for carbon reductions when they meet in Bonn, Germany in July. "You have the privilege of leadership at a unique moment in history to help realize the potential of the Paris Agreement," the statement says. "The cities of the world and their citizens have a shared vision for a just and sustainable future... Together with business leaders we have already decided on a climate-safe future of opportunity, optimism and innovation -- there is no alternative."

APPROPRIATION JUNCTION, WHAT'S YOUR FUNCTION? Congressional appropriators a cramming in hearings and markups like it's the week before finals, which seems about right for late June (Hey, your host is from New York. The school year **lasts** forever). EPA Administrator Scott Pruitt will meet with Sen. Lisa Murkowski and her band of Interior-Environment appropriators on Tuesday, and the heads of the Bureau of Reclamation and the U.S. Army Corps of Engineers will spend their Wednesday morning with Sen. Lamar Alexander and his subcommittee. Even NASA's budget is getting a hearing on Thursday.

On the House side, the Energy and Water Development appropriation will get a subcommittee markup on the House side on Wednesday.

MARK 'EM UP, DANNO! The House Natural Resources Committee will have a markup today on a slew of mostly minor bills, but there are a couple of noteworthy votes. The committee will take up Rep. Hal Rogers RECLAIM Act that would pump $200 million a year for five years into coal-mine clean up (a program that the Trump budget disappeared), and a bill from Rep. Don

Young to advance the construction of King Cove road, the project long-sought by the Alaska delegation that was stymied by the Obama administration.

QATAR LOVES EXXON: Qatari Emir Sheikh Tamim bin Hamad al-Thani and Exxon Mobil CEO Darren Woods met over the weekend to talk 'continued cooperation' amid increasing tensions in the region, Reuters reports . Exxon has been instrumental in opening up Qatar's natural gas fields, and the tiny country is now the top LNG supplier in the world. Secretary of State Rex Tillerson, Woods' predecessor at Exxon, issued a statement Sunday saying that Qatar has begun a review of the demands from its neighbors Saudi Arabia, the United Arab Emirates, Bahrain and Egypt, which cut ties with Qatar, accusing the country of supporting extremism. "While some of the elements will be very difficult for Qatar to meet, there are significant areas which provide a basis for ongoing dialogue leading to resolution," Tillerson said.

CAP'S LIST: The Center for American Progress is out today with a website listing the fossil fuel affiliations of political appointees working in the Trump administration. "Across the administration, political staff have close ties to the Koch brothers, Exxon, and coal trade associations, among others -- and many of the people tasked with regulating the industry were getting their paycheck from it just months ago," Erin Auel, a research associate for CAP, said in a statement.

NUCLEAR WASTE MERGER DECAYS TO STABLE FORM: Valhi, the parent company of Waste Control Specialists, will not appeal a federal court decision to block a merger with Energy Solutions, a low-level nuclear waste management company. The Nuclear Regulatory Commission on Thursday suspended an application by WCS to build a high-level nuclear waste facility in Texas.

DRY LAKE: BAD FOR FISHING, GOOD FOR SOLAR: BLM hopes to sell solar leases in Dry Lake Nevada, the first leases under a new rule, Pro's Esther Whieldon reports. the agency is conducting environmental reviews in advance of the sale in the hopes of streamlining permitting and construction.

MOVERS, SHAKERS: Jamie Simler, director of FERC's Office of Energy Market Regulation, has retired. Anna Cochrane, deputy director of the office, has been promoted to director. Jette Gebhart has been named acting deputy director.

Stephen Kittredge will be leaving the Electric Power Supply Association to run government affairs for Owens Corning.

QUICK HITS

— Undermined: A local activist fights for the future of coal country, New Yorker

— Texas A&M joins US Department of Energy, India in energy access initiative, The Eagle

— France's Macron to back push for global environment rights pact, Reuters

— AEP renewable-energy charge getting scrutiny, The Columbus Dispatch

— How Four Brothers Survived the Gas Bust to Make Family a Billion, WSJ

— How The Next Generation Of West Virginians Are Building A Way Out Of The State's Coal Economy, Fast Company

HAPPENING THIS WEEK

Monday

All Day — FERC conference on software and market efficiency, 888 First St. NE

10 a.m. — NRDC Experts to Discuss New Report About Baseload & Electricity Grid Reliability, NRDC offices, 1152 15th Street, NW #300, RSVP eheyd@nrdc.org or to get call-in info

5:30 p.m. — Senate votes on confirmation of Kristine Svinicki to be a member of the Nuclear Regulatory Commission

Tuesday

All Day — FERC conference on software and market efficiency, 888 First St. NE

9 a.m. — Environmental Law Institute conference on chemical safety, feat. Rep. John Shimkus (R-Ill.), Milken Institute School of Public Health, George Washington University, 950 New Hampshire Ave., NW

9:30 a.m. — FY2018 budget request for the Environmental Protection Agency, feat. EPA Administrator Scott Pruitt, Senate Appropriations Committee, Interior, Environment, and Related Agencies Subcommittee, Dirksen 124

10 a.m. — Full committee markup, incl. the RECLAIM Act and a bill to advance King Cove Road, House Natural Resources Committee, Longworth 1324

2:45 p.m. — Developing and Deploying Advanced Clean Energy Technologies, Senate Environment and Public Works Committee, Subcommittee on Clean Air and Nuclear Safety, Dirksen 406

Wednesday

All Day — FERC conference on software and market efficiency, 888 First St. NE

10 a.m. — Oversight Hearing "Examining Policy Impacts of Excessive Litigation Against the Department of the Interior", House Natural Resources Committee, Subcomittee on Oversight and investigations, Longworth 1324

11 a.m. — Markup of FY 2018 Energy and Water Appropriations Bill, House Appropriations Committee, Energy and Water Development and Related Agencies Subcommittee, Rayburn 2362-B

2:30 p.m. — FY2018 budget request for the U.S. Army Corps of Engineers and the U.S. Department of the Interior, Bureau of Reclamation, feat. Lt. Gen. Todd T. Semonite Commanding General and Chief of Engineers, U.S. Army Corps of Engineers, Douglas Lamont, Senior Official Performing the Duties of the Assistant Secretary of the Army (Civil Works), Alan Mikkelsen Acting Commissioner Bureau of Reclamation, Senate Appropriations Committee, Energy and Water Development Subcommittee, Dirksen 138

Thursday

10 a.m. — FY2018 budget request for NASA, feat. Robert M. Lightfoot Jr., Acting Administrator for NASA, Senate Appropriations Committee, Commerce, Justice, Science, and Related Agencies Subcommittee, Dirksen 192

10 a.m. — Oversight Hearing on "Examining Access to Oil and Gas Development on Federal Lands", House Natural Resources Committee, Subcommittee on Energy and Mineral Resources, Longworth 1324

Friday

No energy events.

THAT'S ALL FOR ME!

** **A message from Exelon:** Innovation always begins with the spirit of discovery—the search for new ideas and answers to our biggest questions. As Washington, D.C.'s energy provider and America's largest source of clean energy, we're committed to continual investment in innovation. Every day, Exelon's engineers, analysts, and innovators are revolutionizing the way energy is generated, sold, and delivered across the United States and around the world. So, what happens when 34,000 Exelon employees come together at our annual Innovation Expo in Washington, D.C. this week to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/put-your-hands-in-the-air-for-energy-week-023468

Stories from POLITICO Pro

BLM eyes Nevada Dry Lake Valley for first solar leases under new rule Back

By Esther Whieldon | 06/23/2017 05:33 PM EDT

The Interior Department's Bureau of Land Management is eyeing Nevada's Dry Lake Valley for its first solar lease sale under BLM's new competitive leasing rule, according to a BLM official.

The Dry Lake area "really fits within what we're looking for as far as low conflict and is really suitable for a competitive lease process," John Kalish, chief of BLM's office of renewable energy and rights of way, told POLITICO today. In 2014, BLM successfully auctioned off six parcels in the area known as the Dry Lake solar energy zone, which sits near transmission lines that make it attractive to developers who have expressed interest in new developments in the area, Kalish said.

Under the competitive leasing rule BLM issued in November, the agency runs environmental reviews to identify areas where solar projects are unlikely to cause major environmental problems before it auctions off the land for development. Front-loading the process with those reviews is aimed at reducing the time it takes to site new projects.

Kalish said BLM could issue a lease sale notice for the Dry Lake area by early to mid-2018. The agency is also considering new leases under the process in California and Arizona.

BLM wants to "make sure we know fully what all of the potential impacts would be before we make those lands available," Kalish said.

WHAT'S NEXT: Before it can hold a lease auction, BLM will need to amend its land-use plan for the area and identify the specific parcels it wants to offer up in 2018, Kalish said.

To view online click here.

Back

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Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 7/25/2017 12:35:28 PM
Subject: July 25 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

July 25, 2017 - Number 141

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Commercial Package Air Conditioning and Heating Equipment Test Procedures
AIR

Notice of the Energy Department requests information to inform regarding potential revisions to the test procedures for commercial package air conditioning and heating equipment. The agency seeks comments on the testing of products with newly available features, including evaporatively cooled commercial unitary air conditioners (ECUACs), water-cooled commercial unitary air conditioners (WCUACs), and air-cooled commercial unitary air conditioners with a rated cooling capacity greater than or equal to 65,000 British thermal units per hour (Btu/h) and less than 760,000 Btu/h. The agency also seeks comments on the testing of ECUACs and WCUACs with a rated cooling capacity less than 65,000 Btu/h, all classes of variable refrigerant flow multisplit air conditioners and heat pumps, and all classes of computer room air conditioners. In addition, the agency seeks comments on a potential new test procedure for dedicated outdoor air systems. Comments are due Aug. 24, 2017. Contact: Catherine Rivest; DOE, Office of Energy Efficiency and Renewable Energy; 202-586-7335; ApplianceStandardsQuestions@ee.doe.gov. Citations: 10 CFR 429, 431

82 FR 34427 (07/25/2017)

Regulatory Update

AIR
Energy Standard for Buildings Preliminary Analysis
AIR

Notice of the Energy Department, Office of Energy Efficiency and Renewable Energy, announces the availability of a preliminary energy savings analysis of the October 2016 energy standard for buildings, except for low-rise residential buildings. The preliminary analysis quantifies the expected energy savings associated with the current standard as compared to the 2013 version of the standard. Comments are due Sept. 8, 2017. Contact: Jeremiah Williams; DOE, Office of Energy Efficiency and Renewable Energy; 202-441-1288; Jeremiah.Williams@ee.doe.gov

82 FR 34513 (07/25/2017)

Regulatory Update

AIR

Indiana/Clean Air Act Consent Decree Modification

AIR

Notice of the Justice Department announces a proposed third modification to a 2012 consent decree in United States v. Essroc Cement Co. (Civil Action No. 2:11-cv-01650-DSC), lodged on July 19, 2017, with the U.S. District Court for the Western District of Pennsylvania. The original consent decree (77 FR 517; 01/05/2012) addressed alleged violations under the Clean Air Act against six Essroc cement facilities in three states and in Puerto Rico. The proposed modification, which affects Essroc's facility in Logansport, Ind., revises nitrogen oxides (NOx) emissions control requirements to no longer require installation of the selective noncatalytic reduction NOx control technology at Kiln 2 and to instead require installation of water injection technology at both kilns. The proposed modification also reduces the allowable NOx emissions rate at both kilns and specifies that the company is now known as Lehigh Hanson ECC. Comments are due Aug. 24, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 34553 (07/25/2017)

Regulatory Update

ENDANGERED SPECIES

Washington State/Marine Mammals Incidental Take

ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the receipt of a request for authorization to take 11 species of marine mammals incidental to pile driving activities for pier restoration located on Elliot Bay in Seattle. The proposed project will make limited modifications to Pier 63 and demolish and reconstruct Pier 62 between September 2017 and February 2018. The authorization allows take in the form of Level A and Level B harassment. A separate incidental take authorization application will be prepared for an expected second season of work at the site. Comments are due Aug. 24, 2017. Contact: Stephanie Egger; NMFS, Office of Protected Resources; 301-427-8401; ITP.egger@noaa.gov

82 FR 34486 (07/25/2017)

Regulatory Update

FOOD SAFETY

Animal Drug User Fees, Fee Waivers and Reductions

FOOD SAFETY

Notice of the FDA announces the availability of a final guidance for industry regarding animal drug user fees, fee waivers and reductions. The guidance describes the types of fees the FDA is authorized to collect under the Animal Drug User Fee Act and how to request waivers and reductions from such fees. The revisions clarify several provisions, including the criteria for

Barrier to Innovation waivers and small business waivers. Comments may be submitted at any time. Contact: Diane Heinz; FDA, Center for Veterinary Medicine; 240-402-5692; diane.heinz@fda.hhs.gov

82 FR 34534 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
FDA Civil Monetary Penalties
GENERAL ENVIRONMENT AND SAFETY

Final rule of the FDA amends regulations regarding the agency's maximum civil monetary penalties to correct a statutory reference. The rule is effective July 25, 2017. Contact: Jarilyn Dupont; FDA, Office of Policy; 301-796-4830. Citations: 21 CFR 17.3

82 FR 34402 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Institutional Review Board Waiver or Alteration of Informed Consent for Clinical Investigations
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a guidance for sponsors, investigators, and institutional review boards (IRBs) concerning IRB waiver or alteration of informed consent for clinical investigations involving no more than minimal risk to human subjects. The guidance provides that the FDA does not intend to object to an IRB waiving or altering informed consent requirements for certain minimal risk clinical investigations. The guidance also specifies that the FDA does not intend to object to a sponsor initiating, or an investigator conducting, a minimal risk clinical investigation for which an IRB waives or alters the informed consent requirements as described in the guidance. Comments may be submitted at any time. Contact: Janet Norden; FDA, Office of Good Clinical Practice; 301-796-1127

82 FR 34535 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
M4E(R2) Common Technical Document Guidance
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a final guidance for industry on preparing efficacy components of an application file for registration of human pharmaceuticals in the common technical document format. The guidance, M4E(R2): The Common Technical Document–Efficacy, revises the 2001 M4E guidance to standardize the presentation of benefit-risk information in regulatory submissions of pharmaceutical products. The guidance was prepared under the auspices of the International Council for Harmonisation, which addresses the harmonization of technical requirements for the registration of pharmaceutical products for human use among regulators worldwide. Comments may be submitted at any time. Contact: Pujita Vaidya; FDA,

Center for Drug Evaluation and Research; 301-796-0684

82 FR 34538 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Nevada/Paiute Pipeline 2018 Expansion Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the receipt of an application for the 2018 Expansion Project, proposed by Paiute Pipeline Co. of Las Vegas. The project involves the installation of 4.61 miles of pipeline and the replacement of 3.85 miles of pipeline in Douglas and Lyon counties and Carson City, Nev. The project will provide incremental firm transportation services of 5,635 dekatherms per day on Paiute's system. The agency will complete an environmental assessment or issue a notice of schedule of environmental review by Oct. 17, 2017. Comments are due Aug. 9, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 34515 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
New York/Colden Storage Field
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a prior notice request by National Fuel Gas Supply Corp., of Williamsville, N.Y., to plug and abandon one injection/withdrawal storage well and abandon in place the associated well line in the Colden Storage Field in Aurora, N.Y. The agency plans to complete an environmental assessment or issue a notice of schedule of environmental review by Oct. 17, 2017. Protests and motions to intervene are due Sept. 18, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 34516 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Nutrition Labeling for Restaurants/Retail Establishments
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a correction to a July 3, 2017, extension (82 FR 30730) of the comment period for a May 4, 2017, interim final rule (82 FR 20825) that delays the compliance date for a 2014 final rule that established requirements for nutrition labeling of standard menu items in restaurants and retail food establishments (79 FR 71155; 12/01/2014). The correction revises the RIN number, which was published incorrectly. The correct RIN number is 0910-ZA48. The correction is effective July 25, 2017. Contact: Lisa Granger; FDA, Office of Policy; 301-796-9115. Citations: 21 CFR 11.1, 101.9, 101.10, 101.11

82 FR 34401 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Permitted Daily Exposures/Residual Solvents
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of recommendations for the permitted daily exposures (PDEs) for the residual solvents triethylamine and methylisobutylketone in pharmaceuticals. The guidance provides for a new PDE for trimethylamine, a revised PDE to 45 milligrams per day for the solvent methylisobutylketone, and placement of methylisobutylketone into class 2. The revision is based on reconsideration of the severity of effects identified in rat studies and the human relevance of effects identified in mouse carcinogenicity study. The recommendations were developed under the methods for establishing exposure limits in the guidance for industry, Q3C Impurities: Residual Solvents, and under the auspices of the International Council for Harmonisation. Comments may be submitted at any time. Contact: Timothy McGovern; FDA, Center for Drug Evaluation and Research; 240-402-0477

82 FR 34537 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Presidential Advisory Council on Infrastructure Executive Order
GENERAL ENVIRONMENT AND SAFETY

Notice of the Executive Office of the President announces the issuance of Executive Order 13805 concerning the establishment of the Presidential Advisory Council on Infrastructure. The order provides that it will be the policy of the executive branch to advance infrastructure projects that create high-quality jobs for American workers, enhance productivity, improve quality of life, protect the environment, and strengthen economic growth. The order also provides that the council, established under the Commerce Department, will consist of not more than 15 members, including two co-chairs. Members will be drawn from the public and will have subject-matter expertise in real estate, finance, construction, communications and technology, transportation and logistics, labor, environmental policy, regional and economic development, and other appropriate sectors. The council will make recommendations concerning infrastructure priorities, acceleration of the preconstruction and approval processes, development of financing options to generate new investment over the next 10 years, and additional methods to increase public-private partnerships. The council also will make recommendations concerning best practices to improve procurement methods, grant procedures, and delivery systems and the promotion of advanced manufacturing and technological innovation. In addition, the council will submit a report to the president summarizing its findings and recommendations. The council will terminate on Dec. 31, 2018, unless extended by the president, or within 60 days of submitting the report, whichever occurs first. The order is dated July 19, 2017.

82 FR 34383 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Voluntary Medical Device Manufacturing and Product Quality Program Workshop
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a workshop concerning the Voluntary Medical Device Manufacturing and Product Quality Pilot Program. The workshop will announce the proposed framework and preliminary outline of the program that recognizes an independent assessment of manufacturing and product quality. The agenda includes discussions concerning the independent assessment, details of participation, rules of engagement, monitoring and performance expectations, and potential modifications of FDA oversight actions in response to demonstrated manufacturing quality performance. The workshop is scheduled for Oct. 10, 2017, in Silver Spring, Md., and via webcast. Comments are due Oct. 18, 2017. Contact: Francisco Vicenty; FDA, Center for Devices and Radiological Health; 301-796-5577; Francisco.Vicenty@fda.hhs.gov

82 FR 34531 (07/25/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Washington State/North Fork Nooksack Line Lowering Project

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of the schedule of environmental review for the North Fork Nooksack Line Lowering Project in Whatcom County, Wash. The project, proposed by Northwest Pipeline LLC, of Salt Lake City, consists of the removal and replacement of pipeline and removal of previously abandoned-in-place pipeline to reduce exposure due to river channel migration. The issuance of the environmental assessment is scheduled for Nov. 13, 2017, and the 90-day federal authorization decision is due Feb. 11, 2018. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 34517 (07/25/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Railroad Workforce Development Survey

HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Railroad Administration announces the submission of a new information collection request to the OMB regarding the railroad industry workforce development survey (Form FRA 240). The survey will collect information regarding current workforce development strategies and challenges from class I freight and passenger railroads, short line and regional railroads, labor unions, major associations, academia and specialty experts. Comments are due Aug. 24, 2017. Contact: Kim Toone; FRA, Office of Information Technology; 202-493-6132

82 FR 34569 (07/25/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Commerce Department Health Units, Health and Safety Related Records

OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the National Institute of Standards and Technology to seek OMB approval for a new information collection request regarding routine information from volunteers, associates, and visitors who utilize Commerce Department health units and other health and safety related records. The information will be collected in paper format, electronically via web applications, and through interviews. Comments are due Sept. 25, 2017. Contact: Stephen Banovic; National Institute of Standards and Technology; 301-975-8822; stephen.banovic@nist.gov

82 FR 34484 (07/25/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Hydraulic Fracturing on Federal and Indian Lands
OIL AND GAS INDUSTRY

Proposed rule of the Bureau of Land Management would rescind a March 26, 2015, final rule (80 FR 16128) regarding hydraulic fracturing on federal and Indian lands. The 2015 rule addressed well construction requirements and management of fluids that flow back to the surface as a result of hydraulic fracturing operations and required public disclosure of the chemicals used in hydraulic fracturing fluid. The current proposed rule would return affected CFR sections to the language that existed immediately before the effective date of the 2015 final rule. The action is being taken under Executive Order 13783 (82 FR 16093, 03/31/2017), which required the secretary of the Interior Department to review and revise or rescind certain rules that potentially burden the development and use of domestically produced energy resources. Comments on the proposed rule and the supporting environmental assessment are due Sept. 25, 2017. Contact: Steven Wells; BLM, Fluid Minerals Division; 202-912-7143. Citations: 43 CFR 3160.0-3, 3160.0-5, 3162.3-2, 3162.3-3, 3162.5-2

82 FR 34464 (07/25/2017)

Regulatory Update

RADIATION
List of Approved Spent Fuel Storage Casks
RADIATION

Final rule of the NRC corrects the certification expiration date specified in a March 24, 2017, direct final rule (82 FR 14987) that added the TN Americas LLC NUHOMS® Extended Optimized Storage (EOS) Dry Spent Fuel Storage System to the list of approved spent fuel storage casks as Certificate of Compliance (CoC) No. 1042. The correct expiration date for the CoC is June 7, 2037. The rule is effective July 25, 2017. Contact: Edward Lohr; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-0253; Edward.Lohr@nrc.gov. Citations: 10 CFR 72.214

82 FR 34387 (07/25/2017)

Regulatory Update

RADIATION
U.S./IAEA Agreement on Safeguards on Nuclear Material
RADIATION

Notice of the NRC announces the submission of a continuing information collection request to the OMB regarding implementation of the U.S./International Atomic Energy Agency (IAEA) agreement concerning safeguards on nuclear material. The collection addresses required licensee reporting on nuclear material inventory and flow for selected facilities, inspections, immediate notification of the loss of nuclear material, and notification for import and export of specified amounts of nuclear material. Comments are due Aug. 24, 2017. Contact: David Cullison; NRC, Office of the Chief Information Officer; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV. Citations: 10 CFR 75

82 FR 34556 (07/25/2017)

Regulatory Update

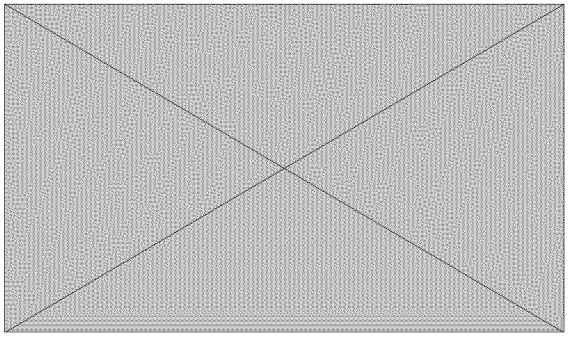
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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Thur 10/5/2017 11:49:29 AM
Subject: AEI Today: Should President Trump recertify the Iran deal?

Bad diplomatic agreements may win prizes, but they do not bring peace. Often, they hasten conflict.

AEI's daily publication of independent research, insightful analysis, and scholarly debate



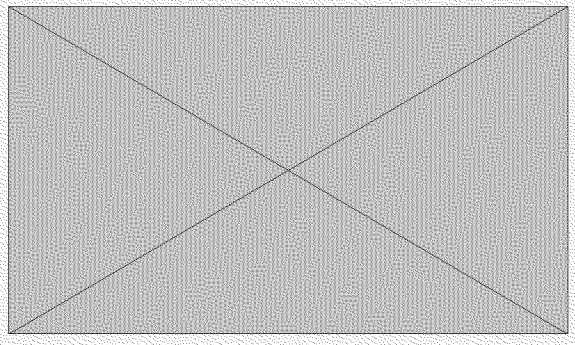
Reuters

Should President Trump recertify the Iran deal?

Michael Rubin | Washington Examiner

Bad diplomatic agreements may win prizes, but they do not bring peace. Often, they hasten conflict. When it comes to hard diplomacy with rogue regimes, there are never any shortcuts. Should President Trump walk away from the Iran deal? Probably not. But he should make its 90-day continuance contingent on implementation of all parts of the deal, including rapid

inspection of Iranian military bases where nuclear weapons work might continue.

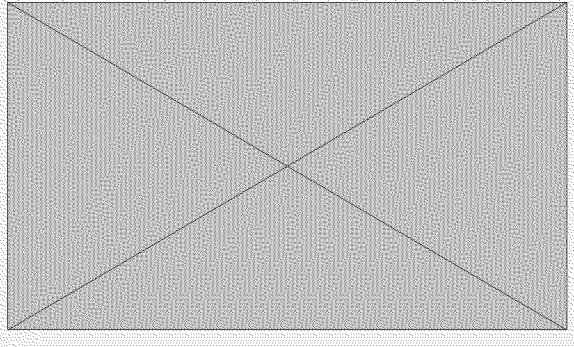


Reuters

Hey, Democrats: It's OK to get behind tax cuts

James Pethokoukis | The Week

Just because President Trump supports an idea doesn't mean it's terrible. This is a problem for Democrats. It wasn't so long ago that they also wanted to cut corporate tax rates: In 2015, President Obama proposed axing tax breaks and loopholes to pay for slashing the corporate rate to 28 percent from 35 percent. Of course, it's hard to blame Democrats for developing a knee-jerk revulsion given how badly Republicans are distorting the issues.

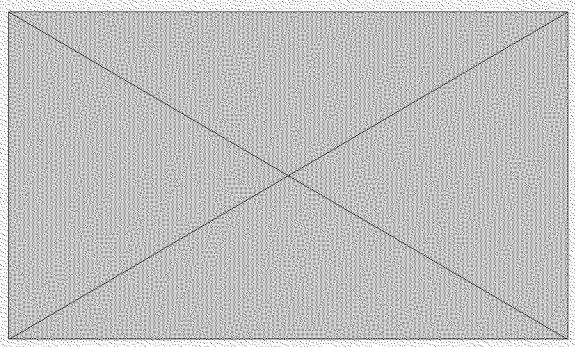


Reuters

The Republican base is beyond President Trump's control

Jonah Goldberg | National Review Online

Judge Roy Moore's victory last week in a runoff against Sen. Luther Strange (R-AL) may signal that the base is not President Trump's army to command. The president endorsed Strange, and it didn't help. There's remarkably little substance to this populist fever: Strange was more conservative than Moore but less bombastic. Republican politicians can't ignore the anger, but stoking it is pointless. Eventually, politicians have to govern.



Reuters

Testimony: The American interest in Iraq today

Kenneth Pollack | Testimony before the House Armed Services Committee

Every year since 2003, knowledgeable Americans have been warning that the current year is absolutely crucial in Iraq. They have been right every time, and 2018 will be no exception. But as always at seminal moments like this, it's important to remind ourselves of what our interests are in

Iraq. After 2003, an endless parade of American mistakes produced a dangerous set of internal threats to US interests.



MORE FROM AEI

Puerto Rico needs a Marshall Plan
Desmond Lachman | US News & World Report

Daron Acemoglu: The changes coming in the next 20 years shouldn't surprise anyone, but we're totally unprepared
James Pethokoukis | AEIdeas

Robert Bork on what to do about the First Amendment (1995)
Robert Bork | Commentary Magazine

60-second take: What Americans of all stripes think about DACA
Karlyn Bowman | AEI video

The Catalonian bell tolls for Europe
Desmond Lachman | The Hill

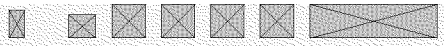
Intellectuals tend to exalt the free market for ideas and spurn the free market for goods. They miss the point. (1974)
R. H. Coase | The American Economic Review

Around the web: Amid another tragedy, don't forget the legacy of Tom Petty
Matt Winesett | AEIdeas

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Subject: Today on Climate Beat

November 27, 2017

Today on Climate Beat . . .

. . . we visited Montreal, where a State Department official recently said the federal government supports the "goals and approach" of a global deal reached last year to limit the production and use of refrigerants that act as potent greenhouse gases, offering a rare example of a climate policy the Trump administration endorses.

In litigation news, a federal district court judge is allowing environmental groups' lawsuit challenging the Trump administration's approval of the cross-border permit for the Keystone XL tar sands pipeline to proceed, rejecting multiple motions by the administration and the developer to dismiss the National Environmental Policy Act case.

And in biofuel updates, we reported that EPA issued its final denial of refiners' petitions to shift the renewable fuel standard's "point of obligation," with oil sector groups expected to sue over the decision as they push for shifting what they see as an unfair compliance burden away from refiners to fuel blenders.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Fri 6/9/2017 2:04:51 PM
Subject: POLITICO's Morning Energy: Pruitt's approach to EPA panned by former chiefs — Zinke nears decision on Bears Ears — Carper floats separating consideration of NRC picks

By Anthony Adragna | 06/09/2017 10:00 AM EDT

With help from Eric Wolff, Sara Stefanini and Alex Guillén

WANT THAT OLD THING BACK? EPA Administrator Scott Pruitt has pressed the idea of taking the agency "back to basics," returning to its roots of cleaning up toxic waste sites under the Superfund program and providing safe drinking water, while rejecting the Obama administration's initiatives on issues like climate change. But as Pro's Alex Guillén reports, previous EPA administrators from both parties say the agency's mission is far broader than the cramped version Pruitt's promoting. "I don't think it has to be an either-or, nor should it be," said Christine Todd Whitman, George W. Bush's first EPA administrator. "Superfund is not the only issue for human health. Water pollution is a huge issue and very important and you need to work on it, but it's not the only issue. Air is an issue too. Even if you don't want to believe in climate change, you've got to believe that carbon and mercury are not good for you."

It's not just old administrators though. Thomas Jorling, who co-authored the Clean Air Act in 1970 and the Clean Water Act in 1972 as a Senate Republican staffer, said that Pruitt's philosophy of "EPA originalism" is wrong. Continuing to stick to a limited set of cherry-picked priorities Pruitt has chosen to champion is "just disingenuous," he added. "It's all basically a smokescreen to their real intention, which is kind of a moral and ethical corruption, to ... restore the dependence of the United States energy system on fossil fuels." The agency did not make Pruitt available for an interview.

ME EXTRA - HISTORY LESSON: Lee Thomas, Reagan's second-term EPA administrator, said Pruitt's budget-slashing, anti-regulatory agenda has certain parallels to one of his predecessors: Anne Gorsuch Burford, Reagan's first EPA chief and the mother of Supreme Court Justice Neil Gorsuch. Burford, who died in 2004, had no previous relationship with agency staff, reduced EPA's budget by 22 percent and once boasted about cutting a book of water regulations from six inches thick to just half an inch. She ultimately resigned in 1983 after being cited for contempt of Congress in a management scandal regarding Superfund, at that time a new program. More than a dozen other agency officials quit in the surrounding months amid a turbulent atmosphere at the agency.

Thomas, at that time deputy director at the Federal Emergency Management Agency, came on as a top official to help right EPA, and two years later returned as administrator after Bill Ruckelshaus had stabilized the agency. "I've seen it go bad. And I've seen what it takes to go back on track," Thomas said. "The public does not want EPA to go through that kind of crisis."

G-7'S (TOTALLY AWKWARD) ENVIRONMENT MEETING: G-7 environment ministers meet in Bologna on Sunday and Monday, just 10 days after Trump announced he was ditching the Paris climate agreement (unless the rest of the world agrees to better terms, of course). Pruitt

will be there as the American representative. The biggest battle to watch for: Will the other six ministers and Pruitt come to any agreement on a communiqué that supports efforts to tackle climate change? (ME bets no.) Disagreements over climate already scuppered a joint statement at the G-7 energy ministers meeting, and Trump refused to back commitments made at the leaders summit last month.

Benvenuti! Pruitt tweeted a picture Thursday from Italy after "mtg w/ U.S. companies doing business in Europe." The agency told ME representatives from Whirlpool, DuPont, Chemours, First Solar and 3M attended, as well as a few Italian companies, but declined to provide any further details on Pruitt's schedule while in Europe.

TGIF MY FRIENDS! I'm your host Anthony Adragna, and Hunton & Williams' Joe Stanko was first to identify Sen. Lamar Alexander as the former Cabinet member (Education Secretary under President George H.W. Bush) now in the Senate. Your end-of-the-week fun: The spouse of which U.S. senator co-owns the legendary Strand Bookstore? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

ROUND, ROUND, GET AROUND: He's apparently still in discussions with the White House ahead of a final recommendation about whether to rescind or tweak the designation of the Bears Ears National Monument in Utah, but Interior Secretary Ryan Zinke is planning to keep chugging on his national tour. Zinke plans to visit Connecticut, New Hampshire, Maine, and Massachusetts during a four-day swing kicking off June 13. That trip will include a tour of the hotly contested Katahdin Woods and Waters National Monument in Maine, another of the more than two dozen monument designations under the Antiquities Act currently under review by the Trump administration.

TRUMP HAILS NEW COAL MINE'S OPENING: Trump hailed the opening Thursday of Corsa Coal Corp. in Pennsylvania, a new mine digging coal used to make steel, as proof deregulation is helping bring jobs to the industry, ABC News reports. "We have withdrawn the United States from the horrendous Paris climate accord, something that would have put our country back decades and decades, we would have never allowed ourselves to be great again," the president said in a video message. About 200 miners, business leaders, and politicians celebrated its opening under a tent amid mining headgear labeled "Make Coal Great Again."

RIDIN' SOLO? Sen. Tom Carper, the top EPW Democrat, has asked Republicans to split off the reappointment of Kristine Svinicki to the NRC from other two Republican nominees in order to fast track the process, Pro's Darius Dixon reports. "One of the things I've suggested to Chairman [John] Barrasso is to find a way to pair those two maybe with one Democrat, and there's a Democrat on the NRC whose term expires ... next year," Carper said. Svinicki, who has been an NRC commissioner for nine years, would have to step down, even temporarily, if the Senate fails to confirm her for another five-year term by June 30.

FOR YOUR WEEKEND RADAR: Activists will gather Saturday at city halls and statehouses across the country to protest Trump's decision to pull out of the Paris climate accord. "Our communities cannot and will not allow these reckless policies and decisions to wreck our

future," organizers, who include 350.org, the Sierra Club, The Climate Reality Project and many more, said in a statement.

Now here's a far away hearing: Senate Energy and Natural Resources plans to hold a field hearing at 10 a.m. local time Saturday in Cordova, Alaska - accessible only by boat or plane (book you tickets for Mudhole Smith Airport). Representatives from Sandia National Laboratory, Alaska Center for Energy and Power, Alaska Village Electric Cooperative and Alaskan Brewing Company will be examining microgrids and hybrid energy systems. Both Lisa Murkowski and Maria Cantwell, the top Republican and Democrat on the committee, are slated to participate.

WHITEHOUSE: CCS CREDITS BILL READY TO FOR REPRISE: A bill to expand tax credits for carbon capture projects should be ready for introduction soon, Sen. Sheldon Whitehouse told ME. "It's close enough that we're having conversations about when and final steps," he said. The bill, which will be co-sponsored with Sen. Heidi Heitkamp , would attempt to revive is one a trio of "orphaned" tax credits, along with credits for geothermal and for advanced nuclear plants - that were left out of the 2015 omnibus bill that extended solar and wind tax incentives.

Warns 'raiding party' has hit EPA: Republican "heads would be exploding" if a Democratic administration simply ignored requests for information as Pruitt's EPA has done to Democrats, Whitehouse told ME. "Basically, the fossil fuel industry has sent a raiding party into EPA and taken it over," the Rhode Island Democrat said. "I think he feels a kind of immunity from any kind of accountability because the fossil fuel industry so owns the Republican Party and so owns him."

JUDGE, IRKED BY DOJ, LETS KIDS CLIMATE CASE GO TO TRIAL: A federal judge on Thursday slammed the Justice Department for trying to force her hand on a legal matter in the lawsuit brought by children seeking to compel sweeping federal action on greenhouse gas emissions. The Trump administration had asked Judge Ann Aiken of the U.S. District Court in Oregon to let them appeal her decision not to dismiss the lawsuit before moving into the discovery phase. In a short order, Aiken criticized DOJ for threatening to go to the 9th Circuit anyway by today if she hadn't already ruled on the request, noting that the suit is already on an expedited schedule. She said the government's arguments were too weak to secure even faster consideration, and panned DOJ because it asked for a rapid decision after waiting four months to make its initial request. Aiken also gave the green light to move closer to the trial phase. The Trump administration could still try to get the 9th Circuit involved, but the appellate court is unlikely to intervene in an ongoing case.

BIPARTISAN BILL PASSES SENATE: Senators passed Wildlife Innovation and Longevity Driver Act (S. 826) by voice vote Thursday. The legislation, co-sponsored by Chairman John Barrasso and Carper, would reauthorize funding for the Partners for Fish and Wildlife Program in which the Interior partnerships with private landowners in fighting invasive species and offer rewards for innovative technologies to stop invasive species. The bill cleared committee in April.

TROLL SO HARD: French President Emmanuel Macron poked Trump again Thursday by

launching a website urging anyone concerned with climate change to move to France, POLITICO Europe's Nicholas Vinocur reports. The website - www.MakeOurPlanetGreatAgain.fr - plays on Trump's campaign slogan and invites researchers, entrepreneurs and NGO workers from around the world to state their interest in climate change and their specialist field, then apply for positions and immigration documents to come to France.

ANOTHER BOLD PROMISE: Did everyone remember it's the White House's Infrastructure Week? Well, Vice President Mike Pence certainly did, and told a working luncheon Thursday that Trump intended to speed up the approval of new projects. "We'll revolutionize federal permitting and review with the goal of reducing wait times from 10 years to two years," he said.

ENERGY PRIORITIES OUTLINED FOR NAFTA: A bipartisan group of eight senators has outlined specific "principles" that the Trump administration should consider when it renegotiates NAFTA, Pro Trade's Adam Behsudi reports. "NAFTA has played a key role in all North American energy markets including electricity, renewable, oil, and natural gas, as each market is highly integrated with and remains dependent on vital energy infrastructure and trade crossings that border the United States, Canada, and Mexico," they wrote in a letter organized by Sen. John Cornyn.

EPA UNION DEMANDS GUVS FIGHT FOR GREAT LAKES: The union representing some 1,000 EPA employees has asked to meet with six Midwest governors - Mark Dayton of Minnesota, Eric Holcomb of Indiana, John Kasich of Ohio, Bruce Rauner of Illinois, Rick Snyder of Michigan and Scott Walker of Wisconsin - to strongly oppose proposed budget cuts to the agency that they warn would severely impact the Great Lakes. "Aside from the long term health and safety of the public in the Great Lakes region, the economic threats to the region must be recognized," Michael Mikulka, president of Local 704 of the American Federation of Government Employees, said in a statement.

THEY'RE FIRED UP: Green groups are burning up over the Forest Service's proposal this week to expand two coal leases inside Colorado national forests. Local and national green groups are bristling at the plan to bulldoze wilderness for several new miles of roads and build new drilling pads for methane vents in an area home to black bears, elk and lynx. "Giving away our western public lands to the coal industry isn't energy independence, it's a scheme to make executives and shareholders rich at our expense," said Shannon Hughes of WildEarth Guardians. A 45-day public comment period ends July 24; if approved, the next step is a second approval from the Bureau of Land Management.

SOMETHING SYMBOLIC HERE: California Gov. Jerry Brown and Energy Secretary (and former Texas governor) Rick Perry shaking hands while going opposite directions on an escalator during a trip to China. Pic.

REPORT: EPA DIDN'T UPDATE POLICIES AS REQUIRED: The GAO released a report Thursday finding EPA failed to update the agency's policy statement for the Science Advisory Board as required under a congressional spending bill, Pro's Alex Guillén reports. "EPA did not update its policies or requirements for the SAB as directed by the explanatory statement," it said.

REPORT: CLEAN ENERGY'S DIRTY SECRET: America Rising Squared is out with a new white paper arguing there are "great human and environmental costs" behind the production of clean energy technologies like solar panels, wind turbines, electric vehicles and EV batteries. "The inconvenient truth is that these 'clean' sources of energy are produced under the worst of labor and environmental rights violations," it says.

DEMOCRATIC REPORT: ENERGY EFFICIENCY EFFICIENTLY CREATES JOBS: Democrats on the Joint Economic Committee, a congressional economic advisory committee formed in 1946, are out with a report today arguing for the job-creating capacity of energy efficiency measures. The report notes that EE jobs bounced up to 2.2 million in 2016, 7 percent increase from the previous year. The report calls on Congress to fully fund the Energy Star program, scheduled to be eliminated under Trump's budget, and in additional research.

AD WATCH: 15 PERCENT ETHANOL ALERT: Growth energy is launching a seven-figure TV and digital ad buy in D.C. and other markets to promote Sen. Deb Fischer's bill to allow year-round sale of 15 percent ethanol fuel. The bill is set to get a hearing at EPW next week.

MOVER, SHAKER! Former House Speaker John Boehner has joined Arizona Mining Inc.'s board of directors (h/t POLITICO Influence).

QUICK HITS

- Digging the Graveyard of Oil's Past. New York Times.

- Merkel in Argentina talks Trump, trade and climate change. AP.

- Canada invites Chinese investment in oil sands: minister. Reuters.

- As Oil Plumbs New Depths, Someone Sees $80 a Barrel by December. Bloomberg.

- As Trump's EPA delays smog rules, California vows to forge ahead. Los Angeles Times.

- Qatar Gulf row roils LNG market, Shell tanker diverted. Reuters.

THAT'S ALL FOR ME!

To view online:
http://www.politico.com/tipsheets/morning-energy/2017/06/09/pruitts-approach-to-epa-panned-by-former-chiefs-220760

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June 2, 2017

Today on Climate Beat . . .

. . . we took a trip to Asia, reporting that Energy Secretary Rick Perry's visit to Japan and China for a series of international meetings on clean energy means that he is likely to receive an earful from foreign leaders about President Donald Trump's recent decision to leave the Paris Agreement.

Speaking of Paris, our daily news roundup gathered the best coverage – including our own – of Trump's decision on the landmark global deal. We also highlighted some of this week's must-read stories, which naturally had a heavy dose of Paris news.

Back in China, California Gov. Jerry Brown (D) is visiting the world's top greenhouse gas emitter next week to begin preliminary talks to connect the state's cap-and-trade program with China's GHG trading programs.

And over at EPA, a retired scientist with more than a quarter-century of service at the agency has sent Administrator Scott Pruitt a scathing letter outlining his continuing concerns about its direction under his leadership, including a lack of effort to address climate change.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
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Subject: Playbook Power Briefing, presented by Chevron: Handicappers signal a Dem 'wave' for the House -- MURKOWSKI indicates Alexander-Murray needs vote before tax reform -- CORKER turns on TILLERSON

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Today's Playbook Power Briefing presented by Chevron

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good FRIDAY afternoon. TAKE THIS IN, FOR A SECOND: DAVE WASSERMAN (@redistrict) is the gold standard when it comes to handicapping House races. He has changed the ratings in seven different seats. But, most notably: Reps. **PETER ROSKAM (R-ILL.), RODNEY FRELINGHUYSEN (R-N.J.)** and **REP. JOHN CULBERSON (R-TEXAS)** have all moved from lean Republican to toss up.

FRELINGHUYSEN is a 23-year veteran of Congress and the chairman of the House Appropriations Committee. **CULBERSON** is a 16-year veteran who chairs an Appropriations subcommittee. **ROSKAM** has been in D.C. since 2008, and is the chairman of the Ways and Means tax subcommittee. Yes, it's early. But if these members of the House are in danger, that's a troubling sign for the GOP in 2018. ***Dave Wasserman's analysis*** http://bit.ly/2yRiPM0

-- AMY WALTER, also at The Cook Political Report, has this headline: **"A Wave Is a Comin'"** http://bit.ly/2hHzpLe

THE TAX BATTLE -- "Murkowski Tax Vote Contingent on Stabilizing Individual Health Insurance Market," by Roll Call's Joe Williams: "Sen. Lisa Murkowski suggested on Thursday that her vote on the current version of the tax overhaul is contingent on passing a separate bill to stabilize the individual health insurance market. ...

"'I think that there is a path and I think the path is a reasonable path,' the Alaska Republican said of her support for [Alexander-Murray]. 'If the Congress is going to move forward with repeal of the individual mandate, we absolutely must have the Alexander-Murray piece that is passed into law.'" http://bit.ly/2jDJZU8

-- READ BETWEEN THE LINES: Alexander-Murray will get a vote in the first part of December and will end up in a big spending package of some sort.

POLITICO KILLING IT IN FLORIDA -- "MIAMI (AP) - Florida Democratic Party

chairman resigns after women complained about his sexually inappropriate comments, demeanor." ***The original story, by Matt Dixon and Marc Caputo*** http://politi.co/2mBRJGX

ON THE RUSSIA INVESTIGATION -- SCOOP -- "Goldstone Ready to Come to U.S. and Talk to Mueller," by NBC News' Robert Windrem: "The British publicist who helped set up the fateful meeting between Donald Trump Jr. and a group of Russians at Trump Tower in June 2016 is ready to meet with Special Prosecutor Robert Mueller's office, according to several people familiar with the matter. Rob Goldstone has been living in Bangkok, Thailand, but has been communicating with Mueller's office through his lawyer, said a source close to Goldstone. ...

"[S]ources close to Goldstone and familiar with the investigation say they expect he will travel to the United States at some point 'in the near future,' as one put it. Goldstone helped set up - and attended - the June 9, 2016, meeting at Trump Tower at which Russian lawyer Natalia Veselnitskaya says she presented information to Donald Trump Jr. and other key Trump aides." http://nbcnews.to/2hHIaoA

-- "Trump to Pay His Own Legal Bills, Set Up Fund to Cover Staff," by Bloomberg's Shannon Pettypiece: "President Donald Trump has started paying his own legal bills related to the Russia probe, rather than charging them to his campaign or the [RNC], and is finalizing a plan to use personal funds to help current and former White House staff with their legal costs.

"The Office of Government Ethics and a tax firm are working on a mechanism for Trump to contribute to staffers' legal bills that would meet regulatory and ethical standards, White House lawyer Ty Cobb said in an interview. The White House is hoping the issue will be resolved shortly, said Cobb, who declined to elaborate further on the details of the plan. ...

"Trump is only considering using his personal funds to pay for the legal bills of current and former White House aides, not people who served exclusively during the campaign. That would rule out some of the highest profile figures in the investigations, including former campaign manager Paul Manafort and his deputy, Richard Gates, both of whom were indicted on charges of money laundering last month. George Papadopoulos, a campaign foreign policy adviser who pleaded guilty to making false statements to the government, also wouldn't be eligible." https://bloom.bg/2hHMO5S

TRUMP INC. -- "A Panama tower carries Trump's name and ties to organized crime," by NBC News' Aggelos Petropoulos and Richard Engel in Panama City: "An NBC News investigation into the Trump Ocean Club, in conjunction with Reuters, shows that the project was riddled with brokers, customers and investors who have been linked to drug trafficking and international crime. [Former financial crimes prosecutor Mauricio] Ceballos, who investigated the project, went as far as to call the skyscraper 'a vehicle for money laundering.' The investigation revealed no indication that the Trump Organization or members of the Trump family engaged in any illegal activity, or knew of

the criminal backgrounds of some of the project's associates. But Ventura said that the Trumps never asked any questions about the buyers or where the money was coming from." http://nbcnews.to/2hFCBH1

****** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat- buckwheat. Watch the video: http://politi.co/2ArIBXv ******

DISASTER RELIEF UPDATE -- "White House seeks $44 billion in third disaster request," by John Bresnahan, Jen Scholtes and Sarah Ferris: "The White House sent its third disaster request to Congress on Friday, asking for $44 billion to aid recovery from this summer's deadly trio of hurricanes. If the funding package is approved, Congress will have kicked in nearly $100 billion in extra money this year to help storm-ravaged communities in places like Texas, Puerto Rico, the U.S. Virgin Islands and Florida.

"Speaker Paul Ryan (R-Wis.) welcomed the administration's move, adding in a statement, 'The House will review the request and work with the administration and members from affected states to help the victims get the resources they need to recover and rebuild.' Other lawmakers, however, voiced strong complaints that the package fell short of expectations." http://politi.co/2hHK9sT

AT 1600 PENNSYLVANIA -- "Lawyers call White House sexual harassment policy 'useless'," by Matt Nussbaum: "As Congress and the private sector move to improve reporting procedures and increase transparency amid multiplying revelations of widespread harassment, the White House remains uniquely opaque -- and reliant on guidance lawyers say falls short of common standards for shielding employees from abuse. Employees joining the White House are provided with new-hire documents that contain two pages defining sexual harassment and discrimination and giving directions for reporting such incidents.

"The document, which was obtained by POLITICO, lists three 'strategies for addressing discrimination': "Talk to the individual about any behavior, actions or decisions that appear discriminatory; Discuss the situation or incident with an appropriate supervisor; Seek EEO [Equal Employment Opportunity] counseling.' The paperwork was not substantially updated or changed from what was used by the Obama administration when President Donald Trump took office, according to a White House source. Five lawyers who reviewed the document for POLITICO raised concerns." http://politi.co/2jxG2jD

CLINTONWORLD V. GILLIBRAND -- @PhilippeReines: "Ken Starr spent $70 million on a consensual blowjob. Senate voted to keep POTUS WJC. But not enough for you @SenGillibrand? Over 20 yrs you took the Clintons' endorsements, money, and seat. Hypocrite. Interesting strategy for 2020 primaries. Best of luck."

JESSE JACKSON SR. announced he has been diagnosed with Parkinson's disease.

His letter http://bit.ly/2hHMhkw

EIGHT FORMER FEMALE STAFFERS TO SEN. AL FRANKEN SPEAK OUT: "Many of us spent years working for Senator Franken in Minnesota and Washington. In our time working for the Senator, he treated us with the utmost respect. He valued our work and our opinions and was a champion for women both in the legislation he supported and in promoting women to leadership roles in our offices," the eight staffers said in a statement. ***The staffers: Katherine Blauvelt, Alexandra Fetissoff, Jessi Held, Lisbeth Kaufman, Natalie Volin Lehr, Karen Saxe, Charlotte Slaiman and Bethany Snyder.***

2020 WATCH -- "McAuliffe to raise money for cash-strapped DNC," by Gabe Debenedetti: "Terry McAuliffe is set to host the [DNC's] major year-end fundraising reception, according to an invitation obtained by POLITICO -- making the outgoing Virginia governor and former DNC chairman one of the only potential 2020 contenders to raise much-needed funds for the party as it struggles for cash.

TERRYWORLD'S THINKING: "'It's easy to take shots at the DNC, but what we need is more of the people who want to be considered leaders in the party to step and actually do something to make the DNC stronger,' said one Democrat close to McAuliffe. 'Send some emails, host some fundraisers, do what you can to make sure Democrats have the resources to compete everywhere.'" http://politi.co/2jxD8eB

THE REX BEAT -- "Corker-Tillerson alliance frays: The GOP Senate Foreign Relations Committee chairman and longtime defender joins a chorus of criticism over the Secretary of State's plans to restructure his department," by Nahal Toosi: "Sen. Bob Corker, having already turned on the president, has a new target for his frustration: Secretary of State Rex Tillerson.The Tennessee Republican and Senate Foreign Relations Committee chairman has voiced concerns about Tillerson's management of the State Department and his still-fuzzy plans to restructure it. ... Until recently, Corker has been a steadfast ally of Tillerson ...

"Corker is far from the only one expressing concern about Tillerson's plans. Last week, a bipartisan group of Senate staffers met with Tillerson aides to get an update on Tillerson's plan to reshape his department. The State staffers shared a presentation, a copy of which was obtained by POLITICO, that infuriated the Senate aides with its lack of substance." http://politi.co/2hz58u0 ... ***The presentation*** http://politi.co/2jBSazZ

2018 WATCH -- "Indiana candidate's D.C.-area home complicates Senate campaign," by AP's Brian Slodysko: "A campaign stop for Rep. Luke Messer in his bid for Senate involves traveling from his family's home in suburban Washington back to Indiana, where aides say he typically stays overnight with his mom. Although living outside the state is hardly a first for members of Indiana's congressional delegation, past elections signal Messer's address could complicate his plans to win the Republican primary and ultimately unseat Democratic Sen. Joe Donnelly next year. ...

"[Messer's] family lives in McLean, Virginia, keeps a vacation house in Dandridge, Tennessee, yet sold their home in Indiana two years after his election to Congress in 2012. They now say a two-bedroom house Messer co-owns with his mom in Greensburg is the family's Indiana residence. One of his chief primary rivals, fellow Rep. Todd Rokita, has already seized on that as a line of attack." http://bit.ly/2hHmzMZ

TOM RIDGE IN CRITICAL CONDITION -- PennLive.com's Travis Kellar: "Former Pennsylvania governor Tom Ridge remains in critical condition after an emergency heart procedure that took place on Thursday. An official with Dell Seton Medical Center at The University of Texas confirmed his condition as of Friday morning. Ridge, 72, was at a Republican Governors Association conference in Austin on Thursday when at about 7 a.m., he asked hotel staff for medical assistance. He was at the conference for Ridge Global, his security and risk management firm." http://bit.ly/2jyzkKh

ON THE WORLD'S STAGE -- "North Korea rules out negotiations on nuclear weapons," by Reuters' Stephanie Nebehay: "North Korea on Friday ruled out negotiations with Washington as long as joint U.S-South Korea military exercises continue, and said that Pyongyang's atomic weapons program would remain as a deterrent against a U.S. nuclear threat. In an interview with Reuters, Han Tae Song, North Korea's ambassador to the United Nations in Geneva, brushed off the new sanctions which the Trump administration has said it is preparing, as well as the possibility of North Korea being added to a U.S. list of states sponsoring terrorism." http://reut.rs/2jwwpl8

-- "Life under Kim Jong Un: Recent North Korean escapees relate how the secretive country has changed under the 'Great Successor'," by WaPo's Anna Fifield: "In six months of interviews in South Korea and Thailand, The Washington Post talked with more than 25 North Koreans from different walks of life who lived in Kim Jong Un's North Korea and managed to escape from it. In barbecue restaurants, cramped apartments and hotel rooms, these refugees provided the fullest account to date of daily life inside North Korea and how it has changed, and how it hasn't, since Kim took over from his father, Kim Jong Il, at the end of 2011. Many are from the northern parts of the country that border China -- the part of North Korea where life is toughest, and where knowledge about the outside world just across the river is most widespread -- and are from the relatively small segment of the population that is prepared to take the risks involved in trying to escape. ...

"But in talking about their personal experiences, including torture and the culture of surveillance, they recounted the hardships of daily life under Kim Jong Un's regime. They paint a picture of a once-communist state that has all but broken down, its state-directed economy at a standstill. Today, North Koreans are making their own way, earning money in an entrepreneurial and often illegal fashion. There are only a few problems in North Korea these days that money can't solve." http://wapo.st/2hHLWOI

MEDIAWATCH -- FT: "New editor of Vanity Fair inherits inbox full of big challenges: Radhika Jones will have to cut editorial budget by 30% as secular trends

bite," by Matthew Garrahan in London and Shannon Bond in New York: "Condé Nast will find some of its savings for Vanity Fair in Ms Jones's remuneration package: she will earn about $500,000 a year, substantially less than Mr Carter, who was paid about $2m a year plus a generous perks package that included use of a private plane, according to one person briefed on the arrangements." http://on.ft.com/2AOol2P

-- "Vox Media's editorial employees are seeking to unionize," by Business Insider's Maxwell Tani http://read.bi/2AXep7G

SPOTTED: Condoleezza Rice this morning in the lobby of the Mandarin Oriental in D.C. She's speaking to Deloitte ... Qatari Foreign Minister and Deputy PM Sheikh Mohammed bin Abdulrahman Al-Thani this morning walking around the same hotel - on his trip to D.C. this week, he met with Sen. Chuck Schumer (D-N.Y.), House Minority Leader Nancy Pelosi (D-Calif.), and Sens. Bob Corker (D-Tenn.) and Ben Cardin (D-Md.).

OUT AND ABOUT -- SPOTTED at the RFK Human Rights award laureate event at the Kennedy Caucus Room in Russell yesterday: Reps. Steny Hoyer (D-Md.) and Joe Kennedy III (D-Mass), Sen. Ed Markey (D-Mass.), Kerry Kennedy, Kathleen Kennedy Townsend, Alfredo Romero (the award winner), Richard Iannuzzi, Maria Hinojosa, Luis Almagro, William Schultz.

SPOTTED at a fundraiser last night for Massachusetts State Sen. Eric Lesser, an Obama WH alum, held in the D.C. office of Blue Engine Message & Media: South Bend, Indiana Mayor Pete Buttigieg, former Amb. to Italy John Phillips, Reggie Love, Erik Smith, Nate Tibbits, Amb. Peter Selfridge (Ret.), Andrew Platt, Bob Duff, Sal DiDomenico, Adam Hinds, Will Brownsberger, Mike Brady, Andrew Bates, Ross Baird, Nate Rawlings, Roger Fisk.

SPOTTED last night at the Niskanen Center's pre-holiday party: Jerry Taylor, Joe Coon, Andrew Mills, Liz Mair, Ian Vasquez, Gene Healy, Rachel Wolbers, Tim Lee, David Mastio, Megan McArdle, Peter Suderman, Bruce Bartlett, Brooke Oberwetter, Dara Lind, Libby Wuller, Gordon Cummings, Adele Morris, Joseph Brazauskas, Chuck Podolak, Hector Arguello, Alex Hergott, Ali McCormick, Andrew Harding

TRANSITIONS -- Cristina Antelo is joining VantageKnight as CEO. She was previously at the Podesta Group. ... **Mike Meece,** currently the chief of staff of former President George W. Bush's office, will join N2 Capital in 2018 as chief operating officer. ... **Andrea Palermo** started today as press secretary for Rep. Jim Banks (R-Ind.). She was previously communications coordinator for Heritage Action. ... **Brian Forest** , chief speechwriter for Senate Majority Leader Mitch McConnell, is joining the National Association of Manufacturers as director of strategic messaging.

WEEKEND WEDDING -- OBAMA ALUMNI - CAROLINE SIMMONS, a Democratic Connecticut state representative, recently married **ART LINARES,** a Republican Connecticut state senator. Simmons, the youngest serving female legislator in the state,

served as a policy analyst at DHS during the Obama administration and then was director of special projects in the counterterrorism coordinator's office; she also worked on the Obama 2008 campaign. The couple met on the Judiciary Committee in the Connecticut General Assembly as well as through the Bi-Partisan Young Legislators Caucus. The wedding was in Old Lyme, and Sen. Richard Blumenthal (D-Conn.) and Rep. Jim Himes (D-Conn.) were among the attendees. ***PICS:*** http://bit.ly/2AVeSaB ... http://politi.co/2AP1Jzb ... http://politi.co/2AP5wfK ... http://politi.co/2zNgMMy ... ***Blumenthal photobombing the couple*** http://politi.co/2ANV1JB

****** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2ArlBXv ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Mon 7/10/2017 2:09:58 PM
Subject: POLITICO's Morning Transportation, presented by Citizens for On Time Flights: Congress turns to DOT's 2018 budget — G-20 leaders commits to aviation security measures — Graves fails to convince general aviation on ATC proposal

By Tanya Snyder and Lauren Gardner | 07/10/2017 10:00 AM EDT

With help from Brianna Gurciullo

IT BEGINS WITH A THUD: Something other than jostling over the FAA bill will be happening today, MT readers. House appropriators will mark up their fiscal 2018 spending bill for DOT Tuesday night, which means the legislation should be released tonight around 7 p.m. (House spending bills typically come out 24 hours before the subcommittee moves them). THUD is one of a handful of bills left to duke it out over $311 billion remaining for discretionary spending, as our friends (including MT alum Jennifer Scholtes) over at Pro's Budget and Appropriations Brief report . That's compared to the more than $346 billion those bills allocated for fiscal 2017.

What we're watching for: Trucking riders on federal preemption of state requirements for meal and rest breaks (which Senate Commerce tucked into its FAA bill last month), plus anything that broaches long-standing limits on size and weight. On funding, we're keeping an eye on the accounts for Capital Investment Grants (which the Trump administration has proposed phasing out), Amtrak (especially its long-distance routes) and TIGER grants, which remain popular among lawmakers despite the White House's suggestion to nix them.

IT'S MONDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren is sharing the MT reins with Stephanie, so send your tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

"From your red balloon, you were a super high-tech jet fighter. Floating over planet earth, come back down here, I'll show you where it hurts."

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with tunes (picked by us and readers) that are all about flying, driving and sailing?

THE WEEK AHEAD:

Monday - The State Department holds an event to mark the 10th anniversary of the U.S.-European Union Open Skies Agreement.

Tuesday - AUVSI and TRB host the fourth annual Automated Vehicle Symposium in San Francisco. The Senate Homeland Security and Governmental Affairs Committee holds a hearing on the nominations of David Glawe to be Homeland Security undersecretary for intelligence and analysis and David Pekoske to be assistant Homeland Security secretary in the Transportation

Security Administration. The House Appropriations Transportation-HUD Subcommittee marks up the fiscal 2018 spending bill.

Wednesday - ARTBA hosts the annual Public-Private Partnerships in Transportation conference. The Senate Environment and Public Works Committee holds a hearing on the use of TIFIA and innovative financing. The National Press Club hosts a luncheonwith Amtrak CEO Charles W. "Wick" Moorman IV. The Congressional PORTS Caucus co-chairs host a briefing on American coastal ports-of-entry. The House Appropriations Homeland Security subcommittee holds a markup of the fiscal 2018 Homeland Security Appropriations bill.

Thursday - The Senate Finance Committee holds a confirmation hearing on Kevin McAleenan's nomination to be U.S. Customs and Border Protection commissioner. The Senate Appropriations Transportation-HUD Subcommittee holds a hearing on DOT's fiscal 2018 budget. Transportation Secretary Elaine Chao will testify.

Friday - The Federal Aviation Administration holds a Drone Advisory Committee meeting.

GLOBAL HONCHOS TALK AIR SECURITY AT G-20: World leaders gathered at the G-20 summit in Germany pledged Friday to implement "effective and proportionate" aviation security measures to prevent terrorist attacks, reports Cathy Buyck. They promised to work together to review, update, adapt and put in place international security standards based on evolving threats and potential vulnerabilities. A UN Security Council resolution signed last year urged closer collaboration among countries to prevent terrorist attacks and enhance global aviation security.

**** A message from Citizens for On Time Flights:** We should be outraged that a critical piece of our nation's infrastructure is "stuck in the 1950s." But that's where America's air traffic control system is today. ATC reform will bring us into the 21st century. That will mean fewer delays, enhanced safety and reduced emissions. Learn more at OnTimeFlights.Org. **

GRAVES STRUGGLES TO EXPLAIN GA BENEFITS OF FAA BILL: Rep. Sam Graves (R-Mo.) reportedly struggled to answer tough questions at an aviation town hall in his hometown airport Saturday about why the FAA bill's plan to separate the air traffic control system from the FAA is good for general aviation. "I don't have a good answer for you," Graves replied, according to a report by the Aircraft Owners and Pilots Association that will be published (along with video) later today. "There are still a lot of details that have to be worked out in this process. And that's done by bureaucrats, unfortunately." The crowd was said to be smaller than previous events, and though everyone was polite, he was up against a united front of opposition to the plan. Graves, in a statement provided to POLITICO Saturday, acknowledged that "some differences remain" between him and the general aviation executives and experts at the event, but that it's important GA stay involved in the debate and "maintain a seat at the table" throughout the process.

FLORIDA MAN CHARGED AFTER IN-FLIGHT BRAWL: A Tampa, Fla., man was charged Friday with interfering with flight crewmembers after allegedly assaulting a Delta attendant on a plane that had taken off Thursday night for Beijing from Seattle. The U.S. attorney's office in the Western District of Washington identified him as 23-year-old Joseph

Daniel Hudek IV, who could face up to 20 years in prison and a $250,000 fine. Hudek, who was traveling in first class on a "dependent pass," made several trips to the bathroom, then lunged for an exit door and tried to open it. One flight attendant broke a wine bottle over Hudek's head in an attempt to subdue him after he had punched another attendant and a passenger multiple times (they had to go to the hospital for "severe facial injuries" after they landed). "Several additional passengers" helped to eventually restrain Hudek, who had managed to turn the emergency release lever of the door halfway. (Read the complaint here - it's bonkers.)

NOT A DRINK COUPON: In emails to members of its frequent flyer program Thursday, Southwest Airlines implored customers to "help us advocate for national ATC modernization." If you click the link to "let your voice be heard," it directs you to http://www.ontimeflights.org/. (Alaska Airlines also promoted the website in a May blog post about air traffic control.) The program, dubbed "Citizens for On Time Flights," is "facilitated" by Airlines for America, according to spokesperson Chris Billeter. "The traveling and shipping public carries too much of the burden of delays, cancellations and wasted fuel, and Citizens for On Time Flights is dedicated to giving consumers who want more efficient air travel a voice in the debate for a better air traffic control system," Billeter emailed MT.

State by state: The group has what appear to be chapters set up in a handful of states, most of which are notable for being the homes of key authorizing and appropriating lawmakers who either oppose spinning off air traffic control operations from the FAA and into a nonprofit corporation, or at least aren't enthusiastically pushing it. They include Mississippi (Sen. Roger Wicker), South Dakota (Senate Commerce Chairman John Thune), Florida (Sen. Bill Nelson and Rep. Mario Diaz-Balart) and Maine (Sen. Susan Collins). There's also one in Arizona.

SOME LIGHT READING: Amtrak recently finished its five-year plan for the railroad's "service lines" (think Northeast Corridor, state-supported routes and long-distance lines, among others) required under the FAST Act, and passenger rail enthusiasts can check the report out here. It includes detailed breakdowns of where Amtrak gets its financial resources from and how exactly it spends them on operating and capital needs, as well as making debt service payments.

OPEN SKIES TURNS 25: The State Department is hosting an event this evening to celebrate the 25th anniversary of the first U.S. Open Skies agreement, signed with the Netherlands, and the 10th anniversary of the agreement with the European Union. The Partnership for Open & Fair Skies issued a statement saying they hope that "before the next milestone anniversary," the U.S. government will start enforcing the agreements to prevent countries like the United Arab Emirates and Qatar from "breaking the rules by funneling tens of billions of dollars in unfair government subsidies to ... airlines, distorting the international market and harming American workers."

LOBBYING UPDATE: Diana Cooper, senior vice president of policy and strategy for drone maker PrecisionHawk, registered to lobby on FAA reauthorization, bills connected to drones and federal regulations.

ARRIVALS AND DEPARTURES: David Friedman, a top official at NHTSA and the Department of Energy under President Barack Obama, has joined Consumers Union, the policy

arm of Consumer Reports, as the director of cars and product policy and analysis. Matthew Lehner, former spokesman for Obama-era FRA Administrator Sarah Feinberg and a Sen. Mary Landrieu (D-La.) alum, starts a new job today in Chicago at Uptake, a tech company that uses data analytics to help other companies (including some in the transportation realm) spot potential problems. And Houston Mills will move to UPS' global public affairs team to work on federal aviation policy and international aviation standards.

THE AUTOBAHN:

- "If you want your five bucks back, the FAA is refunding drone registrations." Gizmodo.

- Royal Jordanian, Kuwait Airlines lift laptop ban on U.S. flights. The Associated Press.

- "Battle emerging inside Trump administration over who controls immigration and refugees." Washington Post.

- "How to get to New York during Penn Station's summer repairs." The New York Times.

- "1 dead in Amtrak collision with vehicle in Richmond." ABC8 News.

- "Michigan's new Motor City: Ann Arbor as a driverless-car hub." The New York Times.

THE COUNTDOWN: DOT appropriations run out in 83 days. The FAA reauthorization expires in 83 days. Highway and transit policy is up for renewal in 1,179 days.

** **A message from Citizens for On Time Flights:** Innovation is in America's DNA. If this weren't the case, we'd still be watching black-and-white televisions, computers would be the size of refrigerators, and phones would be tethered to walls. Yet when it comes to our nation's air traffic control (ATC) system, we're using WW-II era technology. Today, controllers sequence planes for take-off using paper strips and track them in flight with ground-based radar. This outdated and inefficient system is responsible for nearly half of all flight delays, yet efforts to reform and improve it have stalled. American taxpayers deserve a 21st-century ATC system that delivers enhanced safety, fewer delays and cancellations, reduced emissions and lower costs. Opponents say reforming the system is too complicated. That's a copout. Since when has a challenge kept America from innovating? Congress has the opportunity to fix the ATC system's structure while giving taxpayers the modern system they deserve. Visit OnTimeFlights.Org to learn more. **

To view online:
http://www.politico.com/tipsheets/morning-transportation/2017/07/10/congress-turns-to-dots-2018-budget-221244

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 7/26/2017 9:43:02 AM
Subject: Morning Energy, presented by Chevron: House tees up debate on Energy and Water title — N.Y. nuke subsidy survives first court test — Russian sanctions bill on way to becoming law

By Anthony Adragna | 07/26/2017 05:40 AM EDT

With help from Esther Whieldon and Annie Snider

LET THERE BE MINI-BUS! The House takes up its first spending package today, with nearly four dozen amendments to the Energy and Water title rounding out a list of the first 72 approved by the House Rules Committee. Here are some of the items that caught our eye:

— Democrats will try to strip a rider protecting the Trump administration's withdrawal of the Obama-era Waters of the U.S. rule from legal challenges.

— Another Democratic amendment seeks to restore $921 million to DOE's Energy Efficiency and Renewable Energy account, paid for with cuts to nuclear weapons programs.

— Republican Rep. Paul Gosar's amendment would block work on the social cost of carbon.

— Nevada Democrats are trying to block pro-Yucca Mountain language with an amendment that's sure to fail.

— Ohio Republican Steve Stivers wants to block any funding for Cape Wind, the offshore wind project in Massachusetts' Nantucket Sound that has been stalled for years.

— Florida Republican Ron DeSantis proposed an amendment effectively eliminating the position of director of Civil Works of the Army Corps of Engineers.

— Michigan Republicans Paul Mitchell and Bill Huizenga will get a vote on their amendment aimed at keeping the Corps from slow-walking a controversial study related to keeping Asian carp from reaching the Great Lakes.

— New Jersey Democrat Bonnie Watson Coleman proposed defunding any work in conjunction with President Donald Trump's January executive order aimed at speeding the environmental review of high-priority infrastructure projects, like the Keystone XL pipeline.

— And, of course, the perennial light bulb rider blocking enforcement of DOE efficiency standards returns from Rep. Michael Burgess.

Meanwhile, the League of Conservation Voters urged House lawmakers to reject the mini-spending package, H.R. 3219 (115). The bill "severely cuts federal investment in clean energy, abandoning the research and development that has led to economic growth, job creation, and numerous public health and environmental benefits," the group writes. It also blasts the inclusion of policy riders in the package.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and former Commerce official Randy Mye was first to identify 19th-century Colorado Sen. Henry Teller as the first to win reelection after switching parties. For today: Who won a general election to the House but lost a special election to fill out the remainder of a term on the *same day* back in 2012? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

CUOMO WINS ROUND ONE: A federal judge on Tuesday tossed out a challenge from non-nuclear generators in New York over Gov. Andrew Cuomo's multi-billion dollar nuclear subsidy, POLITICO New York's David Giambusso reports. Judge Valerie Caproni of U.S. District Court for the Southern District of New York said the "zero emission credits" going to four flagging nuclear reactors upstate did not interfere with wholesale energy markets. Instead, she ruled, the program advanced a state policy goal that was within New York's purview and stopped short of treading on FERC's terrain. "Although FERC has substantial authority over interstate wholesale energy sales, the regulation of retail rates for sales of electricity belongs to the States," Caproni wrote in her ruling. "A whole host of measures that States might employ to encourage clean energy development — such as tax incentives or direct subsidies — involve propping up the operation of a generator that might otherwise be unprofitable."

Plaintiffs vow to appeal: Non-nuclear generators argued the subsidy, estimated to cost state utility customers between $2.8 billion and $7.6 billion, interfered with FERC's jurisdiction, and they plan to appeal the ruling, David and Marie J. French report. "The New York Public Service Commission failed ratepayers last year when it instituted a $7.6 billion bailout for uneconomic nuclear plants with almost no public input," New Yorkers for Fair Energy Coalition, one of the plaintiffs in the case, said in a statement. "We will continue to oppose the bailout in the courts and other public forums."

Cuomo praised Caproni's ruling in his own statement: "At a time when the federal government has abdicated its leadership on climate change, New York will continue to do all that we can to ensure that current and future generations have a clean and safe environment in which to live and prosper," the governor said.

9th CIRCUIT PAUSES KIDS CLIMATE SUIT FOR NOW: Three judges on the 9th Circuit Court of Appeals on Tuesday hit the pause button on the kids' climate lawsuit asking for an order forcing the government to take immediate and dramatic action on greenhouse gas emissions. The Trump administration has made an emergency request for the 9th Circuit to stop the proceedings after a federal judge in Oregon said the lawsuit from a group of children and young adults could move to trial. The 9th Circuit's one-page order only says that the pause is temporary and another forthcoming order will address the Trump administration's request more fully. It was issued by Judges Alfred Goodwin, a Richard Nixon appointee, Alex Kozinski (Reagan) and Marsha Berzon (Clinton).

SANCTIONS SAIL THROUGH: House lawmakers voted overwhelmingly Tuesday 419-3 to approve new sanctions on Russia, Iran and North Korea, POLITICO's Elana Schor reports. Arguably the biggest outstanding question is whether Trump will force Congress to override a

veto. "The White House is reviewing the House legislation and awaits a final legislative package for the President's desk," Press Secretary Sarah Huckabee Sanders said Tuesday.

MORE NOMINATIONS SENT OVER: After being nominated last week, the White House sent over to the Senate the nominations of Joseph Balash to be an assistant secretary of Interior and Sam Clovis to be USDA's top scientist on Tuesday. But we're still waiting for the White House to send over the paperwork for Trump's last two nominees for the quorum-less FERC, Democratic Senate staffer Rich Glick and Republican lawyer Kevin McIntyre, whose nominations were announced June 28 and July 13.

** **A message from Chevron**: When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat—buckwheat. Watch the video: http://bit.ly/2vFizh5 **

ANOTHER WEIRD DAY! Energy Secretary Rick Perry's odd Tuesday started when he published an op-ed on Obamacare repeal in an Ohio newspaper (nothing going on in the energy world, Mr. Secretary?), but it took an even more bizarre turn when DOE confirmed Russian pranksters successfully got a 20-minute conversation with him last week, Pro's Darius Dixon reports. The trickery occurred July 19 but got published Tuesday in a story in the Pravda Report, a Russian publication, that linked to the audio. Topics discussed on the call, which Perry thought was with a Ukrainian official on behalf of Prime Minister Volodymyr Groysman, included the 2015 Paris climate agreement, the Nord Stream 2 natural gas pipeline and possibility of a biofuel devised from home-brewed alcohol and manure.

Another day, another rally: Perry and Zinke, along with Trump aide Kellyanne Conway and VA Secretary David Shulkin, traveled with the president to Youngstown, Ohio on Tuesday night for a rally. Picture here.

CARBON TAX PUSHES GOES ON: Two of the Senate's biggest climate hawks — Democrats Sheldon Whitehouse and Brian Schatz — are taking another shot at their carbon tax legislation and will unveil their latest proposal today at the American Enterprise Institute at 3 p.m. Last Congress, the duo proposed legislation they said would curb carbon dioxide emissions by more than 40 percent by 2025 compared to 2005 levels and return revenue collected through the tax to the U.S. public. Details on today's event here.

SUPERFUND RECS ARE OUT: EPA Administrator Scott Pruitt's push to speed the cleanup of Superfund sites got a major boost Tuesday with the release of 42 recommendations from a task force, Pro's Alex Guillén reports. Pruitt also signed a memo with a number of immediate actions, including identifying as many sites as possible for deletion from the National Priorities List and prioritizing sites "where the risk of human exposure is not fully controlled."

WHAT'S IN THAT TAP WATER? Just because your drinking water utility gets a passing grade from federal regulators doesn't mean there aren't dangerous chemicals in your drinking water — that's the message the Environmental Working Group is underscoring with a massive update to its database compiling monitoring records from nearly 50,000 public water systems across the country. EWG found that between 2010-2015, utilities tested for about 500 different

contaminants and found 267 at varying levels in Americans' drinking water, including 93 linked to cancer, 78 associated with brain and nervous system damage and 63 suspected of causing harm to children or fetuses. More than half of the chemicals found are not federally regulated, meaning the federal government has not decided what constitutes an unsafe level of exposure.

BOARDROOM BATTLES ON CLIMATE AT RISK? Business groups, led by the U.S. Chamber, are pushing to make it harder for shareholder activists to push resolutions on issues like climate change onto companies for consideration, Pro Financial Services' Patrick Temple-West reports. The Chamber released seven recommendations Tuesday for SEC consideration that would limit investors' ability to pressure public companies on matters like climate change. Environmental and religious activists hailed a major victory earlier this year when Exxon Mobil investors in May approved a resolution calling for the company to publish annual assessments of the impact of climate change on its business. But the Chamber argued that "no small subset of activists should be able to commandeer longstanding SEC rules for their own parochial purposes."

ALL AROUND THE HILL —

IT'S A MEGA-MARKUP! The House Natural Resources Committee will today vote on 21 bills covering various topics. Among the most interesting: H.R. 825 (115), a bipartisan bill that calls for streamlined permitting for wind, solar, and geothermal energy generation on federal land, and H.R. 2199 (115), which calls for a searchable, online record of federal land ownership and management. A full list of bills being considered is available here.

WILDLIFE BILL SET FOR EPW VOTE: EPW senators consider legislation S. 1514 (115) today that would reauthorize a number of popular conservation programs, including the North American Wetlands Conservation Act and Chesapeake Bay Program, through 2023. While provisions in the package blocking Endangered Species Act protections for gray wolves in Wyoming and the Great Lakes region have drawn some Democratic criticism, it's expected to clear the panel at a business meeting.

PUBLIC LANDS BILLS BEFORE ENR: The Senate Energy and Natural Resources Committee's Subcommittee on Public Lands, Forests and Mining holds a hearing this morning on a slew of public lands bills, including a measure S. 941 (115) from Montana Democrat Jon Tester to make permanent a 20-year mining ban imposed by the Obama administration last year for roughly 30,000 acres of national forest outside Yellowstone National Park, and Barrasso's "Water Rights Protection Act" S. 1230 (115), barring the federal government from requiring that water rights be transferred before an entity can receive a lease, permit or other use agreement.

LAST CALL! Today's the last day for the public to comment to the Commerce Department on 11 National Marine Sanctuaries and Marine National Monuments designated since 2007. The review is separate — but related — to Interior's review of nearly two dozen national monuments designated under the Antiquities Act. Ahead of the deadline, 65 House Democrats sent a letter voicing strong support for the existing designations. Nearly 44,000 comments have already poured in, and you can contribute here . The Center for American Progress has questioned whether Interior will share comments mentioning the marine monument review with Commerce,

though an agency spokeswoman told ME they would.

MAIL CALL! MORE CALL FOR GARRETT WITHDRAWAL: Three senior House Democrats — Steny Hoyer, Gwen Moore and Denny Heck — sent a letter to Trump Tuesday calling on him to withdraw Scott Garrett's nomination to run the Export-Import Bank. They join various business groups imploring the administration to pull the plug on the former New Jersey congressman, one of the biggest critics of the bank. The White House has resisted those calls to date.

CONCERNS RAISED OVER EFFICIENCY PROGRAM: Rep. Ken Calvert, the top EPA and Interior appropriator, raised concerns about the Property Assessed Clean Energy program, which helps private customers implement energy efficiency upgrades on their properties, in a letter obtained by ME. The California Republican asked HUD Secretary Ben Carson and VA Secretary David Shulkin to look into whether the program is being used to "mislead and defraud" citizens into risky loans that might ultimately cause them to default.

TIME TO ACT ON HYDROPOWER: A collection of more than a dozen groups, including the Edison Electric Institute, National Hydropower Association and National Rural Electric Cooperative Association, sent a letter to senior House and Senate energy leaders urging them to push for the passage of bills modernizing the hydropower licensing process. "We believe the hydropower provisions in S. 1460 (115), the Energy and Natural Resources Act of 2017, and H.R. 3043 (115), the Hydropower Policy Modernization Act of 2017, can provide a framework for final legislation to implement this new direction in a way that protects environmental values, public participation, and all existing authorities of federal and state decision???makers in the licensing process," they wrote.

OIA RELEASES STATE OUTDOOR RECREATION SPENDING FIGURES: The Outdoor Industry Association is today releasing data on state-by-state outdoor recreation spending. California boasts $92 billion in annual outdoor recreation consumer spending but most other states bring in more modest amounts. New York sees about $41.8 billion in recreational spending, Colorado sees $28 billion, and Utah and Nevada bring in close to the same levels at $12.3 billion and $12.6 billion, respectively.

CLIMATE SOLUTIONS CAUCUS HITS 50: Reps. Steve Knight (R-Calif.) and Marcy Kaptur (D-Ohio) announced Tuesday they've joined the bipartisan Climate Solutions Caucus, bringing its total membership to 50. "Now 50 members strong, the Climate Solutions Caucus is evidence that there is a growing, diverse, and bipartisan coalition of members of Congress ready to put petty politics aside and find meaningful solutions to the challenges posed by sea level rise and climate change," Carlos Curbelo said in a statement.

QUICK HITS

— As Interior Secretary Swaggers Through Parks, His Staff Rolls Back Regulations. New York Times.

— Gov. Jerry Brown signs climate change legislation to extend California's cap-and-trade

program. Los Angeles Times.

— Al Gore Says He's More Optimistic About Paris Climate Deal. AP.

— Venezuela unions to launch indefinite strike. Argus Media.

— City To Kill Rats With Dry Ice, Make Them Infertile With Bait After EPA OK. DNA Info.

HAPPENING TODAY

9:00 a.m. — Smart Electric Power Alliance hosts Grid Evolution Summit, Washington Hilton, 1919 Connecticut Avenue NW

10:00 a.m. — "Powering America: A Review of the Operation and Effectiveness of the Nation's Wholesale Electricity Markets," House Energy and Commerce Energy Subcommittee, Rayburn 2123

10:00 a.m. — House Natural Resources hosts full committee markup of several pending bills, 1324 Longworth

10:00 a.m. — Senate Environment and Public Works Committee hosts business meeting, 406 Dirksen

10:00 a.m. — "How Trump's Deregulatory Agenda Hurts People's Everyday Lives," Center for American Progress, livestream here.

10:00 a.m. — "Legislative hearing to receive testimony on various bills," Senate Energy and Natural Resources Public Lands, Forests and Mining Subcommittee, 366 Dirksen

10:00 a.m. — "How to Design and Run Successful Clean-Energy Demonstration Projects," Information Technology and Innovation Foundation, 1101 K Street NW, Suite 610A

10:00 a.m. — "Renegotiating NAFTA: Energy Opportunities and Challenges," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

3:00 p.m. — "Carbon taxes: A problem or a solution? Remarks from Sen. Sheldon Whitehouse (D-RI) and Sen. Brian Schatz (D-HI)," AEI, 1789 Massachusetts Avenue NW

THAT'S ALL FOR ME!

** **A message from Chevron**: This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat—buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://bit.ly/2vFizh5 **

To view online:

https://www.politicopro.com/tipsheets/morning-energy/2017/07/house-tees-up-debate-on-energy-and-water-title-023922

Stories from POLITICO Pro

POLITICO New York: Federal court dismisses challenge to Cuomo's nuclear subsidy Back

By David Giambusso | 07/25/2017 06:23 PM EDT

A U.S. District Court judge has dismissed a legal challenge brought against the Public Service Commission over Gov. Andrew Cuomo's multi-billion dollar nuclear subsidy.

Non-nuclear generators in New York sued the state in October 2016 over an element of the Clean Energy Standard that could allow as much as $7.6 billion in zero emission credits, or ZECs, to go to four flagging nuclear reactors upstate.

The non-nuclear generators said the state was overstepping its jurisdiction by interfering in the wholesale energy market, which is the jurisdiction of FERC. The ZECs are credits, paid by utility customers, that are tied to the wholesale energy price for nuclear. They are designed to recognize nuclear's non-carbon attributes and advance the state's clean energy goals.

Judge Valerie Caproni of U.S. District Court for the Southern District of New York issued a 47-page opinion today saying the credits did not interfere with wholesale markets, but advanced a state policy goal that was within the purview of state authority.

"Although FERC has substantial authority over interstate wholesale energy sales, the regulation of retail rates for sales of electricity belongs to the States," Caproni wrote in her ruling. "A whole host of measures that States might employ to encourage clean energy development — such as tax incentives or direct subsidies — involve propping up the operation of a generator that might otherwise be unprofitable."

Environmental groups too are opposed to the credits, arguing that nuclear power is not clean energy. They did not join the suit, however.

A copy of Caproni's ruling can be read here.

This article first appeared on POLITICO New York on Tuesday, July 25.

To view online click here.

Back

House approves Russia sanctions that handcuff Trump Back

By Elana Schor | 07/25/2017 05:23 PM EDT

The House on Tuesday overwhelmingly approved new sanctions on Russia, Iran, and North Korea, with the GOP-controlled chamber advancing a significant new constraint on President Donald Trump's foreign policy.

The sanctions legislation, which allows lawmakers to block Trump from any attempt to roll back sanctions against Moscow, is expected to pass the Senate in similarly bipartisan fashion before next month's recess.

The White House has yet to say definitively whether Trump would sign the bill, which his administration had criticized for failing to give him necessary "flexibility" to work on warmer relations with Russia. But it appears the votes would be there for Congress to override any veto from Trump.

The House's 419-3 vote on the sanctions bill saw only three dissenters: GOP Reps. Justin Amash of Michigan, John Duncan of Tennessee and Thomas Massie of Kentucky. Even Rep. Dana Rohrabacher (R-Calif.), Russia's staunchest defender on the Hill, revealed hours before the vote that he would support the measure out of support for its penalties against Tehran and Pyongyang.

Lawmakers in both parties hailed the vote and pressed the White House to publicly support the bill, after the administration had tried to secure more Trump-friendly changes after the Senate passed an earlier version on a 98-2 vote.

"Senate Republican leaders should move this bill as soon as possible, so that it can be on the president's desk without delay," Senate Minority Leader Chuck Schumer (D-N.Y.) said in a statement. "Passing the bill on a bipartisan basis will send a strong signal to the White House that the Kremlin needs to be held accountable for meddling in last year's election."

After the House and Senate reached a bipartisan deal to move forward on Saturday, the White House signaled it would back the bill after other alterations were made to ease its impact on industry. But new White House press secretary Sarah Huckabee Sanders said Tuesday that the president had not yet committed to signing the sanctions package into law.

"While the President supports tough sanctions on North Korea, Iran and Russia, the White House is reviewing the House legislation and awaits a final legislative package for the President's desk," Sanders said in a statement.

In addition to giving lawmakers veto power over any relaxation of sanctions on Russia, the bill also converts some existing penalties into law, thus making them more difficult to remove. The legislation's sanctions against Iran are designed to target its supporters of terrorism and its missile development capabilities.

The North Korea sanctions were a late addition to the package, spearheaded by House Majority Leader Kevin McCarthy (R-Calif.), and track with those included in a bill the House passed 419-1 in May. But the top Democrat on the House Foreign Affairs Committee, New York Rep. Eliot Engel, suggested in a floor speech ahead of the vote that the Senate may have lingering issues

with the approach the House took on that bill.

"[I]t seems we may be on the floor before we ironed out all the differences with the other body," Engel said of the Senate. "I hope that's not the case."

Andrew Hanna contributed to this report.

To view online click here.

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Russian pranksters get lengthy call with Perry Back

By Darius Dixon | 07/25/2017 03:09 PM EDT

Energy Secretary Rick Perry and his staff were tricked into having a 20-minute conversation with Russian pranksters last week, the Energy Department confirmed today.

"Secretary Perry is the latest target of two Russian pranksters," DOE spokesperson Shaylyn Hynes said by email. "These individuals are known for pranking high level officials and celebrities, particularly those who are supportive of an agenda that is not in line with their governments. In this case, the energy security of Ukraine."

The call occurred on July 19 and publicized today in a story in the Pravda Report, a Russian publication, that linked to the audio.

Perry was made to believe he was speaking with a Ukrainian official on behalf of Prime Minister Volodymyr Groysman. Perry discussed the U.S. decision to leave the 2015 Paris climate agreement, the Nord Stream 2 natural gas pipeline and possibility of a biofuel devised from home-brewed alcohol and manure.

The same pranksters have also duped people like Sens. Mitch McConnell and John McCain, as well as rocker Elton John and other celebrities.

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Whitehouse, Schatz introduce carbon tax bill: Back

By Andrew Restuccia | 06/10/2015 02:52 PM EDT

Sens. Sheldon Whitehouse and Brian Schatz introduced legislation on Wednesday that would impose an escalating tax on carbon dioxide emissions and funnel part of the revenue generated

from the tax to the public.

The Democrats' legislation, dubbed the American Opportunity Carbon Fee Act, would cut U.S. carbon dioxide emissions by more than 40 percent by 2025 compared to 2005 levels, according to a summary of the legislation.

The senators unveiled their legislation Wednesday afternoon at an event with the conservative American Enterprise Institute, which has long studied a carbon tax as an option for cutting emissions. But the bill will face intense opposition from Republicans in Congress.

Still, the Democrats hope to bridge the gap between liberal, environmentally minded Democrats and right-leaning Republicans by using some of the revenue from the bill to slash the top marginal corporate income tax rate from 35 percent to 29 percent.

The senators' offices say that the $2 trillion it generates in the first decade would be used to cut the corporate income tax rate, provide a payroll tax credit to workers and send an annual $500 benefit to retirees and veterans.

The fee would apply to greenhouse gas emissions from a range of sources and facilities at a rate of $45 per metric ton of carbon dioxide equivalent. That fee would start in 2016 and increase every year "at a rate equal to the change in the consumer price index plus 2 percent," according to a section-by-section summary of the bill.

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Back

EPA task force recommends steps to streamline Superfund program Back

By Alex Guillén | 07/25/2017 03:29 PM EDT

An EPA task force today released a list of 42 recommendations for the agency's Superfund program, part of Administrator Scott Pruitt's focus on the long-criticized clean-up initiative.

Pruitt has been critical of what he called indecisiveness on Superfund issues by earlier administrations, although the White House's budget would slash funding from those clean-ups along with most other parts of the agency.

Topline proposals from the task force include creating a "top ten" list of sites to get "weekly attention" from the administrator; finding more third parties to act as investors in sites that could be reused for future projects; several steps to speed up ongoing remediation at Superfund sites; using new technologies to speed up site assessments; streamlining dispute resolution; and requiring "strict adherence to project deadlines."

Pruitt also signed a memo directing EPA leaders to adopt several specific actions immediately.

They include prioritizing sites "where the risk of human exposure is not fully controlled," focusing more on sites with higher potential for new uses, and identifying as many sites as possible for deletion from the National Priorities List.

The task force was chaired by Albert Kelly, the former chairman of Oklahoma-based SpiritBank.

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Back

Boardroom battles over climate change to heat up at Trump's SEC Back

By Patrick Temple-West | 07/25/2017 04:10 PM EDT

Business lobbying groups are preparing to clash with socially conscious investors, calling on the SEC to make it harder for shareholder activists to push resolutions on companies.

Activists are concerned that the business lobbyists may finally get their way at President Donald Trump's SEC after years of trying, especially on issues concerning the environment.

On Tuesday, the Chamber of Commerce, the largest U.S. lobbying group, published seven recommendations for the SEC to consider that would limit investors' ability to pressure public companies on issues ranging from executive compensation to climate change.

The Chamber argued that the SEC's shareholder proposal system is "broken" and has been hijacked by activist investors crusading for pet causes that mainstream investors don't care about.

"No small subset of activists should be able to commandeer longstanding SEC rules for their own parochial purposes," the Chamber said.

Shareholder proposals by socially active investors are becoming a powerful tool to pressure companies to make uncomfortable changes. Exxon Mobil investors in May approved a resolution calling for the company to publish annual assessments of the impact of climate change on its business — just as Trump was about to pull the U.S. out of the Paris climate change agreement.

That victory underscored the increasing success of boardroom agitation on environmental issues in recent years, particularly on climate change.

In 2015, the average support for environmental resolutions was 18 percent and no proposals passed, according to a report this month from law firm Sullivan & Cromwell. In 2017, the average support level was 29 percent and three of them passed, all climate change-related proposals at energy companies.

The Chamber on Tuesday recommended that the SEC raise the thresholds that a proposal would need to meet before it could be resubmitted to a company year after year. Among its other

recommendations, the group asked the agency to withdraw a 2015 decision about a shareholder proposal against Whole Foods, an action seen as a setback to companies and hailed by investors as a victory.

While the Chamber has raised concerns that shareholder proposals are often filed by a handful of "gadflies," religious groups also use the program. About 30 such groups supported the Exxon Mobil proposal, including Maryknoll and Jesuit clergy.

Mercy Investment Services, the asset management program for the Sisters of Mercy, is annually one of the most frequent filers of shareholder proposals, mostly focused on environmental and social issues. Socially conscious mutual funds and pension funds from Democratic-leaning states are also frequent filers, including the California State Teachers' Retirement System, which has about $208.7 billion in assets under management.

"As long-term investors, we believe very strongly that companies that take environmental and social concerns seriously improve long-term performance," said Josh Zinner, CEO of the Interfaith Center on Corporate Responsibility, whose members oversee about $400 billion. "This is fundamentally about the long-term value of businesses."

"It is a clear sign of the effectiveness of the shareholder resolution process that the Business Roundtable and the Chamber are fighting so hard to curtail it," he said, speaking before the Chamber report was published.

The Business Roundtable, a lobbying group of top business executives currently chaired by JPMorgan CEO Jamie Dimon, wrote a letter earlier this year to the White House calling for tightening the eligibility for shareholder proposals and for more exclusion of proposals to prevent repeat submissions.

Stock exchanges are also targeting shareholder proposals. In May, Nasdaq called for raising the minimum ownership amount and holding period for investors making shareholder proposals as well as changing SEC practices so that "nuisance" proposals could be removed more easily.

Congressional Republicans targeted shareholder proposals in a broad deregulation bill, known as the Financial CHOICE Act, that passed the House in June. But that legislation has failed to gain traction in the Senate.

Still, investors are concerned that the SEC will act on its own to embrace the business groups' proposals.

Hester Peirce, Trump's nominee to join the SEC as a Republican commissioner, said in April that she was open to raising shareholder proposal thresholds.

"It is time to revisit those thresholds," she said at a House hearing. "It seems to make sense to take a look."

SEC Chairman Jay Clayton has promised to tailor the agency's rules to encourage more

companies to go public. He is scheduled to speak at the Chamber on Wednesday.

The SEC "could do everything the CHOICE Act asks for," said Timothy Smith, an official at Walden Asset Management, which offers socially conscious mutual funds and frequently files shareholder proposals.

The Chamber and Business Roundtable "smell blood in the water," Smith said. "They see it as a special time to lean in and change the rules for shareholder resolutions. We think this is a time when the attack is more significant than before."

To view online click here.

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White House under pressure to drop Export-Import Bank nominee Back

By Zachary Warmbrodt and Andrew Restuccia | 07/17/2017 04:56 PM EDT

President Donald Trump is standing behind former Rep. Scott Garrett, his choice to head the Export-Import Bank, amid escalating pressure from business groups to pull the plug on the nomination.

"Scott Garrett is imminently [sic] qualified to lead the Ex-Im Bank," White House spokeswoman Natalie Strom said in a statement to POLITICO. "The President stands behind his nomination and is looking forward to his confirmation."

Trump's defense of the New Jersey Republican comes as rumors swirl that Garrett may withdraw amid fears that his nomination will not win enough votes to clear the Senate. Lawmakers from both parties have raised concerns about him, largely because he strongly opposed the bank while serving in Congress. The Senate Banking Committee, which will be responsible for vetting his nomination, has not yet received his paperwork.

Administration officials said Garrett's nomination has been a topic of conversation among senior Trump aides in recent days. Aides have pointed to intensifying blowback from influential business associations that are allied with the president, including an op-ed published in The Wall Street Journal last week by National Association of Manufacturers President Jay Timmons that blasted Garrett.

Trump has sought to cultivate close ties with business groups and powerful CEOs. He has met with more than 330 corporate executives since taking office, often relying on them to drive his policy agenda. The president also set up a manufacturing advisory council packed with NAM members.

An administration official and other people tracking the issue said Garrett could be summoned to the White House to talk with Trump about his nomination as soon as this week. Strom, the White

House spokeswoman, did not respond to inquiries about the potential meeting. Garrett did not respond to repeated requests for comment.

During his career in Congress, Garrett was one of the most outspoken critics of the bank, which guarantees loans for foreign buyers of U.S. exports. In 2015, he said the agency "embodies the corruption of the free enterprise system."

His record has driven businesses that rely on the agency to try to stop his nomination, even though they also want the Senate to confirm nominees who would fill out its board. The bank has been unable to approve deals worth more than $10 million because of a lack of a quorum.

Further complicating Garrett's nomination is controversy around his views on homosexuality, which contributed to his failed reelection bid in 2016 after major corporate donors declined to continue backing him.

As POLITICO first reported in 2015, Garrett told lawmakers in a closed-door meeting that he refused to pay National Republican Congressional Committee dues because the group recruited gay candidates. He later denied that he opposed gay candidates and said his problem was with support for same-sex marriage.

The White House has said that under prior leadership, the bank had become "another form of corporate welfare" and that Garrett would "refocus Ex-Im on its original mission of providing support for the businesses that truly need it while protecting taxpayers."

Though the White House first announced his nomination in April, lobbyists waited until recently to begin publicly mounting an aggressive opposition effort.

Timmons said in the Journal op-ed that the nomination should be withdrawn because it represented "a terrible trade deal for our country."

The South Carolina Chamber of Commerce then called on Palmetto State GOP Sens. Tim Scott and Lindsey Graham, who could be key to Garrett's confirmation, to oppose him.

Graham later told Bloomberg Television that he would "try to get the administration to give us a better nominee." Scott is a member of the Banking Committee, where Republicans will have a one-vote margin to approve Garrett's nomination if Democrats withhold support.

South Carolina is home to plants operated by Boeing and General Electric, two of the most prominent beneficiaries of the agency. Tim Keating, Boeing's senior vice president of government operations, said the company found it difficult to support anyone "who has not supported the bank and made public statements to that effect."

"We don't have any explanation as to why now he wants to lead the entity that he said he wanted to shut down," said Neil Bradley, chief policy officer at the U.S. Chamber of Commerce, in an interview Friday. "Nor do we have any sense that he's committed to using the position as chairman to ensuring the bank does its work."

Veronique de Rugy, who has fought to close the bank as a senior research fellow at George Mason University's Mercatus Center, said Garrett's opponents wanted someone "who will say yes to everything, who will change nothing, who will make no reforms, who will guarantee it's the same business as usual."

"I'm curious to see if he will be as anti-Ex-Im or even as reform-minded once he's the president of Ex-Im as he was when he was in Congress," she said. "It's a big 'if.'"

To view online click here.

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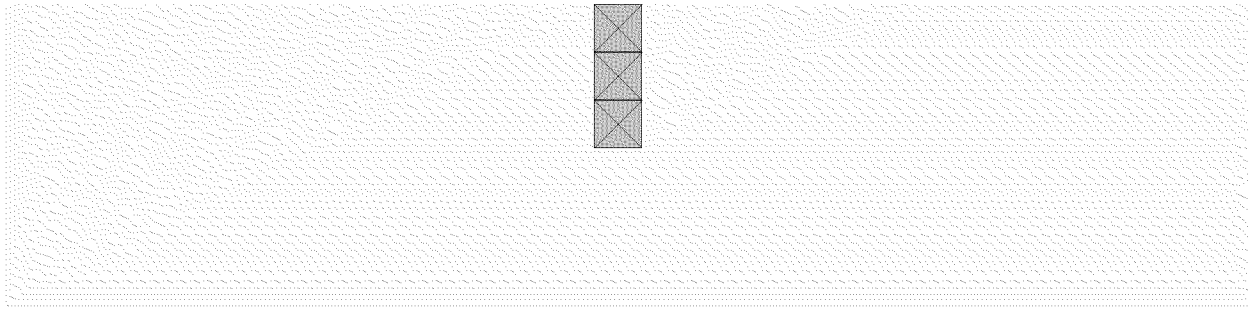
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Sent: Wed 9/6/2017 10:47:26 PM
Subject: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

CONTACT: press@epa.gov

EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Dallas (September 6, 2017) - Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. TCEQ has 500 people assisting in response to this natural disaster and EPA has 185.

EPA has begun mobilizing Community Liaisons to the designated disaster counties for Hurricane Harvey. The liaisons will assist the county emergency operation centers in disseminating pertinent information on post flood hazards to municipalities, school districts, and citizens. EPA has now been deployed to the FEMA JFO Joint Information Center in Austin and additional EPA response personnel are being assigned to Beaumont/Port Arthur. This area was previously inaccessible due to lack of facilities. EPA has begun coordination with environmental justice advocates from Texas and Louisiana to provide an update on the impacted areas. EPA has been closely coordinating with the U.S. Coast Guard on a large oil spill in the Houston area, and with city and county officials on a benzene plume identified near the Manchester neighborhood.

As of Sunday, Sept. 3, the following information is available:

Drinking Water: To date, about 2,800 drinking water systems are potentially affected by Harvey have been contacted. Of those: 1,920 systems are fully operational, 168 have boil-water notices, and 50 are shut down. Both EPA and the TCEQ are contacting remaining systems to gather updated information of their status. EPA and the TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor water systems. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Waste Water and Sewage: Currently, 903 of approximately 1,219 wastewater treatment plants are fully operational and 34 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor wastewater systems. Assistance teams will be deployed to work directly with system operators to expedite getting systems back to operational status.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The agencies are continuing to work closely with dams. The larger dams are full in many cases and may be releasing water; the structures are secure at this time. There are 340 high- and significant-hazard dams in the impacted areas, and TCEQ has been able to make contact with 200 of these dam owners. Of these 200, only five dams have been damaged or have failed. We have also been notified that three low-hazard dams have damage. TCEQ is continuing to contact dams to get status updates.

Additional EPA/TCEQ updates include:

Superfund Sites: EPA and TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. So far, TCEQ staff have assessed 12 of the 17 State Superfund sits in the affected areas. TCEQ anticipates completing the remaining 5 assessments by the end of the week depending on accessibility of those remaining sites.

EPA completed site assessments at 13 Superfund sites that have been flooded and/or experience possible damage to the storm. Of these sites, two (San Jacinto and U.S. Oil Recovery) require additional assessment efforts. Assessments of these sites will take several days to complete. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; some areas that rock been displaced and liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater when conditions allow. EPA is making plans for longer-term assessments at 41 Superfund sites in the impacted areas as the projects return to their normal remedial cleanups.

Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities have been working to get the systems up and running again. As of Tuesday September 5, TCEQ air monitoring network is 100 percent operational in Corpus Christi, 88 percent in Houston, and 71 percent in Beaumont. The network is expected to be fully operational again by next week. Of the available air monitoring data collected from Aug. 24-Sept. 2, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and residents should not be concerned about air quality issues related to the effects of the storm.

An assessment by EPA of the Valero Refinery on Monday, September 5, 2017, confirmed that a tank at the facility did have a leak which occurred on August 26, 2017 from the Hurricane Harvey storm and flooding. EPA also confirmed Valero had taken action to respond to and repair the leak.

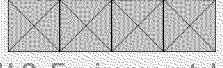
Based on current site conditions including weather, repair actions by Valero, and air monitoring results, EPA's assessment could not confirm the tank was the source of the air release that led to complaints in the area immediately after the storm. EPA's air monitoring performed onsite and around the facility on September 5 does not indicate levels of concern for the community. EPA will continue air monitoring for additional sources in the area.

Fires at Arkema Facility in Crosby: The TCEQ has an open investigation into the Arkema incident that will include an evaluation of any impacts due to the fires at the site. Additionally, after the final notifications are received, the TCEQ will evaluate the reported emissions events to determine compliance with applicable rules, permit provisions, and notification and reporting requirements. The TCEQ and Harris County Pollution Control are coordinating post-event monitoring, sampling, and complaint response activities. The U.S. Chemical Safety Board has initiated an investigation, and law enforcement continues to limit access to the Arkema plant in Crosby. For more information regarding Arkema, please visit https://www.tceq.texas.gov/news/statement/statement-on-arkema-investigation

Refineries/Fuel Waivers: In addition to gasoline waivers for 38 states and D.C. and diesel waivers for Texas, EPA signed three No Action Assurance letters on Sept. 1 to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. The waivers and NAA letters are effective until Sept. 15 and should allow for the distribution in Texas of 10 million or more gallons of fuel to consumers. TCEQ is working with EPA to consider an extension to the gasoline waivers through October 1st.

For additional information please visit the TCEQ's hurricane response page.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Thur 7/27/2017 2:04:53 PM
Subject: POLITICO's Morning Transportation, presented by American Public Transportation Association: Thought we had a deal — Here we go on DOT approps — ATC ping pong

By Lauren Gardner and Stephanie Beasley | 07/27/2017 10:02 AM EDT

With help from Tanya Snyder and Brianna Gurciullo

THOUGHT WE HAD A DEAL: New York Gov. Andrew Cuomo stormed Washington Wednesday to deliver an urgent message to Transportation Secretary Elaine Chao: that "there is no backup plan" for New York and New Jersey to come up with the money the Obama administration pledged for the Gateway program. Our Brianna Gurciullo was there when Cuomo emerged from a morning meeting with New York's Democratic congressional delegation and told reporters what he wanted to get out of his forthcoming meeting with Chao: "I want to hear that we're actually going to fund the tunnel, you know. All the planning is nice, but we don't have a funding agreement in place. And here's the fear: If you said today, 'Ok, let's go build the tunnel' - by the time you do the [environmental impact statement], by the time you do the contract, by the time you deal with all the bureaucracy, you're talking 10 years. ... And these tunnels are not in a position, or I wouldn't want to be relying on these tunnels for 10 years."

So how did it go? Good question - neither Chao's nor Cuomo's offices provided details or statements on the meeting, despite our requests. But as a quick refresher, the Trump administration has proposed phasing out a popular transit grant program that was expected to fund significant portions of Gateway, such as the Portal North Bridge project that proponents had expected would be accounted for in the fiscal 2018 budget (it wasn't). Now, they're hoping a sense of hometown pride hits Trump and compels him to find a way to get the project funded.

HERE WE GO: The full Senate Appropriations Committee will mark up its fiscal 2018 transportation spending bill today. Airports are anticipating that the legislation would push up the cap on the Passenger Facility Charge, but subcommittee Chairwoman Susan Collins (R-Maine) wouldn't confirm that to MT on Wednesday. "We haven't released the entire bill - we can't before the markup under the committee rules," Collins said. Still, when asked whether she would support increasing the cap, Collins said: "I believe that it has to be very carefully done. You certainly can't do it at every stage of the flight, for example, because that would really add up. I think it's important to remember that it's up to the individual airport and community - it's not a fee or tax that is assessed or collected by the federal government. But there certainly is a backlog in airport development."

IT'S THURSDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren and Steph are at the wheel, so please send along tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

Truckin' up to Buffalo/Been thinking you got to mellow slow/Takes time, you pick a place to go/Just keep truckin' on

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with tunes (picked by us and readers) that are all about flying, driving, commuting and sailing?

ATC PING PONG: Administration officials, including Deputy Secretary of Defense Patrick Shanahan, visited Capitol Hill Wednesday to address some lawmakers' concerns about the effects House Transportation Chairman Bill Shuster's FAA bill (H.R. 2997 (115)) would have on national security and DOD's use of airspace - and to reiterate the department's support. "We feel like we answered everybody's questions," Jeff Denham (R-Calif.) said, adding that they're "picking up votes." But GOP members agitating against the legislation have indicated that not everyone in DOD is happy about the bill's air traffic control overhaul. "We've got guys that are talking to members about it," Rep. Todd Rokita (R-Ind.) said. Rep. Peter DeFazio (D-Ore.) told MT he's seen a recent DOD document outlining concerns with the proposal, but wouldn't elaborate on what exactly they were.

ON SECOND THOUGHT: The Congressional Research Service issued a report suggesting parts of Shuster's air traffic control spin-off proposal could be unconstitutional. The report posits that it could be difficult for a court to determine if the new ATC organization created by the bill would be a government or non-government entity. And, if it is not a government entity, then allowing it to set and adjust user fees without federal oversight could be "improper delegation of legislative authority under the nondelegation doctrine," Mary Lee writes . Shuster was quick to slam the CRS report for not being definitive in its assessment of whether or not his plan would be unconstitutional.

SHELL GAMES: The House Energy and Commerce Committee will consider a bill on driverless cars that, before Wednesday night, was just a "shell" awaiting final language. As Tanya Snyder reported for Pros, bipartisan language, even on thorny subjects like balancing the roles of federal and state governments and granting exemptions from federal motor vehicle safety standards, was close to a done deal in advance of Thursday's markup. Lo and behold, a substitute amendment dropped late last night. On introduction, the shell bill (H.R. 3388 (115)) contained only a non-controversial provision to require vehicle manufacturers to provide consumers with clear information on new cars' self-driving capabilities and limitations.

Us, too! Sen. Gary Peters (D-Mich.) said Wednesday that the Senate will release its bill imminently. "We are just about ready to move as well on the bill," Peters said. "I think there'll be an announcement coming out shortly. Very soon. Extremely soon."

** **A message from American Public Transportation Association:** Public transportation is a vital part of an integrated transportation network that drives our economy forward, creating 50,000 jobs for every $1 billion invested. Without public transit, America simply can't move forward. And in order to improve our public transportation systems, states and localities need continued federal investment. Learn more at APTA.com/InvestNow. **

OUT OF TIME: Commuter railroads hoping lawmakers might give them more breathing room on the 2018 positive train control deadline should think again, Senate Commerce Chairman John Thune said Wednesday. "I want to be clear - any railroad that fails to meet the revised

framework should not expect any further extension from this committee," he said during a nominations hearing featuring the Trump administration's pick to head FRA, Ron Batory. Remember that commuter railroad representatives met with congressional staff and American Public Transportation Association officials in June to discuss implementation issues.

Please hold: While Batory vowed to continue FRA's work to promote progress on PTC, he was more reticent on issues like long-distance Amtrak lines (for which Trump has proposed eliminating funding) and electronically controlled pneumatic braking systems for trains. But he did get personal on the issue of grade-crossing safety, describing an accident years ago where a train he was riding on collided with a school bus stalled on the tracks (thankfully, no one was killed or hurt). "After experiencing that, I have become a very strong proponent of good rail-highway crossing innovation, improvement and capitalizing on something that we always talk about within the industry ... and that being best engineering we can come up with at the time, continuous education - it can never stop," Batory said.

Coming soon: The Commerce Committee announced late Wednesday that it will mark up a number of bills and nominations Aug. 2, including the nominations of Batory and NTSB member Robert Sumwalt.

IT AIN'T OVER: DHS is advising airlines to continue complying with an U.S-EU agreement to share airline passengers' names, despite a European court decision that called the legality of a similar agreement with Canada into question. The European Court of Justice issued a legal opinion Wednesday saying EU lawmakers should not continue with an agreement with Canada that information about travelers between the two countries be collected, shared and stored because it infringed on privacy rights. DHS is reviewing the court's opinion and assessing whether it will impact the U.S.-EU Passenger Name Record agreement, a DHS spokesman said.

What's it all mean? Former DHS Deputy General Counsel Jonathan Meyer told MT that it could be "problematic" if the EU adopted some of the court's suggestions. For example, the court took issue with Canada and EU agencies being allowed to store passenger data for up to five years, saying that was a "particularly long period of time." The court also recommended that travelers be notified whenever either country used their information or disclosed it to law enforcement. "Notifying the individual is problematic when law enforcement is conducting an investigation and does not want the subject or target to know," Meyer said. "The time limitation will be objectionable to some authorities because they like to use the data over time in their analyses."

SAFETY FIRST: The House Homeland Security Committee approved a slew of bills on Wednesday, including a measure (H.R. 3328 (115)) that would require TSA officials to take a closer look at who's working at Cuban airports and what safety measures are in place. The committee also approved legislation (H.R. 3359 (115)) that would establish a new agency within DHS dedicated to cybersecurity and infrastructure security. The new office would also include an emergency communications division.

BIN THERE, DONE THAT: As if taking off your shoes, measuring your liquids and separating your laptop weren't enough, travelers will soon have to start putting all electronics

larger than a cell phone in bins for screening. TSA announced Wednesday that the new procedure, already piloted at 10 airports, will spread to all U.S. airports "during the weeks and months ahead." That means putting tablets, e-readers and handheld game consoles in a bin with nothing on top of or beneath it, the way laptops are handled. PreCheck travelers will be exempt.

LOBBYING UPDATE: Uber hired two firms - Peck Madigan Jones and Chambers, Conlon and Hartwell - to lobby for the company on self-driving car issues and FAA reauthorization, Pro Technology's Li Zhou reports.

ARRIVALS AND DEPARTURES: Joe McAndrew, former aide to Sen. Brian Schatz on transportation and housing issues, has started as the transportation policy director for the Greater Washington Partnership, a new coalition of CEOs seeking to economically revitalize the Greater Washington region from Baltimore to Richmond. Kate Geldaker will step down as deputy director of congressional affairs at the National Telecommunications and Information Administration to join Alaska Airlines' government affairs office in D.C.

THE AUTOBAHN:

- "Top Metro Officials Tried to Stem Excessive Overtime, Months Before Fraud Investigation." WAMU.

- "New Ethics Chief Has Fought to Roll Back Restrictions." The New York Times.

- "Britain to ban sale of new diesel and gasoline cars by 2040." Los Angeles Times.

- "A different kind of car factory is opening up in Los Angeles." Bloomberg.

- "Tech's most dubious promises, from Bill Gates to Elon Musk." Wired.

THE COUNTDOWN: DOT appropriations run out in 65 days. The FAA reauthorization expires in 65 days. Highway and transit policy is up for renewal in 1,161 days.

** **A message from American Public Transportation Association:** Our nation's public transit systems do more than carry Americans to work-they're a critical part of an integrated transportation network that drives our economy forward. That's why states and localities have partnered with the federal government for more than 35 years to repair and expand services. But President Trump's budget would eliminate funding for vital public transportation projects-and put 800,000 jobs at risk, including more than 500,000 construction-related jobs. Communities can't improve public transportation alone. To protect our future, we need continued federal investment in public transportation. Congress: Fully fund the FAST Act, and include public transportation in any infrastructure bill. Visit APTA.com/InvestNow to learn more. **

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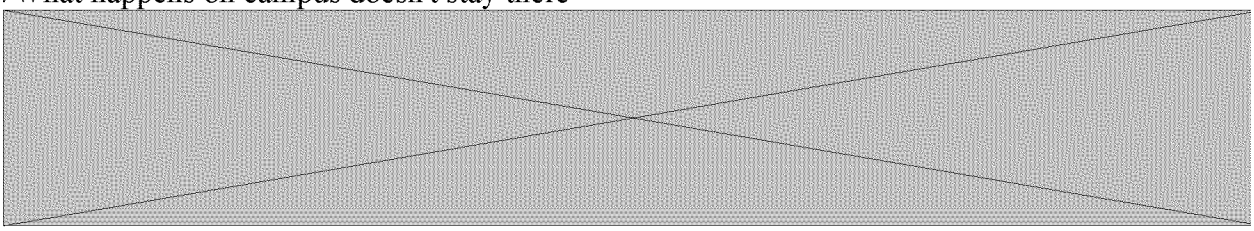
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. What happens on campus doesn't stay there



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Reuters

What happens on campus doesn't stay there

Rebecca Burgess | The American Interest

Campuses across the country kicked off Sexual Assault Awareness Month (SAAM) this April to the tune of several hundreds of thousands of dollars. An increasing number of federal mandates have encouraged colleges to up the ante on such awareness programming — and enforced punitive measures should they fail to do so. But the headlines of the past few months are enough to give one pause about throwing more regulations, more lawyers, and more courts at campuses' sex-related problems.

Reuters

On defense, the party of Lincoln and Reagan is MIA

Thomas Donnelly | The Weekly Standard

White House Budget Director Mick Mulvaney seems to have pulled a fast one on the Pentagon. From the draft budget outline produced in March, it was already apparent that there would be no Trump defense buildup. Now Mulvaney has welded shut the one safety valve Congress had to mitigate the damage, which it had used following 2011's Budget Control Act. In addition to preventing a budgetary train wreck, now is the opportunity to reaffirm fundamental principles within Republican ranks. It's time for a deal.

Reuters

Report: The US needs a better understanding of Iran at war

J. Matthew McInnis | AEI

When the Syrian opposition stronghold of Aleppo fell in late 2016, Iran was the central player in a coalition that bombed marketplaces, targeted aid workers, besieged the city, and killed more than 31,000 civilians. The Islamic Republic of Iran's major role in the battle was in fact more significant than even the Syrian Army presence. The US spent the past four decades often befuddled by Iran's security policies. As a result, Tehran operates with relative freedom and impunity across the region.

Reuters

Most undergrads will come out ahead under the Trump plan

Jason D. Delisle and Alexander Holt | US News &

World Report

The press coverage of President Trump's proposed changes to the federal student loan program has been nearly unanimous: The budget is a bad deal for college students. Advocates for low-income borrowers claim that students will have even more trouble affording college if the Trump budget is enacted. In reality, these advocates seem more interested in propping up existing benefits for privileged undergraduates and graduate students.

More from AEI

Credit Moody's for sounding the alarm on China's serious debt problem
Desmond Lachman | The Hill

Driverless cars are happening, even if Washington doesn't get it
James Pethokoukis | AEIdeas

2 Wellesley commencement speeches, 48 years apart, preach to the same narrow choir
Ramesh Ponnuru | Bloomberg View

Perpetual discontent is at the heart of modern capitalism. And that's OK.
James Pethokoukis | AEIdeas

Report: A budget-neutral universal basic income
Matt Jensen, Will Ensor, Anderson Frailey, and Amy Xu | AEI Economics Working Paper Series

The 'logic' of protectionism leads to an absurd conclusion: Total economic self-sufficiency at the individual level
Mark J. Perry | AEIdeas

Who killed retirement security? It wasn't the 401(k).
Andrew G. Biggs | The Hill

60-second take: How Iran uses swarm boat tactics to harass vessels in the Persian Gulf
J. Matthew McInnis | AEI video

Contrary to public perception, first-time homebuyers are alive — but highly leveraged
Edward J. Pinto and Tobias Peter | AEI's International Center on Housing Risk

In Erdogan's Turkey, a private paramilitary group emerges
Michael Rubin | AEIdeas

Last chance to RSVP: Is it time to reinstate Glass-Steagall?
Paul H. Kupiec | AEI event tomorrow at 10:00 AM ET

Watch: The future of Iranian power in the Middle East
Frederick W. Kagan and J. Matthew McInnis | AEI event video

Oh, Lord, why won't President Trump let me buy a Mercedes Benz?
Mark J. Perry | AEIdeas

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Interior May Restore Pre-2015 Federal Fracking Regulations

Posted June 27, 2017, 03:16 P.M. ET

By Alan Kovski

The Interior Department appears poised to rescind its 2015 rule on hydraulic fracturing outright, after which it may simply revert to the pre-existing status quo on federal regulations for fracking on federal and Indian lands.

But, defenders of the Obama-era rule will have to wait and see exactly what the Trump administration does before they can formulate a legal strategy in response, Earthjustice attorney Michael Freeman told Bloomberg BNA June 26.

Oil and gas companies, routinely using fracking to enhance the flow of subsurface hydrocarbons, also are waiting, but with more hope for the outcome. Two of their trade groups, the Independent Petroleum Association of America and Western Energy Alliance, joined in litigation against the 2015 rule.

Interior asked a federal appeals court to hold the litigation in abeyance while the Bureau of Land Management (BLM) works to rescind the rule and considers what to put in its place.

The most recent federal brief filed at the U.S. Court of Appeal for the Tenth Circuit said BLM anticipates it will repeal the 2015 rule and revert to federal regulations for fracking that have existed for decades (Wyoming v. Zinke, 10th Cir., No. 16-8068, 6/20/17).

Looking to Pre-2015 Code

"It certainly looks like they are just going to rescind the rule outright" rather than replace it with a revised rule, Freeman said. But as for a legal challenge, he said, "I think we'll have to see what they say and how they try to do it."

The federal brief filed June 20 said, "BLM expects to seek comment on a proposal to rescind the 2015 hydraulic fracturing rule and to restore the affected sections of the Code of Federal Regulations to their pre-2015 language."

A BLM notice of proposed rulemaking is under review at the White House Office of Management

and Budget, but its contents are not publicly disclosed.

The agency will provide for a public comment period of 60 days before a final decision, the government told the appeals court.

Authority to Regulate in Question

Wyoming, supported by three other states and the Ute Indian tribe, challenged the legal authority of the BLM to regulate fracking and won in the U.S. District Court for the District of Wyoming, vacating the 2015 rule. The Obama administration appealed, and the Trump administration has continued the appeal, hoping to defend its authority if not the details in the 2015 rule.

Environmental groups intervening in the case have asked the appeals court to continue the case, not hold it in abeyance, to rule on federal authority over fracking. In the June 20 brief, the government said the question of authority need not be decided in the current case.

"If BLM restores the earlier regulations, as it anticipates, BLM's statutory authority could be decided at that time within the context of a rule that BLM chooses to implement," Interior said.

The phrase "as it anticipates" was another indication of where the government was headed.

Federal Explanation Wanted

Freeman, whose Earthjustice law firm represents Earthworks, the Wilderness Society and other environmental intervenors in the case, said the federal government has not provided an adequate explanation to the appeals court of the rationale for the government's course of action.

He described the administration's moves as an "abdication of responsibility" to protect public lands. Like the Obama administration, he said the older federal regulations for fracking were out of date.

The government has indicated the 2015 regulations impose regulatory burdens that may be unjustified, but it has not spelled out the details. It also has cited President Donald Trump's March 28 executive order directing Interior Secretary Ryan Zinke to publish a proposed rule for "suspending, revising, or rescinding" the 2015 rule.

Oil and gas industry groups have been emphatic about what they see as the unjustified burden of additional reporting and approval requirements imposed by the Obama administration regulations.

State regulations have been adequate to govern fracking on federal as well as other lands, the industry groups have said. To them, the 2015 fracking rule was a solution in search of a problem.

Energy Secretary Supports Nuclear, but Funding Cut Proposed

Posted June 26, 2017, 09:00 P.M. ET

By Rebecca Kern

Energy Secretary Rick Perry called domestic nuclear energy development a "game changer" at the start of White House "Energy Week," but the department's proposed budget would cut funding for its nuclear office.

Perry's June 26 comments to reporters came during the announcement of Energy Week events including some focused on American energy dominance—bringing together state, tribal, business, labor leaders in Washington. The week will culminate with an announcement on American energy policy by President Donald Trump at the Energy Department headquarters June 29.

Perry called U.S. nuclear policy "an important player in the development of our clean energy portfolio globally."

"I believe we can achieve this by focusing on the development of technology like advanced nuclear reactors, and small modular reactors," he added.

Advanced reactors are still decades away from commercialization and materials other than water, such as sodium and gas, to cool the reactors. Meanwhile, small modular reactors—smaller-scale and purportedly safer water-cooled reactors—could be on the market by the mid-2020s, with NuScale Power LLC's application under review by the Nuclear Regulatory Commission.

But the proposed fiscal year 2018 budget request for the Energy Department includes a 28 percent cut to the Office of Nuclear Energy from $984 million in the fiscal year 2017 annualized continuing resolution to $703 million. The office is responsible of nuclear technology research and development.

Analyst Skeptical

Chris Gadomski, the lead nuclear analyst at Bloomberg New Energy Finance, is skeptical of Perry's backing.

"Perry says there is support for the U.S. nuclear energy industry, but he says nothing about financial support for the industry," he told Bloomberg BNA June 26.

"Commercializing an advanced reactor will cost between $1.5 billion to $3.5 billion and represents a very risky venture given low natural gas prices, no carbon price, and policy preferences for renewables," he said. "That is a huge challenge for the U.S. industry even with government support. Trump's budget cuts rather than increases support for nuclear."

The Nuclear Energy Institute's Neal Cohen, the senior vice president of external affairs, told Bloomberg BNA that he was "heartened to see Secretary Perry recognize ... the fact that nuclear is essential and can't be taken for granted." But the trade group, which represents the nuclear power industry, has lamented the proposed funding cuts to nuclear.

"Unfortunately, the proposed budget does not support the actions necessary for the U.S. nuclear energy industry to thrive. Now is not the time to back away from federal investment that has played such a pivotal role in making the United States a world leader in this technology," Maria Korsnick, NEI's president and CEO, said in May when the budget was released.

Defining Energy Dominance

The Energy Week is part of a month-long series of policy-themed weeks, including infrastructure week. The week will focus on American jobs utilizing U.S. domestic energy resources. Perry defined energy dominance as "using domestic resources for the good here at home and abroad."

"An energy-dominant America means a self reliant, a secure nation, free from geopolitical turmoil of

other nations who seek to use energy as an economic weapon," he said.

"An energy-dominant America will export to markets around the world, increasing our global leadership and influence. Becoming energy dominant means that we are getting government out of the way so that we can share our energy wealth with developing nations," he added.

$1 Billion Coal Mine Cleanup Bill Begins Moving in House

Posted April 05, 2017, 04:29 P.M. ET

By Stephen Lee

A bill that would deliver $1 billion to coal states for abandoned mine cleanup got a new start in the House April 5.

One tweak to the measure, known as the RECLAIM Act (H.R. 1731, S. 728) and first introduced in the previous Congress, prompted questions about how states would actually use the money.

The new language allows the money, which would be drawn from the federal Abandoned Mine Land fund, to be spent cleaning up a state's most polluted or dangerous sites even if those projects don't offer any economic potential going forward.

The original version of the bill limited the spending to projects that would not only clean up the land but also create economic activity, such as tourist destinations or wind farms.

Straying Too Far?

Rep. Alan Lowenthal (D-Calif.), top Democrat on the House Natural Resources Subcommittee on Energy and Mineral Resources, said the bill "strays a bit far from the economic development goals that are the genesis of this program."

Lowenthal's concerns were compounded by a report issued by the Interior Department's Office of Inspector General, which found that some states are spending their Abandoned Mine Land funds on projects other than coal mine reclamation, even though they have coal-related hazards.

Under the bill's new language, "it's easier for the money to be funneled to other programs or pet projects by state governments," the Sierra Club said in a statement.

Concerns From Wyoming

Also during the hearing, Rep. Liz Cheney (R-Wyo.) raised questions about whether the bill would leave her state "on the hook" financially.

The AML fund comes from fees on coal production, and Wyoming is the largest coal producer in the nation. The state is also home to $1.5 billion of unfunded AML liabilities. Only Pennsylvania, with $5 billion, has more.

"It looks like an extremely expensive program that would cost states like mine a lot of money," Cheney said.

Robert Scott, director of the Kentucky Department of Natural Resources' Division of Abandoned

Mine Lands, testified that the AML's fee collection authority must be reauthorized when it expires in 2021.

The RECLAIM Act stalled in the last Congress when no senator offered a companion version. This year, however, a companion bill has been introduced by Senate Majority Leader Mitch McConnell (R-Ky.), and proponents on both sides of the aisle say they're optimistic it will pass.

Pumped Hydropower Storage Bill Passes House

Posted June 27, 2017, 03:34 P.M. ET

By Brian Dabbs

A bill designed to eliminate regulatory uncertainty in hydropower storage at federal reservoirs passed the House June 27.

The legislation (H.R. 1967) would tap the Bureau of Reclamation as the lead regulator for pump storage at the agency's facilities. The Federal Energy Regulatory Commission sometimes requires permits for that activity, and the legislation would remove FERC from the regulatory process, the bill's supporters said.

A House Natural Resources Committee spokeswoman previously told Bloomberg BNA that the bill could be part of a broad infrastructure package in the future. Its status in the Senate remains uncertain.

Pump storage is similar to a battery, and proponents said it's a useful way to extend the period of time that hydroelectric power is available. Water is pumped from a lower reservoir to a higher reservoir and later used to generate electricity.

Rep. Doug Lamborn (R-Colo.) sponsored the bill, and Rep. Cathy McMorris Rodgers (R-Wash.), a member of the Republican leadership and founder of the Hydropower Caucus, joined on the bill.

EPA Nitrogen Dioxide Air Standards Up For White House Review

Posted June 27, 2017, 02:03 P.M. ET

By David Schultz

The EPA's review of its nitrogen dioxide air pollution standards is nearly complete with the agency sending its proposal for how to proceed to the White House Office of Management and Budget.

OMB is reviewing the agency's proposed decision, according to a June 26 posting on its website.

The Clean Air Act requires the Environmental Protection Agency to review its nitrogen dioxide standards at least once every five years to determine whether they should be revised. Earlier this year, the agency's air pollution science advisers said the EPA should leave the current standards in place. The agency also indicated it was leaning toward keeping the current standards in place in a draft version of its review that it released last year.

Nitrogen dioxide air pollution is primarily a byproduct of vehicle fumes that can cause serious respiratory problems. Regions that exceed the agency's standards for nitrogen dioxide levels, which

are currently between 53 and 100 parts per billion, could face mandatory pollution control measures, including stricter permitting requirements for industrial facilities.

An OMB review is typically the final stage of the rule making process before an agency decision is made public.

Perry Seeks Energy Pact with Mexico, Canada as NAFTA Talks Near

Posted June 27, 2017, 8:09 A.M. ET

By Josh Wingrove and Jennifer A. Dlouhy

The U.S. has a unique opportunity to develop a "North American energy strategy" with Canada and Mexico, Energy Secretary Rick Perry said, striking a conciliatory tone with the other members of the North American Free Trade Agreement.

While President Donald Trump has blasted NAFTA and moved to renegotiate it, Perry referred to the upcoming talks as a "massage" of the 1994 NAFTA deal, saying it presents an opportunity to bolster energy ties, not enact new trade barriers.

"That relationship I don't think has ever been more important than it is today, particularly from an energy perspective," he told reporters at the White House June 26, while stressing his close ties with his counterparts in Ottawa and Mexico City. "Energy is going to play a very important role."

His comments come at the outset of so-called "Energy Week" from the White House, as Trump works to reduce regulations on energy producers and jump-start energy exports. Perry's comments are nonetheless the latest signal Trump's cabinet is warming to trade ties with Canada and Mexico—whether it's lauding NAFTA and its impact on farmers or saying any revisions of the pact will be good for the U.S. neighbors, as well.

"Energy is an ideal area for the Trump administration to move forward with the relationship," Duncan Wood, director of the Mexico Institute at the Woodrow Wilson Intentional Center for Scholars, said in a telephone interview.

Trump has long advocated for American energy dominance, Wood said: "But everybody knows that for the United States to do that on its own is a pipe dream in the short term at least—but for North America working together, it becomes feasible."

Canada Trade

Perry likened NAFTA renegotiation to the "need to renegotiate a contract from time to time," saying the president wants to "massage" and "rework" the deal, with energy playing an important role. When NAFTA was negotiated, the U.S. was reliant on oil imports from Canada and Mexico; it's now both a major exporter and importer of oil and natural gas with both nations.

"I think we have a unique opportunity in this country to develop a North American energy strategy that will pay great dividends for Canadians, for Mexicans, for Americans, as we go forward," he said, adding he has good working relationships with Canada Natural Resources Minister Jim Carr and Mexican Energy Secretary Pedro Joaquin Coldwell.

Carr echoed the comments, saying in a June 26 interview that Perry has championed North

American energy cooperation since his first days on the job.

"We both understand the importance of that integrated market," Carr said in an interview. "We understand we have to keep goods flowing, that we can establish North America as a world leader in the production of conventional and clean energy."

Oil Trade

Energy is a pillar of North American trade. Imported crude from Canada and Mexico now accounts for a larger percentage of total U.S. imports, growing to 49 percent in 2016, from 34 percent in 2010, according to the American Petroleum Institute.

North American energy trade acts to balance regional supply and demand needs. In 2016, the U.S. exported 2.1 trillion cubic feet of natural gas by pipeline to Canada and Mexico, while also importing 2.9 trillion cubic feet from the countries, according to the U.S. Energy Information Administration. The U.S. exported 1.6 billion barrels of crude oil and petroleum products to Canada and Mexico that year, while importing 1.4 billion barrels from the two countries, the EIA reported.

North American energy markets are already highly integrated, at least in oil, gas and petroleum products. Electricity is the outlier; while there are grid connections across the U.S.-Canada border, similar transmission does not occur between the U.S. and Mexico.

Trade Disputes

Already, a plurality of shipments of liquefied natural gas—20 percent, Bloomberg data show—from Cheniere Energy Inc.'s Sabine Pass export facility ultimately have been sold to Mexico since that site began shipping LNG in early 2016.

"If you would have asked me to think about where these volumes would go a year, year and a half ago, I wouldn't have guessed our neighbors to the south of the border would be the single largest market to date," Cheniere Executive Vice President Anatol Feygin said at an EIA conference in Washington June 26.

To be sure, the trade disputes between the countries go beyond NAFTA and energy. The U.S. and Mexico hope to sign a final deal on sugar imports this month, settling a long-standing irritant.

The U.S. imposed a second-round of duties on Canadian softwood lumber on June 26—a move widely expected even before Trump's election. The U.S. is also reviewing steel rules, though Canadian Prime Minister Justin Trudeau is confident his country will be spared by any new measures. The U.S. and Canada are also at odds over aerospace.

Energy, Keystone

There's more room for the conversation now, too, since the Trump administration authorized construction of TransCanada Corp.'s proposed Keystone XL pipeline to deliver oil sands crude from Alberta across the border, ultimately going to Gulf Coast refineries. For years as the Obama administration skeptically weighed the project and environmentalists battled the pipeline, it overshadowed trilateral talks.

That's no longer the case.

"Mexico and the United States could talk about pipelines for natural gas, but ultimately on a trilateral basis, it was all stymied by that issue of Keystone," Wood said. Without the Keystone decision hanging over discussions, "it liberates the agenda a little more."

—With assistance from Jennifer Jacobs and Catherine Traywick.

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Navajo Vote to Extend Large Coal-Fired Power Plant's Lease

Posted June 27, 2017, 9:00 A.M. ET

By Stephen Lee

The massive coal-fired Navajo Generating Station can continue to operate through 2019 after the Navajo Nation Council approved legislation allowing it more time to shut down.

The passage of Legislation No. 0194-17 June 26 gives the operators of the 2,250-megawatt Navajo Generating Station in Page, Ariz.—the biggest coal plant in the West—five years to decommission and remediate the facility starting Dec. 23, 2019, when the current 50-year lease expires.

Had the measure failed, the plant's operators would have had to close it in a matter of days to give themselves enough time to decommission the plant by the 2019 expiration date. The plant's owners said earlier that decommissioning would take roughly two years.

The extension also means the large Kayenta Mine 80 miles away, which solely provides coal to the Navajo Generating Station, will stay open through 2019. If and when the power plant closes, however, the mine will also close because it doesn't have a rail link connecting it to any other customers.

Peabody Energy, which operates the mine, has taken out a $235 million bond to reclaim the land. Some environmental advocates, however, question whether the bond amount is enough to reclaim the 35.8 square miles that have been mined at Kayenta.

Navajo leaders, fearful of what the plant's closure would mean for their economy, had supported the extension. The plant employs roughly 400 workers, and the mine employs another 243, according to the Institute for Energy Economics and Financial Analysis.

Grim Outlook Beyond 2019

The chances of the plant remaining open beyond 2019 appear murky at best. No outside buyers have stepped forward to take over the plant when the current lease expires, but several players, including the Navajo Nation and Peabody Energy, are actively looking for a buyer.

Andy Tobin, commissioner of the Arizona Corporation Commission—the state's public utilities commission, told Bloomberg BNA before the vote that the plant plays a central role in Arizona's economy.

"It's the only coal plant in Arizona that burns Arizona coal," Tobin said. "Without it, Arizona will become a full-time energy importer, which is something that bothers me as a whole."

Tobin also said he thinks it's possible to build a rail link to the Kayenta Mine, so Peabody can sell the coal to other customers.

Energy Regulator to Retire June 30 Leaving One Commissioner

Posted June 27, 2017, 9:23 A.M. ET

By Rebecca Kern

Federal Energy Regulatory Commissioner Colette Honorable announced on Twitter last night that Friday, June 30 will be her last day in that role. Her departure will leave the commission, an independent agency that regulates natural gas pipelines, liquefied natural gas terminals and hydropower projects, with only one member—Acting Chairman Cheryl LaFleur. The agency has been without the quorum it needs to make major decisions since February.

Two nominees to fill vacancies on the commission—Neil Chatterjee and Robert Powelson—are still awaiting Senate confirmation after their nominations were reported favorably out of a Senate committee.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/14/2017 2:43:41 PM
Subject: EIA: Wind, solar provided 10 percent of total U.S. power in March

By Esther Whieldon

06/14/2017 10:40 AM EDT

The wind and solar power installations provided about 10 percent of total U.S. electricity generation in March and likely exceeded that level in April, the U.S. Energy Information Administration said today.

However, that share will likely fall below those levels in the summer, largely because output fluctuates based on seasonal changes, EIA said.

Of the total March output from the two renewable sources, wind power provided about 80 percent of the electricity, EIA said.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/eia-wind-solar-provided-10-percent-of-total-generation-in-march-089065

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 11/1/2017 7:15:26 PM
Subject: BREAKING NEWS: The social media ads Russia wanted Americans to see

Russian-linked accounts bought thousands of Facebook ads on hot-button U.S. issues ranging from Black Lives Matter to illegal immigration, according to a batch of the ads released Wednesday by members of the House of Representatives intelligence panel.

See a sampling of the ads here: http://politi.co/2xKdANN

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/20/2017 12:03:20 PM
Subject: June 20 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

June 20, 2017 - Number 117

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

ENDANGERED SPECIES
Gulf of Maine Distinct Population Segment of Atlantic Salmon/Five-Year Review
ENDANGERED SPECIES

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces the initiation of a five-year status review for the Gulf of Maine distinct population segment of Atlantic salmon to determine if the current endangered listing classification is still accurate. The agency is requesting information on the status, threats, and recovery of the species that has become available since the final listing decision in June 2009. Comments are due July 20, 2017. Contact: Dan Kircheis; NOAA; 207-866-7320; Dan.Kircheis@noaa.gov

82 FR 28049 (06/20/2017)

Regulatory Update

FOOD SAFETY
Food Canning Establishments/Acidified Foods and Thermally Processed Low-Acid Foods
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding food canning establishment registration, process filing, and recordkeeping for acidified foods and thermally processed low-acid foods in hermetically sealed containers (21 CFR 108.25 and 108.35). The collection addresses registration requirements (FDA 2541) for firms that manufacture, process, or pack the specified foods for introduction into interstate commerce. The collection also addresses data on food processing (FDA 2541a) and for aseptic processing of low-acid foods in hermetically sealed containers (FDA 2541c). Comments are due Aug. 21, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 28069 (06/20/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
ANDA Pre-Submission Facility Correspondence for Priority Submissions
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the availability of a draft guidance for industry concerning abbreviated new drug application (ANDA) pre-submission facility correspondence (PFC) for priority submissions. The document describes the PFC content and format and addresses the agency's approach to assessment to allow the FDA to begin the facility assessment process in advance of a planned ANDA submission. Comments are due Sept. 18, 2017. Contact: Nikhil Thakur; FDA, Center for Drug Evaluation and Research; 301-796-5536

82 FR 28072 (06/20/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Drug Compounding Outsourcing Facilities
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning registration of human drug compounding outsourcing facilities under Section 503B of the Federal Food, Drug, and Cosmetic Act. The collection addresses annual registration information that is submitted electronically using the structured product label format for facilities that elect to register as outsourcing facilities. Comments are due Aug. 21, 2017. Contact: Domini Bean; FDA, Office of Operations; 301-796-5733; PRAStaff@fda.hhs.gov

82 FR 28076 (06/20/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
FDA Rapid Response Survey
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing generic information collection request to the OMB for use of rapid response surveys. The collection addresses the use of voluntary surveys by community-based health care professionals, general type medical facilities, specialized medical facilities, other health care professionals, patients, consumers, and risk managers working in medical facilities concerning vital information related to medical product risks and interventions to reduce risks. Comments are due July 20, 2017. Contact: Amber Sanford; FDA, Office of Operations; 301-796-8867; PRAStaff@fda.hhs.gov

82 FR 28074 (06/20/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Virginia/Municipal Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a hydroelectric application by the City of Radford, Va., for a subsequent minor license for the Municipal Hydroelectric Project on the Little River in Montgomery and Pulaski counties in Virginia. The existing project consists of a reinforced concrete slab and buttress dam, an impoundment, an intake section, a penstock, a powerhouse with a 1,185 kilowatt turbine generator, transmission lines, and appurtenant facilities. The notice specifies that the applicant operates the project in both run-of-river and peaking modes with an annual average generation of approximately 4,550 megawatt-hours. The proposed revision would include transmission facilities composed of only three 4.16 kilovolt overhead conductors that transmit power to a switched disconnect/interconnection with the local distribution grid. The notice also specifies that a formerly licensed transmission line now serves to distribute power to other sources and is no longer part of the project. The notice includes a preliminary licensing procedural schedule. Study requests are due July 29, 2017. Contact: Allyson Conner; FERC; 202-502-6082; allyson.conner@ferc.gov

82 FR 28055 (06/20/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Underground Natural Gas Storage Facilities Safety Issues
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Pipeline and Hazardous Materials Safety Administration announces the receipt of a petition by the American Gas Association, the American Petroleum Institute (API), and the American Public Gas Association for reconsideration of a Dec. 19, 2016, interim final rule (81 FR 91860) that amended regulations under 49 CFR 191 and 192 regarding critical safety issues related to downhole facilities, including wells, wellbore tubing and casing, at underground natural gas storage facilities. The rule incorporated by reference two API recommended practices (API RP 1170 and 1171) as of Jan. 18, 2017. The petitioners seek reconsideration of the interim rule's mandatory application of nonmandatory sections of the RPs. PHMSA plans to issue a final rule by January 2018 to address the petition and comments received on the interim rule. For a period of at least one year following publication of the final rule, PHMSA will not issue any enforcement citations for noncompliance with any provisions that are nonmandatory in the RPs or for noncompliance with the requirement to justify and document deviations from the nonmandatory provisions. PHMSA will enforce other compliance deadlines in the interim rule, including the requirement that operators of existing underground gas storage facilities develop, by Jan. 18, 2018, policies and procedures to implement those sections of the RPs that are identified as mandatory in the actual RPs. Contact: Byron Coy; PHMSA; 609-771-7810; atbyron.coy@dot.gov

82 FR 28224 (06/20/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Brownfields/All Appropriate Inquiries
HAZARDOUS WASTE CLEANUP

Direct final rule of the EPA amends regulations under 40 CFR 312.11 to revise the standards and practices for conducting all appropriate inquiries under CERCLA. The rule incorporates by reference ASTM International Standard E2247-16 regarding the Phase I Environmental Site Assessment Process for Forestland or Rural Property. The rule is effective Sept. 18, 2017, unless adverse comments are received by July 20, 2017. Contact: Patricia Overmeyer; EPA, Office of Brownfields and Land Revitalization; 202-566-2774; overmeyer.patricia@epa.gov

82 FR 28009 (06/20/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Brownfields/All Appropriate Inquiries
HAZARDOUS WASTE CLEANUP

Proposed rule of the EPA amends regulations under 40 CFR 312.11 to revise the standards and practices for conducting all appropriate inquiries under CERCLA. The rule incorporates by reference ASTM International Standard E2247-16 regarding the Phase I Environmental Site Assessment Process for Forestland or Rural Property. A concurrent direct final rule adopts the changes, effective Sept. 18, 2017. Comments are due July 20, 2017. Contact: Patricia Overmeyer; EPA, Office of Brownfields and Land Revitalization; 202-566-2774; overmeyer.patricia@epa.gov

82 FR 28040 (06/20/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Miners Representatives, Legal Identity, Commencement of Operations and Closing of Mines
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the submission of a continuing information collection request to the OMB regarding miners representatives, notification of legal identity, and notification of commencement of operations and closing of mines. The collection addresses requirements for persons to file information to be identified as a representative of miners, to post a copy of the information upon receipt by the operator on the mine bulletin board and maintain in current status, and to file a statement with the MSHA district manager terminating their designation if the representative is not able to comply with such requirements (30 CFR 40). The collection also addresses requirements for mine operators to notify MSHA (Form 2000-7) of their legal identity and to request (Form 7000-51) a mine identification number for each mine (30 CFR 41). In addition, the collection addresses requirements for operators of metal and nonmetal mines to notify when operation of a mine will commence or close (30 CFR 56.1000 and 57.1000). Comments are due July 20, 2017. Contact: Michel Smyth; Department of Labor; 202-693-8064; DOL_PRA_PUBLIC@dol.gov

82 FR 28097 (06/20/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Underground Construction Standard
OCCUPATIONAL SAFETY AND HEALTH

Notice announce the intention of OSHA to seek OMB approval for a continuing information collection regarding the underground construction standard (29 CFR 1926.800). The collection addresses requirements for employers to develop records for air quality tests; to post warning signs or notices during underground construction; and to inspect and load test hoists upon installation, repair, and after tripping a hoist safety device. The collection also addresses requirements for employers to prepare and maintain certification records of inspections and load tests. Comments are due Aug. 21, 2017. Contact: Theda Kenney; OSHA; Directorate of Standards and Guidance; 202-693-2222

82 FR 28098 (06/20/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Gas and Liquid Pipeline Advisory Committees
OIL AND GAS INDUSTRY

Notice of the Pipeline and Hazardous Materials Safety Administration announces a request for nominations for membership on the Gas Pipeline Advisory Committee (GPAC) and the Liquid Pipeline Advisory Committee (LPAC). The committees provide recommendations and advice on PHMSA's proposed safety standards for gas and hazardous liquid pipelines. The notice specifies that PHMSA is seeking nominations for one federal government and one industry member for the GPAC, and one federal government and three industry members for the LPAC. Nominations are due July 5, 2017. Contact: Cheryl Whetsel; PHMSA; 202-366-4431; cheryl.whetsel@dot.gov

82 FR 28223 (06/20/2017)

Regulatory Update

RADIATION
Applications for Nuclear Power Plants
RADIATION

Notice of the Nuclear Regulatory Commission announces the issuance of a draft regulatory guide (DG-1325) regarding applications for nuclear power plants. The draft guide revises regulatory guide 1.206, Combined License Applications for Nuclear Power Plants, by updating the format and content of applications, including the review of nuclear power plant design certifications, early site permits, and combined license applications. The revision also removes detailed technical information on the format and content of a safety analysis report, which is proposed to be relocated to NUREG-0800, Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: Light-Water Reactor Edition. Comments are due Sept. 18, 2017. Contact: Mark Notich; NRC, Office of New Reactors; 301-415-3053; Mark.Notich@nrc.gov

82 FR 28101 (06/20/2017)

Regulatory Update

RADIATION
Nuclear Energy Advisory Committee Meeting
RADIATION

Notice of the Department of Energy, Office of Nuclear Energy, announces the cancellation of a June 20, 2017, meeting of the Nuclear Energy Advisory Committee (82 101; 05/26/2017). The agenda would have included updates on activities of the Office of Nuclear Energy, presentations by Nuclear Energy Advisory Committee subcommittees, and a discussion/vote on the committee's acceptance of the International Subcommittee report. The notice specifies that the next regular meeting will be held on a future date. Contact: Rob Rova; DOE, Office of Energy Efficiency and Renewable Energy; 301-903-9096; robert.rova@nuclear.energy.gov

82 FR 28055 (06/20/2017)

Regulatory Update

RADIATION
Nuclear Power Reactors/Loss-of-Coolant Accidents
RADIATION

Notice of the Nuclear Regulatory Commission announces the discontinuation of a proposed rulemaking and denial of the associated petition for rulemaking (PRM-50-77) to amend regulations under 10 CFR 50.46 regarding decoupling an assumed loss of off-site power from a loss of off-site power from a loss-of-coolant accident (LOOP/LOCA). The rule would have provided licensees an option to relax analysis requirements for considering a LOOP to occur along with a large-break LOCA. The action is in response to industry feedback that the proposal would be prohibitively expensive for the anticipated benefit. The action is effective June 20, 2017. Contact: Robert Beall; NRC, Office of Nuclear Reactor Regulation; 301-415-3874; Robert.Beall@nrc.gov

82 FR 28017 (06/20/2017)

Regulatory Update

WATER
New Jersey, New York/Clean Water Act Consent Decree
WATER

Notice of the Department of Justice announces a proposed consent decree in United States v. NVR Inc. (Civil No. 2:17-cv-04346), lodged on June 15, 2017, with the U.S. District Court for the District of New Jersey. The consent decree resolves alleged Clean Water Act violations for discharges of pollutants into stormwater without a permit at various construction sites in New Jersey and New York. The consent decree requires the defendant to pay a civil penalty of $425,000 and implement a nationwide management, inspection, reporting, and training program to improve compliance with stormwater requirements at current and future construction sites. Comments are due July 20, 2017. Contact: Robert Maher; DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 28095 (06/20/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/7/2017 8:15:31 PM
Subject: June 7 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

House Panel Approves Energy Bills as Pallone Urges Climate Action

Posted June 07, 2017, 01:31 P.M. ET

By Brian Dabbs

A House panel unanimously approved a slew of energy bills June 7, including a measure to increase workforce education and training for energy and manufacturing-related fields.

That bill (H.R. 338), which authorizes no additional spending, directs the Energy Department to prioritize skill strengthening for minority and displaced workers in the fossil fuel, nuclear, utility, pipeline, renewable, petrochemical, manufacturing and electrical construction sectors.

The legislation approved the House Energy and Commerce Committee alongside 10 other energy bills, including a mandate (H.R. 627) for the Energy Department to create a clearinghouse for information on energy efficiency underwriting programs and another measure (H.R. 1109) to increase the size of a public utility merger or sale that necessitates prior Federal Energy Regulatory Commission approval. That threshold would be raised from $50,000 to $10 million.

The hearing marked the committee's first approval of energy bills this Congress, despite exploratory hearings on hydropower approval revamps, funding for the proposed Yucca Mountain nuclear waste repository and brownfields reauthorization.

'Think Bigger'

The committee's ranking member, Rep. Frank Pallone (D-N.J.), lauded those bills but urged more significant action.

Clean energy policy is now the responsibility of Capitol Hill following President Donald Trump's withdrawal from the Paris climate accord, and Congress needs to "think bigger," Pallone said at the hearing.

"We can't just recycle energy proposals from the last Congress which were proposed with the Paris Agreement in place," he said. "This committee should be focusing on modernizing our infrastructure by reducing vulnerabilities to climate change."

Pallone called on Republican leadership to take up a sweeping infrastructure bill that Democrats

proposed in mid-May. That legislation (H.R. 2479) would provide more than $17 billion for school and home retrofitting, solar installations, methane pipeline replacement and other energy initiatives.

If Trump Gets His Way, World May Not Know If U.S. Emissions Rise

Posted June 07, 2017, 10:43 A.M. ET

By Christopher Flavelle

President Donald Trump's critics argue that pulling the U.S. out of the Paris climate accord will lead to an increase in greenhouse gas emissions.

If Trump has his way, the world may never know.

The president's budget request to Congress would eliminate or gut core programs across the federal government that track the heat-trapping gases. If those cuts go ahead, the government may not be able to tell if emissions are rising or falling.

"The first step in any decent regulatory program is a requirement for monitoring," David Doniger, director of the climate and clean air program at the Natural Resources Defense Council, said in an interview. "If you don't know what's there, it's harder for the public or the regulators to do anything about it."

Stephen Cole, a spokesman for NASA, which is slated under the president's proposed budget to lose money for a satellite-based carbon-measuring system, said the cut reflects budget constraints. "NASA remains committed to studying our home planet and the universe, but we are reshaping our focus within the resources available to us," he said in an email.

Whether the cuts happen will depend on Congress, and the degree to which Republicans share Trump's priorities.

Critics of government climate efforts, meanwhile, support the administration's cuts, calling emissions monitoring programs a waste of taxpayers' money. "This doesn't necessarily need to be housed within the federal government," said Nick Loris, a research fellow for the Heritage Foundation. "If the private sector wants to continue to pursue greenhouse gas monitoring, that's fine."

Tools for Tracking

The government has two basic tools for tracking emissions. The Trump administration is proposing to cut or wind down both of them.

The first approach is to measure gases at their source. Every factory or other installation that emits the equivalent of 25,000 tons or more of carbon dioxide, the primary contributor to global warming, must track and report those emissions to the Environmental Protection Agency. The agency makes those emissions public through its annual Greenhouse Gas Inventory.

That inventory makes it possible for the federal government to measure total emissions, and also to see changes in emissions by industry and by region. It also fulfills the U.S. commitment under a 1992 United Nations climate treaty, signed by President George H. W. Bush and ratified by the Senate, to publish "national inventories of anthropogenic emissions by sources."

Trump's budget request would reduce funding for the EPA's greenhouse-gas reporting program by 86 percent, to $14 million in 2018 from $95 million this year. It is not clear how the EPA would be able to continue the inventory with that cut, according to Janet McCabe, who was responsible for it as head of the EPA's Office of Air and Radiation under President Barack Obama.

"Sometimes we find out that certain activities emit LESS than we thought, sometimes more," McCabe said in an email. "As they say, you can't manage what you don't measure."

And rolling back the program would give tacit permission to other countries to make similar changes, according to Bob Perciasepe, deputy EPA administrator from 2009 to 2014.

"Weakening U.S. capacity to report accurately will undermine our ability to push the rest of the world to be transparent," Perciasepe said in an email. "One of the core strengths of the Paris agreement is extending similar requirements to China and other developing countries so they're more accountable to the international community."

The EPA said it can do more with less. "While many in Washington insist on greater spending, EPA is focused on greater value and results," the agency said in an emailed statement.

Satellite Measurement

The second way to measure greenhouse gas emissions is in the atmosphere.

In 2010, NASA created the Global Carbon Monitoring program, which uses satellites to detect the concentration of those gases. Trump's budget request would eliminate that program entirely.

The NASA program provides "long-term, reliable, continuous data series" that can't be matched by other countries, said Gretchen Goldman, research director for the Center for Science and Democracy at the Union of Concerned Scientists. "Without such vital monitoring efforts, we can't understand and prepare for climate change as well."

Democrats say they will try to maintain funding for the programs.

"We know that the Earth is warming, sea ice is disappearing, the glaciers are receding, the oceans are acidifying, and sea levels are rising," Representative Eddie Bernice Johnson, the top Democrat on the House Committee on Science, Space and Technology, said in an email. "We know all of this from climate research and monitoring."

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Electric Car Market Goes Zero to 2 Million in Five Years

Posted June 07, 2017, 8:41 A.M. ET

By Jessica Shankleman

The number of electric vehicles on the road rocketed to 2 million in 2016 after being virtually non-existent just five years ago, according to the International Energy Agency.

Registered plug-in and battery-powered vehicles on roads worldwide rose 60 percent from the year before, according to the Global EV Outlook 2017 report from the Paris-based IEA. Despite the rapid

growth, electric vehicles still represent just 0.2 percent of total light-duty vehicles.

"China was by far the largest electric car market, accounting for more than 40 percent of the electric cars sold in the world and more than double the amount sold in the United States," the IEA wrote in the report published June 7. "It is undeniable that the current electric car market uptake is largely influenced by the policy environment."

A multi government program called the Electric Vehicle Initiative on June 8 will set a goal for 30 percent market share for battery power cars, buses, trucks and vans by 2030, according to IEA. The 10 governments in the initiative include China, France, Germany, the U.K. and U.S.

India, which isn't part of the group, said last month that it plans to sell only electric cars by the end of the next decade. Countries and cities are looking to electric vehicles to help tackle their air pollution problems.

In order to limit global warming to below 2 degrees Celsius (3.6 degrees Fahrenheit), the target set by the landmark Paris Agreement on climate change, the world will need 600 million electric vehicles by 2040, according to the IEA.

After struggling for consumer acceptance, Tesla Inc. has made electric vehicles cool and trendy, and is pushing into the mass market with the new Model 3 sedan.

Consumer interest and charging infrastructure, as well as declining demand for diesel cars in the wake of Volkswagen AG's emissions scandal, has spurred massive investments in plug-in cars. An electrical vehicle "cool factor" could spur sales to 450 million by 2035, according to BP Chief Economist Spencer Dale.

Volkswagen, the world's largest automaker, plans to roll out four affordable electric vehicles in the coming years as part of a goal to sell more than 2 million battery-powered vehicles a year by 2025. Mercedes-Benz accelerated the introduction of 10 new electric vehicles by three years to 2022 to take on Tesla as the dominance of the combustion engine gradually fades.

--With assistance from Chris Reiter.

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Top German Court Blocks Nuclear Fuel Tax

Posted June 07, 2017, 02:45 P.M. ET

By Tino Andresen and Karin Matussek

Germany's Constitutional Court said June 7 the federal government overstepped its powers when introducing the national nuclear-fuel tax in 2011.

The judges rejected arguments from lawmakers that the levy was a consumption tax, for which the government would have had legislative powers. Reactor operators had to pay 145 euros per gram of nuclear fuel when they exchanged a fuel rod, cutting their profit.

Germany's biggest power producers are set to recover about 6 billion euros ($6.7 billion) after the ruling.

The verdict means RWE AG shareholders could be in line for a special dividend, while EON SE may be able to forgo a sale of hybrid bonds, according to analysts at RBC Europe Ltd. and Independent Research GmbH.

EON expects that it will get 2.85 billion euros plus about 450 million euros in interest, which the company will use to strengthen its balance sheet, the Essen-based utility said after the ruling. RWE had paid about 1.7 billion euros toward the tax, the company said in a statement. The utility hasn't yet decided how it will use the funds.

"RWE has no need for the cash so any payment received may be given back to shareholders in some form of special dividend on enhanced regular dividend," John Musk, an analyst at RBC Europe Ltd., said June 7 in a note to clients.

Hybrid Bonds

The reimbursement would help EON repair a balance sheet hurt by a deal with Chancellor Angela Merkel's government on funding the nation's exit from nuclear power by 2022 as well as the billions of euros it wrote down related to the spinoff of its fossil-fuel generation business Uniper SE. The utility was considering as recently as last month a sale of hybrid bonds, securities that combine elements of equity and debt.

Christian Drepper, a spokesman at EON, declined to comment on the utility's bond plans.

The windfall may reduce how much of the hybrid debt EON sells, according to Sven Diermeier, an analyst at Independent Research.

The fuel-tax rebate would also ease EON's need for asset disposals and capital expenditure cuts in its plans to reduce net debt by about 24 percent to 20 billion euros, said RBC's Musk. "More importantly, it may allow EON to move to a more appropriate payout ratio on dividends" from 40 percent to 60 percent of adjusted net income, he said.

The constitutional court issued its ruling as guidance in a case in Hamburg. As the ruling is "clear cut," finance authorities will most likely reimburse the funds, ending the case, said Matthias Tiemann, spokesman for the lower court. The tax had expired in 2016.

"We have taken note of the judgment of the Federal Constitutional Court on the nuclear fuel tax," Finance Ministry spokesman Juerg Weissgerber told reporters at a regular government press conference in Berlin. "We would have expected the Federal Constitutional Court to endorse our argument that the nuclear fuel tax is constitutional."

Germany's switch to renewables forced traditional utilities to reinvent themselves through reorganizations as power prices slid to a decade-low. The ruling is the second time in six months, however, that the companies have won some relief from the top court as judges in December said they should be compensated for power-production rights lost related to nuclear power.

--With assistance from Rainer Buergin and Rob Verdonck.

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Dark Clouds Hang Over Nuclear Town Torpedoed by Green Energy

Posted June 07, 2017, 10:45 A.M. ET

By Jesper Starn

In an eerily quiet nuclear reactor hall in southern Sweden, new copper and steel machinery stretching 50 meters and weighing hundreds of tons is just sitting idle.

Bought from France and Germany as part of a $450 million upgrade at the now defunct Oskarshamn-2 facility, the turbines, steam pipes and feed-water pumps were supposed to help supply cheap electricity to the Nordic market for decades to come. Instead, they will probably be sold as scrap metal. The junk pile may grow even bigger as another reactor at the site will produce its last megawatt by the end of June.

The plant is yet another victim of an unprecedented surge in renewable energy that has sent margins at traditional power stations plunging, leaving thousands of old-school energy workers across Europe unemployed. Oskarshamn also houses a third reactor and its fate will be decided later this year by owners Uniper SE and Fortum Oyj, a decision seen as a bellwether for future investment in other Swedish atomic stations.

For the town of Oskarshamn, the utilities' decision later this year on whether to pour another one-billion kronor ($114 million) into the region's biggest reactor to keep it humming until 2045 couldn't be more significant.

With job cuts also looming at other local factories from a nuclear subcontractor to truck maker Scania AB, halting power production permanently would be another big knock to the town after the shipyard closed in the 1970s, its largest employer at the time.

"It's a scenario I do not even dare to fully consider," Peter Wretlund, Oskarshamn's mayor, said in his office overlooking the town's port on the Baltic Sea. "It would have grave consequences for the population."

While governments in Germany, France and Switzerland are deciding on when to shut down reactors, Sweden will let market conditions be the judge on the life of its remaining six units. Even after a nuclear tax was abolished, conditions remain harsh for operators as they compete with subsidized renewable energy flowing across the European grids.

Local politicians are worried about the town's future. One of the main obstacles for growth is its remote location on the southeast coast, far from any of Sweden's major cities. The closest large international airport is in Copenhagen, another flight or a 4.5-hour train ride away.

"So many highly skilled workers are leaving the city," Eva-Marie Hansson, a local politician for the opposition Moderate Party, said in an interview. "People here do not have the opportunity to stay and easily commute to other big cities."

To combat the brain drain, Oskarshamn bid to host a 4 billion-euro ($4.5 billion) large-scale battery factory earlier this year for Northvolt AB. The plan was to build the factory on the nuclear site, with existing security and access to high-voltage grid connections as main selling points.

The project didn't make the short-list, said Wretlund. Northvolt listed good transport links as one of the main criteria for its location.

For now, the nuclear plant's biggest challenge is to cut its operating costs. It plans to cut staff by 32 percent to 600 by 2019 compared with last year.

Uniper had sold half of its 2019 Swedish production in advance at between 19 euros and 23 euros per megawatt-hour in May, a level that also includes the company's hydro power production. That compares with plant costs of 40 euros before tax cuts in 2014, the latest available figure.

Attracting new tenants in the mode of Northvolt seem logical and others have done it before. Google Inc. bought the Summa paper mill in Finland from Stora Enso Oyj in 2009 and converted it to a data center using existing grid connections. The project employed 2,000 people during construction.

"Our assessment is that we can reach long-term profitability," Johan Svenningsson, Uniper's chief executive officer, said in a phone interview. "But we still need to see that costs can be brought down to the levels we require before making a decision."

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 7/5/2017 5:04:48 PM
Subject: Playbook Power Briefing, presented by Postmates: TRUMP calls SISI from Air Force One -- Rep. CLAY HIGGINS criticized for Auschwitz selfie video -- CHRIS CHRISTIE sand sculpture spotted on Jersey beach

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Today's Playbook Power Briefing presented by Postmates

Happy Wednesday afternoon. THE PRESIDENT called Egyptian President Abdel Fattah el-Sisi from Air Force One "to address the ongoing dispute between Qatar and its Arab neighbors," the White House said. "The two presidents also discussed the threat from North Korea. President Trump stressed the need for all countries to fully implement U.N. Security Council resolutions on North Korea, stop hosting North Korean guest workers, and stop providing economic or military benefits to North Korea."

BULLETIN at 11:47 a.m.: "CAIRO (AP) - Four Arab nations seeking to isolate Qatar say Doha's response to their demands to end crisis was 'not serious'"

AN INTERESTING NUGGET from an AP story by Vivian Salama and Ken Thomas: "According to Polish media reports, Poland's government promised the White House a reception of cheering crowds as part of its invitation. To make good on that pledge, ruling party lawmakers and pro-government activists plan to bus in groups from the provinces to hear Trump's speech. The White House didn't respond to a request for comment on those reports." http://bit.ly/2uJBaZ3

MICHAEL MCFAUL, the former U.S. ambassador to Russia, (**@mcfaul): "**With other experts, I spent 2 hrs with President Bush before his 1st meeting with Putin & obviously briefed Obama before his 1st Putin mtg".

WHITE HOUSE STATEMENTS -- @realDonaldTrump at 6:51 a.m.: "Getting ready to leave for Poland, after which I will travel to Germany for the G-20. Will be back on Saturday." ... **at 7:14 a.m.:** "The United States made some of the worst Trade Deals in world history.Why should we continue these deals with countries that do not help us?" ... **at 7:21 a.m.:** "Trade between China and North Korea grew almost 40% in the first quarter. So much for China working with us - but we had to give it a try!"

WRONG PLACE ALERT -- "Louisiana congressman criticized for selfie video inside Auschwitz gas chamber," by Louis Nelson: "A U.S. congressman's video taken inside a gas chamber at the Nazi concentration camp Auschwitz has drawn criticism from the museum and memorial that oversees the site where hundreds of thousands of people were murdered during the Holocaust. During a trip to the concentration camp, Rep. Clay Higgins (R-La.) shot a roughly five-minute video of his visit, filming and narrating as he viewed the train tracks that carried prisoners to the camp and piles of

shoes left by prisoners.

"Midway through the video, Higgins films himself inside an Auschwitz gas chamber, explaining how Nazi guards would murder their victims by dropping poisonous gas through a hatch in the ceiling as he turned his camera towards the hatch. He then moved in front of the nearby ovens, explaining how the camp's guards would force other prisoners to load the dead bodies for cremation. That portion of the video prompted a response from the Auschwitz Memorial and Museum, which wrote on Twitter that 'everyone has the right to personal reflections. However, inside a former gas chamber, there should be mournful silence. It's not a stage.'" http://politi.co/2sLQLpG

THE LATEST ON NORTH KOREA -- "U.S.: North Korea launched new kind of missile," by CNN's Barbara Starr and Jeremy Herb: "The two-stage missile launched Tuesday by North Korea will be classified by U.S. intelligence as a brand-new missile that has not been seen before, US officials told CNN. The first stage of the missile is believed to be a KN-17 liquid fueled missile, which is well-known to U.S. intelligence and has been previously launched by North Korea.

"Ahead of Tuesday's missile test, U.S. satellites had seen evidence the KN-17 missile was being prepared for launch. But at some point prior to launch, the North Koreans attached a second stage atop that missile. The focus now is on the capability of that second stage, and how it technically contributed to making Pyongyang's latest test its first ever intercontinental ballistic missile (ICBM) launch. CNN has reported that the second stage had a separate 30-second burn cycle, which allowed the missile to travel the extra distance to classify it as an ICBM." http://cnn.it/2tLWAHI

MOTOKO RICH: "In North Korea, 'Surgical Strike' Could Spin Into 'Worst Kind of Fighting'": http://nyti.ms/2tILSIR

****** **A message from Postmates:** Operating in over 200 cities across the United States - Postmates is an innovative, on-demand logistics platform, transforming the way goods move around towns by enabling anyone to have anything delivered to their door step within minutes, and driving over $1B in goods and merchandise across its platform in 2017. https://postmates.com ******

WHAT JESSE RODRIGUEZ IS READING -- AP: "MSNBC's 'Morning Joe' sets viewership mark after tweets": "Joe Scarborough and Mika Brzezinski reached their biggest audience ever when they talked Friday about President Donald Trump's tweets about their show. The Nielsen company said Wednesday that 1.66 million people watched the MSNBC morning show the day after the tweets. That narrowly beat the show's previous record, which came the day after Trump was elected last year." http://bit.ly/2tR92Xy

STICKING AROUND -- " Rep. Markwayne Mullin flips stance, announces run for 4th term in Congress," by KTUL's Clayton Youngman: "Rep. Markwayne Mullin has announced that he will seek re-election for his seat in Oklahoma's second congressional

district, flipping on a campaign promise he made to only serve six years in Congress. Mullin announced the decision in a video posted to his Facebook page Tuesday. He said he and his family originally decided to stick to their decision to only serve three terms, but they just didn't feel it was the right decision.

"'**People are [going to] be upset,** and we get that. We understand it,' Mullin said in the 11-minute video. 'I'm not hiding from that because we did say we're going to serve six years, and it was out of true concerns.' The businessman said he originally made the promise because his family had concerns about the effects working in Congress would have on them and on their business. Now, he says he says he has a better understanding of politics in Washington and believes he can continue to make a difference under President Donald Trump's administration.

"'**I don't think there's one person that's never changed** their mind six years apart from each other or how they would approach things,' Mullin said." http://bit.ly/2th1lsi

-- SO MANY PEOPLE who make these pledges back off. It's one of those sounds-better-in-theory type things.

WHOA -- "Amelia Earhart May Have Survived Crash-Landing, Newly Discovered Photo Suggests," by NBC News' Tom Costello and Daniel Arkin: "A newly discovered photograph suggests legendary aviator Amelia Earhart, who vanished 80 years ago on a round-the-world flight, survived a crash-landing in the Marshall Islands. The photo, found in a long-forgotten file in the National Archives, shows a woman who resembles Earhart and a man who appears to be her navigator, Fred Noonan, on a dock. The discovery is featured in a new History channel special, 'Amelia Earhart: The Lost Evidence,' that airs Sunday. Independent analysts told History the photo appears legitimate and undoctored. Shawn Henry, former executive assistant director for the FBI and an NBC News analyst, has studied the photo and feels confident it shows the famed pilot and her navigator." http://nbcnews.to/2tMeg69 ... ***More on the special, which airs on Sunday at 9 p.m.*** http://bit.ly/2tLvmRt

STILL AT WAR -- "Soldier dead after attack in Afghanistan: Pentagon," by Reuters' Doina Chiacu: "A 19-year-old American soldier has died in Afghanistan's Helmand Province from wounds received in an attack, the Pentagon said on Wednesday. Private First Class Hansen Kirkpatrick of Wasilla, Alaska, died on Monday in the incident, which was under investigation, a Pentagon statement said. Further details were not available." http://reut.rs/2tLJpXi

CLICKER -- "Photos: As showers fizzled, fireworks dazzled on July 4 in Washington," by Kevin Ambrose in WaPo http://wapo.st/2tM89Pj

TODAY'S BEYOND THE BELTWAY -- Illinois battles over budget bill -- California's gubernatorial candidates hit the trail http://politi.co/2tMkLpE

-- "While Most Small Towns Languish, Some Flourish," by Tim Henderson in

Stateline: "In several Western and Southern states, small towns are growing quickly as fast-growing metro areas swallow up more outlying towns, according to a Stateline analysis of census estimates. Between 2015 and 2016, the growth was particularly strong in small towns in Utah, Colorado, Washington, Oregon, Florida, Idaho, Delaware, Texas, Arizona, North Carolina and South Carolina, where small towns grew around 1 percent or more. During the same period, 54 percent of small towns across the U.S. lost population, and most others saw only limited growth. (For purposes of the analysis, Stateline defined "small towns" as those having fewer than 10,000 residents, a common standard.)" http://bit.ly/2tMj8bn

PIC DU JOUR -- "Christie sand sculpture the perfect coda for Fourth of July weekend," by NJ Advance Media's Marisa Iati http://bit.ly/2uJURjc

HISTORY LESSON -- BUSH ALUMNI -- TEVI TROY in Washingtonian: **"A Brief History of Presidents Firing People"** http://bit.ly/2tMobZv

TRANSITIONS -- Jacqueline Cooney has joined Paul Hastings as a senior privacy adviser in their privacy and cybersecurity practice. She was previously with Booz Allen Hamilton. ... **Brittany Balmer** is now at the State Department as a senior protocol officer. She was previously a senior event producer at the Heritage Foundation.

ENGAGED -- Zach Cohen, a reporter for National Journal's Hotline, proposed to **Rachel Karas,** an associate editor at Inside the Air Force, on a dock at a lakehouse in Massachusetts. The met in 2010 working on American University's college paper The Eagle and started dating in 2014. ***Pics*** http://bit.ly/2tMmGKF ... http://bit.ly/2tMoBia (h/t the Hotline team)

SPOTTED -- Kellyanne Conway and her family celebrating the Fourth of July at Old Glory in Georgetown (***pic*** http://bit.ly/2uJZqtU) ... Fox News' Ed Henry in Cooperstown yesterday to discuss his book "42 Faith" (***$14.72 on Amazon*** http://amzn.to/2uJB4ka) ...

WHAT RACHEL SCHINDLER IS WATCHING -- CHANCE THE RAPPER'S "Tiny Desk" concert at NPR on North Capitol Street. http://n.pr/2tpJLAP

****** **A message from Postmates:** With its fleet of Postmates earning taxable incomes, the capital generated through the mobile application is being reinvested in the economy to do everything from pay down debt, to start a small business, or even enroll in college classes. As On Demand platforms shape the future of work, Postmates applauds legislation aimed at experimenting with portable benefits models, and calls for new federal and local skill-based investments to account for the impact of automation on the workforce. https://postmates.com ******

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Sent: Mon 6/26/2017 9:37:53 AM
Subject: Morning Media: Donald Trump, David Pecker, Time Inc. — Preet podcast — Facebook goes Hollywood

By Joe Pompeo | 06/26/2017 05:35 AM EDT

With Alex Weprin

BIG DAVID PECKER PROFILE IN THIS WEEK'S NEW YORKER - Jeffrey Toobin reports on the longtime Trump pal and head of National Enquirer parent company American Media Inc. Scene: "As the meeting wound down ... Someone suggested a story about a video from Donald and Melania Trump's first overseas trip. ... When Donald reached for Melania's hand, she slapped it away with a sharp flick of her wrist. 'I didn't see that,' Pecker said, on the speakerphone. The half-dozen or so men in the room exchanged looks. One then noted that the footage of Melania's slap had received a good deal of attention. 'I didn't see that,' Pecker repeated, and the subject was dropped. ...

"Pecker and Trump have been friends for decades ... and Pecker acknowledges that his tabloids' coverage of Trump has a personal dimension. All Presidents seek to influence the media, but Trump enjoys unusual advantages in this regard. ... Unlike [Rupert] Murdoch, Pecker heads a fading and vaguely comic archetype of Americana ...But the impact of the tabloids, particularly their covers, remains substantial."

CONFIRMED: PECKER IS EYEING TIME INC. - I first reported this back in March, when Time Inc. was still entertaining several unsolicited bids for the company. A source familiar with the matter told me at the time that Pecker had asked his people to crunch some numbers to see what a potential acquisition of certain titles might look like. (Time Inc. stalwarts People, Entertainment Weekly and InStyle would add some firepower to Pecker's celebrity media empire, which also now includes Us Weekly.) As someone familiar with Pecker's thinking put it to me: "He's always had a hard-on for Time Inc."

Now, Toobin reports that "Pecker is ... considering expanding his business: he may bid to take over the financially strapped magazines of Time, Inc. ... Based on his stewardship of his own publications, Pecker would almost certainly direct those magazines, and the journalists who work for them, to advance the interests of the President and to damage those of his opponents --- which makes the story of the Enquirer and its chief executive a little more important and a little less funny."

No, seriously: "[T]he idea of Pecker as the leader of Time, Inc., like that of Trump as the President of the United States, has gone from preposterous to more than possible ... Pecker remains interested in running Time, Inc., with its stable of weeklies, including Time, Sports Illustrated, and the great prize, People. ... [T]hough it's not officially on the market, these sorts of auctions generally end, sooner or later, with a sale. ... Pecker couldn't buy Time, Inc., on his own, however. He would need ... a deep-pocketed partner, and he's looking to find one. 'I think that there's a huge opportunity,' Pecker said. ... Time and the other magazines would survive, as

the Enquirer does, as vehicles for Pecker's cultivation of his friend, the President."

I got in touch with Time Inc. last night, but they declined to comment. More: "FEEDING THE BEAST: David Pecker's reign at the National Enquirer and the rise of Trump."

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**. (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

PREET BHARARA'S NEXT ACT - Four months after the Manhattan-based U.S. Attorney was fired by President Trump, "Mr. Bharara is becoming something of a media Renaissance man," The New York times reports . "On Monday, he will officially announce that he is joining his younger brother's media company, Some Spider Studios. ... Mr. Bharara will become an executive vice president at Some Spider, which Vinit Bharara started in 2014. ... The podcast, which is scheduled to begin airing in the coming months, will explore justice and fairness issues and provide in-depth analysis on legal cases. Mr. Bharara also expects to write articles for Some Spider's news and entertainment website, Cafe, and he and Vinit Bharara plan to introduce a conference, Cafe Con, next year."

CNN'S NEW RUSSIA RULES - BuzzFeed Reports : "CNN is imposing strict new publishing restrictions for online articles involving Russia after the network deleted a story and then issued a retraction late Friday, according to an internal email obtained by BuzzFeed News. The email went out at 11:21 a.m. on Saturday from Rich Barbieri, the CNNMoney executive editor, saying ' No one should publish any content involving Russia without coming to me and Jason,' a CNN vice president. 'This applied to social, video, editorial, and MoneyStream. No exceptions' ... The new restrictions also apply to other areas of the network -- not just CNNMoney, which wasn't involved with the article that was deleted and retracted."

MUST READS:

-- Frank Rich: "Just Wait: Watergate didn't become Watergate overnight, either." [New York]

-- "Obama's secret struggle to punish Russia for Putin's election assault" [WaPo]

-- "Europe has been working to expose Russian meddling for years" [WaPo]

-- "Why Grenfell Tower Burned: Regulators Put Cost Before Safety" [NYT]

-- "The secret lives of young IS fighters" [BBC]

REMINDER: AUSTIN TICE REMAINS MISSING IN SYRIA - From Adam Goldman's story in Saturday's New York Times : "In the early days of the Trump administration, national security officials began exploring ways to free Austin Tice, an American journalist and a former Marine officer believed to be held by the Syrian government. His case has frustrated investigators and diplomats since he disappeared while on assignment nearly five years ago. White House officials decided, because of the delicacy of the situation, to set up a back channel.

... [I]n early February, Mike Pompeo, the C.I.A. director, spoke on the phone with Ali Mamlouk, the head of Syria's National Security Bureau intelligence service ... Though Mr. Pompeo's discussion with Mr. Mamlouk prompted further communications that renewed hope that Mr. Tice would be freed, the operation fizzled out after the Syrian government's nerve gas attack in rebel-held northern Syria in April and the American missile strike in response."

REVOLVING DOOR: ProPublica's latest hire is Ken Armstrong, who joins as a senior reporter from fellow nonprofit outlet The Marshall Project. A collaboration he did with ProPublica's T. Christian Miller, about the hunt for a serial rapist, won the 2016 Pulitzer Prize for explanatory reporting. Armstrong also won a Pulitzer Prize for investigative reporting in 2012 when he was at The Seattle Times.

SOUND BITES:

-- "We got a P-U-S-S-Y grabber for president, and we are appalled. We can't figure this out. And one of the reasons ... we can't figure it out is because elite media, as he would call it, failed us." [Phil Donahue]

-- "Off camera briefing [today] because they are proud of their achievements and eager to be recorded publicly defending them." [Glenn Thrush]

THE HOLLYWOOD-IFICATION OF FACEBOOK - From today's Wall Street Journal: "The social-networking giant is talking to Hollywood studios and agencies about producing TV-quality shows with an eye toward launching original programming by late summer, people familiar with the matter said. In meetings with major talent agencies including Creative Artists Agency, United Talent Agency, William Morris Endeavor and International Creative Management Partners, Facebook has indicated it is willing to commit to production budgets as high as $3 million per episode, people familiar with the situation say."

In other Facebook news: The company's latest olive branch to the journalism community is "Facebook Safety for Journalists, an initiative [involving] ... resources designed specifically for journalists to help them protect their accounts and themselves." More details.

SOUNDTRACK: Bohemian Vendetta, "Enough"

EXTRAS:

-- Margaret Sullivan: "Trump won, and Amy Siskind started a list of changes. Now it's a sensation." [WaPo]

-- "The Politics (And Profits) Of Letting Trump Supporters Lie On Television" [Bustle]

-- Tomi Lahren "tells her story." [Marie Claire]

-- "At Cannes, advertisers are still hunting for an alternative to Google and Facebook" [Recode]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/26/donald-trump-david-pecker-time-inc-preet-podcast-facebook-goes-hollywood-001298

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EHS State Regulatory Alert

July 25, 2017 - Number 141

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California

OIL AND GAS INDUSTRY
Hazardous Liquid Pipelines
California OIL AND GAS INDUSTRY

Final rule of the Office of the State Fire Marshal amends regulations under 19 CCR 2021 regarding hazardous liquid pipelines. The rule updates incorporated instructions for the intrastate pipeline operator annual report (Form PSD-101) to reflect an updated federal web address concerning earthquake faults. The rule is effective July 6, 2017. Contact: Diane Arend; OSFM; 916-324-9592; diane.arend@fire.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

PESTICIDES
Copper-Based Antifouling Paint and Coating Products
California PESTICIDES

Final rule of the Department of Pesticide Regulation adopts regulations under 3 CCR 6190 to require registrants of all new copper-based antifouling paint and coating products to submit estimated daily mean copper release rate (leach rate) data. The rule also establishes a maximum allowable copper leach rate for antifouling paint and coating products registered for use on recreational vessels of 9.5 micrograms per square centimeter per day. In addition, the rule specifies that currently registered products exceeding the leach rate will be subject to cancellation. Finally, the rule adds definitions of recreational vessel and commercial vessel. The rule is effective Jan. 1, 2018. Contact: Linda Irokawa-Otani; DPR; 916-445-3991

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

SOLID WASTE

Minimum Standards for Solid Waste Handling and Disposal/Glass Container Processing

California SOLID WASTE

Notice of the Department of Resources Recycling and Recovery announces the second readoption of an Oct. 14, 2016, emergency rule that amended regulations under 14 CCR 17402, 17403.0, and 17405.0 and adopted regulations under 14 CCR 17403.3.1 to set forth minimum standards for glass container processing operations. The rule also placed such operations within the enforcement agency notification tier rather than requiring a full solid waste facility permit. The readoption is effective July 18, 2017, and expires Oct. 17, 2017. Contact: Harllee Branch; DRRR, Waste Permitting, Compliance and Mitigation Division; 916-341-6056; Harllee.Branch@calrecycle.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act/Arsenic Levels in Rice

California TOXIC SUBSTANCES

Proposed rule of the Office of Environmental Health Hazard Assessment adopts regulations under 27 CCR 25501.1 to establish safe harbor concentrations for natural background levels of inorganic arsenic in rice under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). The rule specifies safe harbor arsenic concentrations of 80 parts per billion (ppb) for white rice and 170 ppb for brown rice. Hearing requests are due Aug. 23, 2017. Comments are due Sept. 7, 2017. Contact: Contact: Monet Vela; OEHHA; 916-323-2517; monet.vela@oehha.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act/Clear and Reasonable Warnings

California TOXIC SUBSTANCES

Proposed rule of the Office of Environmental Health Hazard Assessment amends regulations under 27 CCR 25600.1 through 25607.17 (nonconsecutive) regarding clear and reasonable warnings under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). The rule clarifies requirements established under a Sept. 9, 2016, final rule that expanded right-to-know provisions and provided specific guidance on the content of safe harbor warnings for a variety of exposure situations and corresponding methods for providing such warnings, effective Aug. 30, 2018. The current rule revises definitions; clarifies the required format and location of product labels; and clarifies specific exposure warning requirements for restaurant food and beverages, prescription drugs and emergency medical and dental care, furniture products, diesel engines, and vehicles. Hearing requests are due Aug. 23, 2017. Comments are due Sept. 7, 2017. Contact: Monet Vela; OEHHA; 916-323-2517; monet.vela@oehha.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act/Hotel Exposure Warnings

California TOXIC SUBSTANCES

Proposed rule of the Office of Environmental Health Hazard Assessment adopts regulations under 27 CCR 25607.32 and 25607.33 to establish tailored warnings for exposures to chemicals listed under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65) that can occur at hotels and other transient lodging establishments. The rule sets forth content requirements for safe harbor warnings for such exposures and corresponding methods for providing the warnings. Hearing requests are due Aug. 23, 2017. Comments are due Sept. 7, 2017. Contact: Monet Vela; OEHHA; 916-323-2517; monet.vela@oehha.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

WATER

Surface Water Augmentation

California WATER

Proposed rule of the State Water Resources Control Board amends regulations under 22 CCR 60301.851 and adopts regulations under 22 CCR 60301.120 through 60320.330 (nonconsecutive) and 64668.05 through 64668.30 regarding water recycling criteria and surface water treatment requirements related to surface water augmentation. The rule establishes minimum uniform water recycling criteria for water recycling agencies for the planned placement of recycled water into a surface water reservoir used as a source of domestic drinking water supply. The rule also establishes requirements for public water systems that use a reservoir augmented with recycled water. A hearing is scheduled for Sept. 7, 2017, in Sacramento. Comments are due Sept. 12, 2017. Contact: Michael McKibben; SWRCB; 619-525-4023; michael.mckibben@waterboards.ca.gov

—California Regulatory Notice Register (07/21/2017)

Regulatory Update

Colorado

AIR

Control of Ozone, Ozone Precursors, and Hydrocarbons/Oil and Gas Emissions

Colorado AIR

Proposed rule of the Department of Public Health and Environment, Air Quality Control Commission, amends regulations under 5 CCR 1001-9, Regulation 7, regarding the control of emissions of ozone, ozone precursors, and hydrocarbons from oil and gas operations. The rule addresses reasonably available control technology requirements for categories of sources covered by the EPA's oil and gas control techniques guidelines, including requirements for pneumatic pumps, components at well production facilities and natural gas compressor stations, compressors, pneumatic controllers, condensate tank controls, equipment leaks at natural gas processing plants, and compressors and leak detection and repair for components at well production facilities and natural gas compressor stations. The rule also addresses state-only

requirements for continuous bleed pneumatic controllers and for the inspection and maintenance of natural gas-driven pneumatic controllers. The rule is issued in response to the EPA's reclassification of the Denver Metro North Front Range area as a moderate eight-hour ozone nonattainment area and if adopted, the provisions will be submitted to the EPA for inclusion in the ozone SIP. A hearing is scheduled for Oct. 19-20, 2017, in Denver. Comments are due Oct. 2, 2017. Contact: Leah Martland; DPHE; 303-692-6269; leah.martland@state.co.us

—Colorado Register (07/21/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Radiation Control/Transportation of Radioactive Material
Colorado HAZARDOUS MATERIALS TRANSPORTATION

Proposed rule of the Department of Public Health and Environment, Hazardous Materials and Waste Management Division, amends regulations under 6 CCR 1007-1, Parts 1 and 17, regarding the transportation of radioactive material. The rule expands exemptions for transportation of certain low-level radioactive materials, clarifies that the state is responsible for review of certain package-related quality assurance programs for use of Type B packages under a general license, and incorporates federal requirements for package quality assurance. The rule also expands recordkeeping requirements for irradiated fissile material shipments, adds package and conveyance equations used for calculating limits for mixtures or unknown quantities of radioactive materials, and revises and adds package limits for certain isotopes. In addition, the rule revises definitions and updates contact information for notifications for shipments of nuclear waste. A hearing is scheduled for Sept. 20, 2017, in Denver. Comments are due Sept. 14, 2017. Contact: James Jarvis; DPHE; 303-692-3454; james.jarvis@state.co.us

—Colorado Register (07/21/2017)

Regulatory Update

Pennsylvania

WATER
NPDES General Permit for Pesticide Discharges
Pennsylvania WATER

Notice of the Department of Environmental Protection announces the availability of draft revisions to the National Pollutant Discharge Elimination System (NPDES) general permit (PAG-15) for discharges from the application of pesticides. The permit, which is currently scheduled to expire Oct. 28, 2017, authorizes point source discharges to waters of the commonwealth from the application of pesticides. The revisions include the removal of a requirement to submit annual notices of intent for renewal, an increase of annual fees to $500, and modifications to and the extension of annual reports to March 1. Comments and hearing requests are due Aug. 21, 2017. Contact: DEP; 717-783-2300; ecomment@pa.gov

—Pennsylvania Bulletin (07/22/2017)

Regulatory Update

Virginia

WATER
Chesapeake/State Water Control Law Enforcement Action
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Scrap 58 Inc. for alleged State Water Control Law violations at its used auto parts and scrap metal facility in Chesapeake. The alleged violations include failure to clean up oil/petroleum spill stains and to provide a stormwater pollution prevention plan and additional documentation required under its Virginia Pollutant Discharge Elimination System permit. The order requires payment of a $8,853 civil penalty and performance of actions specified in a schedule of compliance. Comments are due Aug. 23, 2017. Contact: Jennifer Coleman; DEQ, Tidewater Regional Office; 757-518-2000; jennifer.coleman@deq.virginia.gov

—Virginia Register (07/24/2017)

Regulatory Update

WATER
Northumberland County/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Northumberland County for alleged violations of the State Water Control Law and conditions of its Virginia Pollutant Discharge Elimination System permit related to discharges of treated sewage and municipal wastes from the Callao wastewater treatment plant. The order requires the county to take specified corrective actions to address exceedances of the total recoverable zinc effluent limitations in its permit. Comments are due Aug. 23, 2017. Contact: Kathleen O'Connell; DEQ; 804-698-4378; kathleen.oconnell@deq.virginia.gov

—Virginia Register (07/24/2017)

Regulatory Update

WATER
Petersburg/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Dinesh Patel for alleged violations of effluent limitations and other conditions of his Virginia Pollutant Discharge Elimination System permit for the Traveler's Inn wastewater treatment plant in Petersburg. The order requires the respondent to pay a civil penalty of $14,000 and to take certain operating, monitoring, and reporting corrective measures to address discharges of treated sewage and domestic wastes from the plant. Comments are due Aug. 23, 2017. Contact: Kathleen O'Connell; DEQ; 804-698-4378; kathleen.oconnell@deq.virginia.gov

—Virginia Register (07/24/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 10/5/2017 10:40:17 AM
Subject: POLITICO Playbook, presented by Koch Industries: NEW NARRATIVE: Republicans signal they'll target bump stocks -- Frustrated GOP donors say they'll stop giving to Republican lawmakers -- FEW CLUES in Vegas -- TRUMP meeting with Tom Cotton today

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by Koch Industries

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Thursday morning. THE NEW NARRATIVE: At 9:26 p.m. last night, the New York Times alerted a story with this headline: "Top Republicans, long resistant to gun regulations, said they may be open to banning a rapid-fire device used by the Las Vegas gunman." (The Times story http://nyti.ms/2hOWdbA) The Times is spot on. This is a major topic of conversation on the Hill. **WHY?** Many lawmakers privately tell us they know have to do something this time around. Most every Republican aligns with the NRA. But a device that allows anyone to mow down dozens of people is a different story. Anna was saying yesterday on the way to the Capitol that this would be the biggest gun control measure in years, and it would be tough for the NRA to stand in the way. **Check out these quotes:**

-- SENATE MAJORITY WHIP JOHN CORNYN (R-TEXAS) to the NYT: "'I own a lot of guns, and as a hunter and sportsman, I think that's our right as Americans, but I don't understand the use of this bump stock. It seems like it's an obvious area we ought to explore and see if it's something Congress needs to act on."

-- SENATE HOMELAND SECURITY CHAIRMAN RON JOHNSON (R-WIS.) in a good story by John Bresnahan, Seung Min Kim and Burgess Everett: "Automatic weapons are illegal. If that facilitates that, to me it would be subject to the same ban. If that actually gets on the Senate floor, I'd vote for it."

-- SEN. JOHN THUNE (R-S.D.) to Bres, Burgess and SMK: "I think it's something we ought to look into. I don't know a lot about them, and I'm somebody who, I'd like to think, is fairly familiar with a lot of firearms and you know, the use of those. And that incident out there is something that I think we need to take a look at." http://politi.co/2y2t9TI

-- REP. BILL FLORES (R-TEXAS) to the Hill: "I think they should be banned. There's no reason for a typical gun owner to own anything that converts a semiautomatic to something that behaves like an automatic."

-- SEN. JAMES LANKFORD (R-OKLA.) told CBSN he is open to the possibility of bump stock legislation. http://cbsn.ws/2yZz9e8

-- REP. TOM ROONEY (R-FLA.) pinged us yesterday and said: "Trump needs to take the lead on this bump stock issue. He's the only one that can."

MIGHT THIS FALL FLAT? Sure, the details are very, very important. And betting against the NRA on Capitol Hill in recent years hasn't been a good bet. The group has a massive war chest and an active membership that it has employed on multiple occasions.

-- WSJ EDITORIAL: "The Gun Control Mirage: More gun laws won't stop mass shootings by determined killers": "Ah, but what about so-called bump stocks, which Paddock used to simulate quick, automatic-style fire? Outright modification of a firearm into an automatic is already a federal felony punishable by 10 years in prison. Congress could outlaw bump stocks, but how does it outlaw a technique? The practice of quickly 'bumping' a trigger with one's finger to engage in rapid fire long predates bump stocks or other accessories." http://on.wsj.com/2z0kzTF

ALERT -- THE HOUSE will vote on their budget today. It's expected to pass, and it paves the way for tax reform. ***Read AP's Andy Taylor for the details*** http://bit.ly/2wyPyV8

NEW -- DCCC NATIONAL AD CAMPAIGN -- "Never Stop" -- featuring Paul Ryan as the Democrats' 2018 punching bag ... ***30-second spot*** https://youtu.be/LTmx1hfEwWk

SCOOP -- ALEX ISENSTADT and **GABE DEBENEDETTI: "Angry GOP donors close their wallets":** "Republicans are confronting a growing revolt from their top donors, who are cutting off the party in protest over its inability to get anything done. Tensions reached a boiling point at a recent dinner at the home of Los Angeles billionaire Robert Day. In full view of around two dozen guests, Thomas Wachtell, a retired oil and gas investor and party contributor, delivered an urgent message to the night's headliner, Senate Majority Leader Mitch McConnell: Just do something.

"Wachtell, who has given tens of thousands of dollars over the years to Senate Republicans, recalled that McConnell responded defensively. Passing legislation takes time, the Republican leader responded, and President Donald Trump didn't seem to understand how long it required. 'Anybody who was there knew that I was not happy. And I don't think anybody was happy. How could you be?' said Wachtell, who has previously given over $2,000 to McConnell but recently stopped donating to Senate GOP causes. 'You're never going to get a more sympathetic Republican than I am. But I'm sick and tired of nothing happening.'

"With the GOP's agenda at a virtual standstill on Capitol Hill, the party is contending with a hard reality. Some of the party's most elite and influential donors, who spent the past eight years plowing cash into the party's coffers in hopes of accomplishing a sweeping conservative agenda and undoing Barack Obama's legislative accomplishments, are closing their wallets. The backlash is threatening to deprive Republicans of resources just as they're gearing up for the 2018 midterms.

"Party officials are so alarmed that North Carolina Sen. Thom Tillis, who oversees fundraising for the National Republican Senatorial Committee, told his colleagues at a recent conference meeting that donations had fallen off a cliff after the Obamacare flop. The committee's haul plummeted to just $2 million in July and August, less than half of what it raised in June." http://politi.co/2fSLQ5W

-- THIS TRACKS what we have been hearing for weeks. GOP lawmakers are increasingly nervous about their chances for keeping their Congressional majorities. Behind the scenes, aides and operatives regularly say that if Republicans can't pass tax reform, they will likely lose the House.

-- NEXT UP: "Roy Moore's disruption of Washington has already begun, and more is on the way," by WaPo's Sean Sullivan: http://wapo.st/2yqcdb7

THE LATEST IN LAS VEGAS ... -- "Clues few and elusive for motive of Las Vegas gunman," by AP's Ken Ritter and Michael Balsamo in Las Vegas and Sadie Gurman in D.C.: "Those seeking to know the motive of Las Vegas gunman Stephen Paddock have had little more to chase than hints and shadows. Paddock led such a low-key, private life that no one seemed to know him well, and those who did had no sense he was capable of the deadliest mass shooting in modern American history.

"Where other mass killers have left behind a trail of plain-sight clues that help investigators quickly understand what drove them to violence, Paddock, 64, had nearly no close friends, social media presence or other clear connections to the broader world. Even the No. 2 official in the FBI said Wednesday he was surprised investigators have not uncovered more about why a man with no obvious criminal record would cause so much bloodshed.

'There's all kinds of things that surprise us in each one of these events. That's the one in this one, and we are not there yet,' FBI Deputy Director Andrew McCabe said. 'We have a lot of work to do.'" http://bit.ly/2hOXjEf

NYT FRONT PAGE includes a reconstruction of the shooter's room, stitching together photos http://nyti.ms/2yZrpZM

-- "Girlfriend of Las Vegas gunman says she had no idea he was planning attack," by WaPo's Mark Berman and Matt Zapotosky: "The girlfriend of Stephen Paddock, the gunman who opened fire on a country music festival in Las Vegas earlier this week, said

Wednesday she had no warning about his plans to carry out the massacre and pledged to cooperate with authorities struggling to determine what sparked the deadliest mass shooting in modern American history. 'I knew Stephen Paddock as a kind, caring, quiet man,' Marilou Danley, Paddock's girlfriend, said in a statement read by her attorney. 'He never said anything to me or took any action that I was aware of that I understood in any way to be a warning that something horrible like this was going to happen.'" http://wapo.st/2hNC6u7

-- "Las Vegas Gunman Chased Gambling's Payouts and Perks," by NYT's John Branch, Serge Kovaleski and Sabrina Tavernise: "The video poker machines that Stephen Paddock liked were the ones that did not draw attention. They had few look-at-me flashing lights or listen-to-me bells. He would sit in front of them for hours, often wagering more than $100 a hand. The way he played -- instinctually, decisively, calculatingly, silently, with little movement beyond his shifting eyes and nimble fingers -- meant he could play several hundred hands an hour. Casino hosts knew him well.

"'Not a lot of smiles and friendliness,' said John Weinreich, who was an executive casino host at the Atlantis Casino Resort Spa in Reno, Nev., where Mr. Paddock was once a regular and where he met his girlfriend. ... His methodical style and his skill level allowed him to gamble, and occasionally win, tens of thousands of dollars in one sitting, collecting payouts and hotel perks in big bunches. Last week, as a reward for his loyalty and gambling, Mr. Paddock stayed free of charge on the 32nd floor in one of the elite suites of the Mandalay Bay Resort and Casino." http://nyti.ms/2xiiUvJ

****** **A message from Koch Industries:** Koch has been the Environmental Protection Agency's (EPA) first- or second-ranked company for pollution prevention initiatives since 2012. What's more, since 2012, we have implemented more than 1,000 pollution prevention activities across the United States. See how at ChallengeAccepted.com. ******

IF YOU CLICK ONE THING - "How Las Vegas Police Scrambled to Find the Gunman" -- WSJ: "The following recordings are selected police radio communications from when the shooting started on Sunday shortly after 10:00 p.m. through 11:30 p.m. when police entered the sole shooter's hotel room. This audio reveals the chaos and confusion officers faced while tracking the gunman's location." http://on.wsj.com/2kq9s3e

PIC DU JOUR -- @colincampbell: "Air Force One departs Las Vegas past the broken windows on the Mandalay Bay hotel. (Photo: Mike Blake/Reuters)" http://bit.ly/2y1aSGc

FOR YOUR RADAR -- "OPEC Pushes Russia to Continue Helping on Oil Prices," by WSJ's Benoit Faucon and Summer Said: "Saudi Arabia and OPEC are lobbying Russia to stay on board with their efforts to raise oil prices, amid signals that Moscow wants to end its participation in costly petroleum-production cuts. The efforts culminate Thursday with a meeting between Saudi King Salman and Russian President Vladimir Putin, in the first-ever visit by a Saudi monarch to Moscow. According to people familiar

with the matter, the king will ask Mr. Putin to remain for longer than planned in a coalition led by the Organization of the Petroleum Exporting Countries that has withheld almost 2% of global oil supply from the market in 2017." http://on.wsj.com/2wzp6Lr

-- "3 Special Forces Troops Killed and 2 Are Wounded in an Ambush in Niger," by NYT's Eric Schmitt: "Three United States Army Special Forces were killed and two were wounded on Wednesday in an ambush in Niger while on a training mission with troops from that nation in northwestern Africa, American military officials said. ... All five American soldiers were Green Berets, said two United States military officials. The attack took place 120 miles north of Niamey, the capital of Niger, near the border with Mali, where militants with Al Qaeda in the Islamic Maghreb, an affiliate of Al Qaeda, have conducted cross-border raids. ... The deaths represent the first American casualties under hostile fire in a mission in which United States Special Forces have provided training and security assistance to the Nigerien armed forces." http://nyti.ms/2wyslCD

MORE TRAVEL QUESTIONS FOR ZINKE -- "Interior secretary draws flak for mixing politics, official travel," by Ben Lefebvre and Esther Whieldon: "Republican donors paid up to $5,000 per couple for a photo with Interior Secretary Ryan Zinke at a fundraiser held during a taxpayer-funded trip to the U.S. Virgin Islands, according to documents reviewed by POLITICO - raising questions about his habit of mixing official government business with political activism.

"The new details about Zinke's March trip to the Caribbean, including the previously undisclosed invitation to the Virgin Islands Republican Party fundraiser, emerged after weeks of scrutiny of the former Montana GOP congressman's travels. The nearly two-hour event was one of more than a half-dozen times Zinke has met with big donors or political groups while on department-paid trips, Interior travel records and other documents show.

"Ethics watchdogs say Zinke is combining politics with his Interior duties so frequently that he risks tripping over the prohibitions against using government resources for partisan activity, even though his appearance at the Virgin Islands event seems to have been legal. Democrats have also seized on the issue, including 26 House members who wrote in a letter Tuesday that Zinke's travels 'give the appearance that you are mixing political gatherings and personal destinations with official business.' Zinke has said all his actions have obeyed the law, dismissing concerns about his travel as 'a little B.S.'" http://politi.co/2xVbknA

FOGGY BOTTOM WATCH -- "'Death spiral': Tillerson makes nice but may not last long with Trump," by WaPo's Anne Gearan, Philip Rucker and Ashley Parker: "But Tillerson's move on Wednesday to reassure Trump of his convictions may well be too little and too late for the long term, according to the accounts of 19 current and former senior administration officials and Capitol Hill aides ... The already tense relationship between the two headstrong men - one a billionaire former real estate developer, the other a former captain of the global oil industry -- has ruptured into what some White

House officials call an irreparable breach that will inevitably lead to Tillerson's departure, whether immediately or not. Tillerson's dwindling cohort of allies say he has been given an impossible job and is doing his best with it." http://wapo.st/2yJhAhE

-- NYT's Peter Baker, Maggie Haberman and Glenn Thrush: "[T]he deliberate, slow-talking oil executive has little personal chemistry with the quick-talking, impulsive Mr. Trump. Mr. Tillerson has avoided expressing his pique to the president. But aides and Trump associates who have been in the room with them said Mr. Tillerson's body language, eye rolling and terse expressions left little doubt that he disapproves of Mr. Trump's approach. Mr. Trump, they said, has noticed how Mr. Tillerson slouches in his presence, particularly when he disagrees with a decision. When overruled, Mr. Tillerson often says, 'It's your deal,' to the president's irritation, according to two former administration officials." http://nyti.ms/2yJGQUV

RICH LOWRY, "Why Tillerson Can't Stay: If he believes what he said about his boss's goals, his best move is to step aside": "Even before his unusual apology speech Wednesday morning, he had become the nation's least influential top diplomat in recent memory. His relationship with the president of the United States is strained at best, he has no philosophy or signature initiative, he has barely staffed his own department, and he's alienated the foreign service. The former CEO of ExxonMobil has taken one of the power positions in the U.S. government and made it an afterthought. ...

"The secretary of state dodged questions about whether he had, indeed, as NBC reported, called Trump a 'moron' - almost certainly the first time in U.S. history a Cabinet official has been asked about personally insulting the president he works for and apparently not been able, in good conscience, to deny it. At his appearance, Tillerson issued a stilted endorsement of the president's 'America First' agenda that felt as if it had been written by someone else or was the product of an internal negotiation." http://politi.co/2wz8OCa

--@cspan: ".@SenBobCorker: 'I think Sec. Tillerson, Sec. Mattis and Chief of Staff Kelly are those people that help separate our country from chaos.'" http://bit.ly/2yJSajl

ANOTHER ONE BITES THE DUST -- "Embattled GOP Rep. Tim Murphy to retire," by Rachael Bade, Elena Schneider, and John Bresnahan: "Rep. Tim Murphy of Pennsylvania announced Wednesday that he will retire at the end of his term, after allegations that the married lawmaker, who opposes abortion rights, asked his mistress to terminate a pregnancy. Murphy (R-Pa.) admitted several weeks ago to an affair with forensic psychologist Shannon Edwards - news that came to light during the woman's divorce proceedings with her husband.

"'After discussions with my family and staff, I have come to the decision that I will not seek reelection to Congress at the end of my current term,' Murphy said in his statement. 'I plan to spend my remaining months in office continuing my work as the national leader on mental health care reform, as well as issues affecting working families in southwestern Pennsylvania.' Murphy added: 'In the coming weeks I will take

personal time to seek help as my family and I continue to work through our personal difficulties and seek healing. I ask you to respect our privacy during this time.'

"Murphy met privately with Speaker Paul Ryan (R-Wis.) before his retirement announcement, as well as Pennsylvania GOP Reps. Bill Shuster and Charlie Dent. A number of top Republicans said privately that Murphy should retire or resign in light of the scandal." http://politi.co/2y18U99

DRIP, DRIP, DRIP -- "IRS defends Equifax contract amid Hill outcry," by Nancy Scola and Steven Overly: "The IRS on Wednesday sought to justify its new $7.2 million, no-bid contract with the credit reporting company Equifax, describing it as a short-term arrangement needed to keep vital tools for taxpayers from going offline during a dispute with the firm.

"But its explanations didn't appear to satisfy either Democrats or Republicans in Congress, who continued to express astonishment at the agency's decision to continue partnering with a troubled company that recently suffered a massive breach of sensitive consumer data on as many as 145 million Americans. The IRS quietly awarded the contract Friday afternoon and posted notice of it the next day, as POLITICO first reported Tuesday.

"'You can't make this stuff up,' Sen. Elizabeth Warren (D-Mass.) told reporters Wednesday after a hearing about Equifax's data breach. 'This is like a bad movie. I am stunned that in the middle of this crisis the IRS would decide that it wants to trust Equifax as a business partner. It makes no sense to me. I want to find out what's going on here.'" http://politi.co/2xVjYTd

-- **"Liberal groups got IRS scrutiny, too, inspector general suggests,"** by WaPo's Mike DeBonis: "A federal watchdog has identified scores of cases in which the Internal Revenue Service may have targeted liberal-leaning groups for extra scrutiny based on their names or political leanings, a finding that could undermine claims that conservatives were unfairly targeted under President Barack Obama. The Treasury Inspector General for Tax Administration (TIGTA) reviewed cases between 2004 and 2013, which includes the period TIGTA previously examined in a 2013 report that faulted the IRS for using inappropriate political criteria to select groups for heightened scrutiny." http://wapo.st/2fMlrTr

TRUMP'S THURSDAY -- Trump will receive an intel briefing and meet with Sen. Tom Cotton (R-Ark.) this morning. He is meeting with RNC Chair Ronna Romney McDaniel in the afternoon. He will also be briefed by senior military leaders. Trump and the First Lady will have dinner with senior military leaders and their spouses.

HAPPENING TOMORROW -- "Trump to resume tax cut push in Oval Office meeting with W. Va company - but not Manchin," by Heidi Przybyla in USA Today: "President Trump will resume his push for tax cuts on Friday with an Oval Office meeting designed to highlight the manufacturing industry, including in the state of a

vulnerable incumbent Democratic senator: Joe Manchin of West Virginia. Trump will host more than a dozen manufacturing industry employees and executives and issue a proclamation making Oct. 6 'National Manufacturing Day,' according to a White House statement provided to USA TODAY.

"One key person who won't be there: Manchin. Manchin, who met with White House legislative affairs director Marc Short on Tuesday, can't support the plan outlined last week by GOP congressional negotiators, according to a Manchin aide not authorized to speak publicly. The senator believes the proposed plan differs from the one Trump described during a dinner earlier this month with moderate Democrats and Republicans at the White House, the aide said. The current plan, Manchin believes, benefits the wealthy more than the middle class." https://usat.ly/2xilFMc

THE JUICE ...

-- AMERICANS FOR PROSPERITY is launching a $4.5 million cable and local network ad buy over the next three weeks, urging Sens. Claire McCaskill (D-Mo.), Tammy Baldwin (D-Wis.) and Joe Donnelly (D-Ind.) to support tax reform.

-- POLITICO 50 -- On Oct. 12, POLITICO will host our annual 50 Celebration to honor the POLITICO 50, our list of the thinkers, doers and dreamers reshaping American politics in 2017 - and beyond. Learn more: http://bit.ly/2xdK7Q7

Playbook Reads

PHOTO DU JOUR: Secretary of State Rex Tillerson delivers a statement at the State Department on Oct. 4 in Washington, D.C. Tillerson denied recent news reports that he had weighed resigning from his post. | Win McNamee/Getty

BANNON'S NEW GUY -- MICHAEL GRIMM http://politi.co/2xj7lj1. Grimm is coming off an eight-month term in federal prison.

YIKES -- "NKorean workers prep seafood going to US stores, restaurants," by AP's Tim Sullivan and Hyung-Jin Kim in Hunchun, China and Martha Mendoza in California: "The workers wake up each morning on metal bunk beds in fluorescent-lit Chinese dormitories, North Koreans outsourced by their government to process seafood that ends up in American stores and homes. Privacy is forbidden. They cannot leave their compounds without permission. ... And they are paid a fraction of their salaries, while the rest - as much as 70 percent - is taken by North Korea's government.

"This means Americans buying salmon for dinner at Walmart or ALDI may inadvertently have subsidized the North Korean government as it builds its nuclear

weapons program, an AP investigation has found. Their purchases may also have supported what the United States calls 'modern day slavery' - even if the jobs are highly coveted by North Koreans." http://bit.ly/2xUmmMl

RUSSIA WATCH -- "Sally Yates, Preet Bharara Stress High Bar for Criminal Charges in Russia Probe," by WSJ's Erica Orden: "'I know a lot of people are sort of putting all their hopes into Bob Mueller. And I've got tremendous confidence in Bob Mueller,' said Ms. Yates [at the Vanity Fair New Establishment Summit], in one of the few public interviews she has given since she was fired in January ... 'But the fact of the matter is, he's going to determine whether there's proof beyond a reasonable doubt that felonies were committed, that crimes were committed that can be used for prosecution or impeachment,' she said of Mr. Mueller. That, she suggested, is but one standard by which to judge the president's conduct, drawing a distinction between criminal behavior and otherwise objectionable conduct." http://on.wsj.com/2gcGuzp

FIRST PERSON -- DAN DIAMOND and **RACHANA PRADHAN** in Politico Magazine, **"How We Found Tom Price's Private Jets:** A tantalizing tip, followed by months of painstaking reporting, revealed the HHS secretary's extravagant travel habits": "[I]n September, we received an official notice from HHS that Price would be traveling to the Philadelphia area to meet with people affected by addiction to opioid painkillers. By the morning of Sept. 15 - when Price took a private jet to travel between Washington and Philadelphia, a distance of roughly 125 miles - we had figured out that Price was using the private jet terminal at Dulles International Airport, 28 miles outside of Washington.

"That Friday morning, we camped out at the Dulles charter terminal. A little after 8 a.m., we saw two SUVs and a police escort roll directly onto the tarmac, as the cars discharged passengers who then boarded a distinctive 30-seat charter plane with a golden belly.

"By 8:30 a.m., we watched the charter jet take off, heading directly north, and tracked it to Philadelphia using FlightAware, an airline tracking website. It was strong, but it wasn't enough. We hadn't seen the faces of Price or the other passengers - including White House counselor Kellyanne Conway, who went on that opioid trip. Using social media and help from sources, we kept tabs on the movements of Price and Conway in Philadelphia, tracing when they wrapped up the event and headed to the airport. By the time Price boarded the private jet at Philadelphia International Airport for the return trip to Dulles in early afternoon, we had figured out how to get the best view of the Dulles tarmac:

"Rachana drove by the charter jet terminal, timing her approach so she could best see the jet field, while Dan stood in the airport's main terminal, tracking the plane through his phone and counting down its arrival to Rachana, before hustling out to a patch of concrete that offered a view of the tarmac, too. It was enough. We saw the distinctive golden plane taxi around to the private-jet terminal. We saw a man with Price's build and shock of white hair walking across the tarmac. We saw the SUVs and police escort come out to greet him and the other passengers before speeding them

away." http://politi.co/2xVV9GK

--"Stakeout at Dulles Airport launched Politico bombshell on Tom Price's charter-flight scandal," by WaPo's Erik Wemple: http://wapo.st/2yJY9VX

****** **A message from Koch Industries:** It's one thing to say we're committed to environmental responsibility. But quite another to demonstrate it. This year, Koch was named the EPA's ENERGY STAR® Partner of the Year. The award recognizes organizations that have made outstanding contributions to protecting the environment through energy efficiency. To-date we've invested $600 million into energy saving initiatives. And over the last five years, we've saved enough energy to power 360,000 households for an entire year. See our contributions at ChallengeAccepted.com. ******

HOLLYWOODLAND - "Harvey Weinstein Lawyers Up for Bombshell New York Times, New Yorker Stories," by Variety's Brent Lang, Gene Maddaus and Ramin Setoodeh: "Harvey Weinstein has hired a high-powered team of attorneys to push back on soon-to-be-published bombshell stories from the New York Times and the New Yorker detailing sexual allegations and improper workplace behavior against him. Some women making the charges are believed to be on the record. Weinstein, the indie mogul and founder of the Weinstein Company, has retained star litigator David Boies, as well as attorneys Lisa Bloom and Charles Harder in an effort to rebut the claims. Jodi Kantor, an investigative reporter who wrote about harsh working conditions at Amazon, is working on the story for the Times, along with Megan Twohey ...

"Ronan Farrow, the former MSNBC host, is doing the story for the New Yorker, according to multiple individuals with knowledge of the situation. One individual said that at least one of the stories could be published as early as this week. In a brief interview on Wednesday, Weinstein declined to comment on the charges. ... 'Why don't I get, since I must have these high-priced lawyers, let me get them back to talk to you," said Weinstein. Weinstein later issued a statement through a spokesperson, as did Bloom. 'The story sounds so good I want to buy the movie rights,' said Weinstein." http://bit.ly/2yJXUKx

MEDIAWATCH - "Fox News Expands 'Fox & Friends,' Starting 'First' Broadcast at 4 AM" - Variety: http://bit.ly/2xWWNIc

-- From Michael Calderone's Morning Media: "ADAM ENTOUS TO THE NEW YORKER? I'm hearing that star Washington Post national security reporter Adam Entous is heading to The New Yorker as a staff writer. The award-winning journalist joined the Post a year ago from The Wall Street Journal. Entous declined to comment."

-- CHUCK TODD in NYT Magazine http://nyti.ms/2gdnQra

-- NEWSWEEK RETRACTION - "Newsweek has retracted its story that reviewed public records of Marilou Danley, the girlfriend of Las Vegas shooter Stephen Paddock [and was headlined ['Paddock's Girlfriend Used Two Social Security Numbers and Was

Married to Two Men at the Same Time']. The initial report was based on the marriage record of Danley, who was known under a different name when she married Geary Danley in Clark County, Nevada. Newsweek mistakenly matched that record to a second public record of a different person. The mistake was revealed when a Newsweek reporter re-interviewed a person who had initially declined to comment for our story. ... Newsweek regrets the error." http://bit.ly/2xZTqlL

Playbookers

SUNDAY SO FAR - "Fox News Sunday": Tom Rogan, Julie Pace, Gillian Turner, Juan Williams

SPOTTED -- REP. LOU BARLETTA enjoying wine and a cigar outside Wednesday night. http://bit.ly/2xSScZR

WELCOME TO THE WORLD -- Saul Hernandez, deputy chief of staff to Rep. G.K. Butterfield (D-N.C.), and **Brittany Johnson Hernandez,** deputy director of federal affairs at the March of Dimes, welcomed Elise Ileana Hernandez, who arrived at 6:57 p.m. on Oct. 3. 7 lbs. 6 oz and 20.5 inches long. ***Pic*** http://politi.co/2yqSsQv

TRANSITIONS -- WARREN BASS, former director of speechwriting and senior policy adviser to Susan Rice at the United Nations, has been named executive editor of Penguin Press. Bass most recently worked as senior editor of the Wall Street Journal's "Review" section.

BIRTHDAY OF THE DAY: MSNBC anchor **Thomas Roberts** is 45. **How he got his start in journalism:** "I graduated from college in 1994 with a communications major and journalism minor. After college I worked as a one-man-band in Maryland. My first BIG break came in 1996. The news director at KNSD (NBC O&O in San Diego) took pity on me and offered me a job in the tapes feed room. The majority of my 20+ years in broadcasting are aligned with NBC." **Read his Playbook Plus Q&A:** http://politi.co/2fMqeo2

--Jonathan Darche, executive director of the NYC Civilian Complaint Review Board -- **how he thinks the Trump Presidency is going:** "I worry that our institutions are not strong enough to withstand the stresses the administration is placing on the rule of law and that last century's progress towards a more just society are being reversed." **Q&A:** http://politi.co/2gdDxOK

BIRTHDAYS: Catherine Hicks, White House press aide, is 24 (hat tip: Matt Nussbaum) ... Alexandra Pelosi ... Mandy Grunwald (h/t Jon Haber) ... Michael Morrell ... Mark Paoletta, chief counsel for Vice President Pence, is 55 ... Teresa Heinz Kerry ... Jon Banner, EVP at PepsiCo and an ABC News alum, is 5-0 ... Samsung's Megan Pollock (h/ts Jack Smith and Meredith McPhillips) ... Dr. James Hamblin, senior editor at The

Atlantic, is 35 ... Carolyn Weyforth Glanville ... Bob Geldof ... Sen. Ben Cardin (D-Md.) is 74 ... former Rep. Denny Rehberg (R-Mont.) is 62 ... Sloane Potter, a POLITICO alum who is director of strategic partnerships at Techweek ... Amanda Harris ... Josh Althouse, conservative outreach director for Speaker Ryan ... Taylor Frechette ... Peter Schottenfels, press secretary at Airbnb and an OFA alum ... Jim Demers, NH state chair for Clinton 2016 and Obama 2008 (h/t Erik Smith) ... Karina Petersen, comms director for Sen. Murkowski (R-Alaska) ... Brayden McCarthy of fintech start-up Fundera, celebrating in Paris this weekend with boyfriend Joshua Rogers (h/t Alex Levy) ... Banks Woodruff, director at In Pursuit Of (h/t James Davis) ... Matt Parker, Bush 43 WH alum ...

... Elisabeth Leoni, managing editor of Google's The Keyword blog ... AEI's Joseph Kosten ... Emily Gribble ... Alison Young ... AP's David Klepper ... Caitlin Offinger of BerlinRosen ... Andrea Samuelsen ... Lainie Ori ... Jill Giuliani Kennedy ... Fabien Levy ... CBS News' Whitney Bright ... Kevin Hall, Sen. Warner's comms. director ... Erick M. Sanchez, senior advisor at Frontier Solutions ... John Boccieri ... Mike Petruzzello, managing director at Qorvis (h/t Kevin Chaffee) ... Chris Michel ... Ashton Theodore Randle of GovPredict ... Will Keesee ... Julie Copeland, executive director at Emerge Virginia ... Blanchi Bettina Cosio ... John Herzog ... Hasib Alikozai ... Michael Tardif ... John Jasik, judicial liaison at State ... Doug Bailey ... Peggy Suntum ... Jess Vilsack ... Jim Cavanaugh (h/ts Teresa Vilmain)

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Fri 6/9/2017 2:04:21 PM
Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: Trump to talk roads, rails, regs — Chao hits some turbulence — Transportation nominees sail on

By Lauren Gardner and Tanya Snyder | 06/09/2017 10:00 AM EDT

With help from Brianna Gurciullo

THE DONALD @ DOT: President Donald Trump heads over to Navy Yard Friday for a roundtable DOT Secretary Elaine Chao is hosting with federal and state DOT officials. It will focus on "roads, rails, and regulatory reform," according to White House spokesperson Sarah Huckabee Sanders. "They'll discuss how the current maze of federal regulation leads to an uncertain and prolonged permitting process," she said Thursday. The state DOT leaders will speak to issues they encounter when getting permits for infrastructure projects, a White House spokesman said. Trump will then deliver remarks in the department's atrium before lawmakers, DOT staff and other transportation-world folks.

New numbers, but what do they mean? While you were watching the James Comey hearing Thursday (admit it, you were) the White House quietly posted a new infographic on their infrastructure plan. A small new tidbit: One slide breaks down the $200 billion in federal infrastructure funding as: $15 billion for "transformative projects," $100 billion for "local prioritization of infrastructure needs" and $25 billion for rural infrastructure. The infographic also calls for a million "apprentices" in two years, something the administration has never mentioned before as an element of its infrastructure plan.

'Take off like a rocket ship': Trump hosted eight governors, 10 mayors and a smattering of other local and tribal officials Thursday afternoon at what was called "the White House Infrastructure Summit." Trump promised infrastructure revitalization was "going to take off like a rocket ship," and "together, we're going to rebuild America." On the discussion agenda: his administration's efforts to eliminate regulations and speed up project permitting.

Earlier, in the East Wing ... : Vice President Mike Pence got his turn to preside at lunchtime, promising the assembled local, state and tribal leaders that the administration will be "full partners" in the effort to rebuild the nation's infrastructure. He echoed the administration's new promise to shrink project permitting time from "10 years to two years" and said seeing America take 12th place in the world for infrastructure is "not just unacceptable, that's downright un-American. And it's going to change." He promised to listen to state and local partners, saying that when he was Indiana governor he wanted an administration in Washington that would listen to him, not "lecture" him.

IT'S FRIDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Send us tips, feedback and lyrics to tsnyder@politico.com or @TSnyderDC and lgardner@politico.com or @Gardner_LM.

"Up and down the road in our worn down shoes / talking about good things and singing the

blues."

Want to keep up with MT's song picks? Follow our Spotify playlist.

EASY, BREEZY, BEAUTIFUL: Trump's nominee to be No. 3 at DOT, Derek Kan, sailed through his Senate Commerce Committee nominations hearing. As is typical, senators covered pet issues ranging from safety, funding for transportation infrastructure projects and streamlining permitting to Open Skies, Essential Air Service and new vehicle technology during the 80-minute hearing. Robert Sumwalt, selected for another stint on the NTSB, appeared as well and faced questions about investigations in several states, but also gave his responses without any major snags. MT's prediction: The committee will approve both nominees with few, if any, "no" votes.

SOME TURBULENCE: Meanwhile, the House Transportation Committee's hearing on the FAA reauthorization was a bit bumpier as Chao navigated Democrats' charge that airlines would dominate the board of directors the administration has proposed to govern the formation of a non-profit air traffic control corporation, your MT co-pilot reports. "If there's one thing that I can emerge from this hearing: they do not control the air traffic control system" under the proposal, she said, interrupting a sharp line of questioning by Rep. Mike Capuano (D-Mass.). "They will not."

Engine roar: But when it came to detailed questions about the policy specifics envisioned by the administration's principles for an overhaul, Chao stumbled at times. Democrats questioned whether the FAA would still retain the ability to intervene on local noise issues if a flight path's volume doesn't exceed the threshold triggering an environmental review; Chao said the nonprofit body wouldn't be subject to the National Environmental Policy Act, but then indicated FAA may still retain some oversight.

Delta, call your office: Chao also added to the intrigue around whether Delta Air Lines' position on an air traffic control overhaul has evolved, given the airline's fuzzy-at-best statements as of late. She told one Democrat who brought up a study the airline released last year claiming that passengers would pay higher costs under the new system that she should check in with the company again, "because it seems as though Delta's position on this is changing." A Delta spokeswoman didn't respond when we asked whether the carrier disputes Chao's characterization, beyond pointing to a previous statement that didn't directly answer the question.

And Graves, too: Rep. Sam Graves (R-Mo.) didn't ask Chao any questions Thursday but did note that he thought there was "a lot of misunderstanding" around the issue. He later clarified to MT that he meant confusion surrounding the differences between what the White House proposed and what the House will eventually consider, plus statements by Chao contradicting the administration principles outlining their ideal representation on the board. On whether he's any closer to a yes, he said: "It just depends. I've got specific things that I have to have to protect GA and we're definitely talking, and if I can get to those things and be able to protect general aviation - and protect the skies is the biggest thing."

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make your travel smoother. We tapped RFID technology to keep your bags in check at all times. Giving you more peace of mind from check-in to baggage claim. Learn more: delta.com/dca **

SENATE THERMOSTAT READ: House Democrats also voiced concerns about essentially giving away the nation's air navigation assets for free (there were a lot of metaphors about giving away homes with paid-off mortgages, yet no Oprah references). But the chairman of the Senate Commerce aviation panel told MT he believes there are bigger issues to consider. "A number of other countries, like Canada, run their system like President Trump is proposing. So I don't think that's particularly troublesome," Sen. Roy Blunt (R-Mo.) said. "I think there's enough other countries that have done this the same way and enough safeguards you can put in that not-for-profit structure that you wouldn't have to worry about that." Still, he added: "That doesn't mean it would be easy to get this done in the Senate."

To that point: The other half of your MT duo caught up with Senate Finance Chairman Orrin Hatch on the issue Thursday, and he said he's "worried" and "concerned" about the proposed changes. "There are all kinds of small airports all over the country that I'm not sure the private sector can handle," he said. Count Sen. Pat Roberts (R-Kan.) skeptical, as well. "I think it's probably going to split down exactly the way it was before," he said when asked whether Trump's backing could change the political dynamics on the issue.

MINDING THE STORE: Democrats during both the House and Senate FAA hearings this week asked Chao about recent reports (like one from our colleagues) that the White House has ordered agencies to ignore minority party oversight requests. Chao said Thursday that she always aims to cross the aisle - "That's always been my history" - but said it's the administration's call to make. She did say she has "not personally" been instructed not to respond to Democratic inquiries.

Coast Guard weighs in: The Coast Guard was also asked about the Trump administration's order at a House Transportation subcommittee hearing Wednesday. Vice Admiral Charles Ray, the service's deputy commandant for operations, said he wasn't "familiar with the policy" from the administration, but at the Coast Guard, "we pride ourselves on being responsive" to questions from all lawmakers. "I'm not aware of any way that we separate the questions depending on the origin. If they come from the Congress, we make every attempt to answer it," Ray said.

LOBBYING UPDATE: The U.S. Travel Association has retained Chris McCannell of the Eris Group to lobby on Open Skies. Recently, U.S. Travel's lobbying on the issue has become the subject of some controversy.

ARRIVALS AND DEPARTURES: John Drake, a DOT official in the Obama administration, is leaving the American Trucking Associations for a new gig at Amazon starting next week. He'll be senior manager of public policy.

THE AUTOBAHN:

- "Automatic train operation won't return to D.C.-area Metro anytime soon." The Washington Post.

- "First black chief pilot at a major airline retires." The Associated Press.

- "This could be the first airbag of the self-driving car era." Wired.

- "Uber in Talks to Acquire Team of Car-Parking Startup Luxe." The Wall Street Journal.

- "Men on public transportation around the world just won't close their legs." Newsweek.

THE COUNTDOWN: DOT appropriations run out in 114 days. The FAA reauthorization expires in 114 days. Highway and transit policy is up for renewal in 1,210 days.

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

EPA Stuck in Neutral on Car Emissions, Official Says

Posted June 02, 2017, 11:31 A.M. ET

By David Schultz

The EPA has made little to no progress on determining whether to relax greenhouse gas standards for cars, according to one of its senior career staffers, raising doubts that it will be able to act before a deadline next year locks in the current standards through 2025.

Additionally, the agency has made little effort to reach out to environmental regulators in California, which has the authority to set its own state vehicle standards. A California air regulator told Bloomberg BNA that the state has little desire to roll back its standards, potentially setting up a scenario in which car makers will need to manufacture different models for different states.

President Donald Trump announced at a March 15 rally in Detroit that his administration would reopen an Obama administration decision that maintained current automobile standards at a companywide average of 54.5 miles per gallon, or its equivalent, through 2025. The auto industry is seeking relaxed standards, arguing that the miles per gallon target is too difficult to achieve and would ultimately inflate the prices of their vehicles.

But in the nearly three months since then, the Environmental Protection Agency has taken few if any actions to begin formally reconsidering the decision, according to Chris Grundler, director of the EPA's Office of Transportation and Air Quality. Grundler told reporters at a May 31 EPA advisory council meeting that he hasn't briefed his agency's administrator, Scott Pruitt, on the issue and that his office has had no interaction with California officials or with the Department of Transportation, which has authority to regulate fuel efficiency.

April Deadline

The Obama administration surprised many when it announced in January, weeks before Trump's inauguration, that the EPA would not alter its current greenhouse gas standards. The regulations on vehicle emissions only required a decision on that by April 2018.

After the Trump administration took office, the auto industry began lobbying the EPA to revisit its decision before the April 2018 deadline, which would lock the standards in place. The Alliance of Automobile Manufacturers, which counts Ford Motor Corp., General Motors Corp. and Volkswagen

of America among its members, in February formally asked Pruitt to rescind the Obama-era determination to leave the standards in place.

With Trump's announcement in Detroit, the industry got its wish. And Gloria Bergquist, head of public affairs with the Alliance of Automobile Manufacturers, said she's still optimistic the EPA can meet its deadline.

"There is surely time to complete a robust evaluation by April 2018, which is important to automakers because of their long lead time in developing products," she told Bloomberg BNA.

EPA spokeswoman Amy Graham said the agency is committed to meeting this deadline and is currently working to process new information that the auto industry is providing it.

Complex Process

But there is much to be done before then if the agency does plan on relaxing the automobile standards.

Janet McCabe, head of the EPA's air office during the Obama administration, said that when her team was making its decision to maintain the current standards it compiled voluminous data showing that car makers could achieve the target. If the current EPA wants to change the standards, it will need to compile equally compelling data that contradicts that determination, she told Bloomberg BNA.

"These are very detailed documents and reports and studies," McCabe said. "Technical staff at EPA would need to look at them. ... It's not a quick matter."

Additionally, the agency will need to budget time to allow the public to comment on its decision and then process and respond to those comments, all before the April 2018 deadline.

California

Then there's the matter of California.

Because the state began regulating air pollution before the EPA was even created, its authority to set fuel efficiency standards for cars was grandfathered in to the Clean Air Act. The auto industry had asked federal authorities to work with the state to set a single, harmonized standard—something they accomplished back in 2012 when the current standards were first agreed to.

However, with the Trump administration now indicating it may want to diverge from that 2012 agreement, California has drawn a line in the sand. Alberto Ayala, deputy executive officer of the California Air Resources Board, said California would be happy to sit down with the EPA and DOT to discuss setting standards for 2026 and beyond.

"We're more than interested in that," he told Bloomberg BNA. "[But] if it's all about rolling back the current standards, we're not interested in that."

Ayala said, aside from a letter Pruitt sent responding to the concerns of Gov. Jerry Brown (D), the EPA's political leadership has not reached out to his state on this issue in any way.

Grundler said that it wouldn't be in anyone's interest for the EPA, DOT and California to each go their own way on the vehicle standards.

"Chaos is not an option," Grundler said. "It's not good for business, not good for breathers."

CEOs, Politicians Unite on Paris Accord, Climate Change

Posted June 02, 2017, 10:36 A.M. ET

By Jessica Shankleman and Joe Ryan

Donald Trump's plan to scrap U.S. involvement in the world's broadest deal on global warming may actually have the opposite effect, galvanizing countries, businesses and even U.S. states, to double down on stopping pollution.

The U.S. president June 1 sided with the interests of coal miners, who dig up the dirtiest fossil fuel, as he sought to make good on his election campaign promise to quit the landmark Paris Agreement on climate change.

That put him at odds both with world leaders and chief executive officers of almost every industry on the planet, including oil majors Exxon Mobil Corp. and Total SA; airline owner Sir Richard Branson; and financiers led by BlackRock Inc.'s Laurence D. Fink and Goldman Sachs Group Inc.'s Lloyd Blankfein. With Trump working to boost fossil fuels, the rest said they're determined to keep investing in clean energy regardless of U.S. policies.

"The anger and concern over Trump's withdrawal could soon give way to global resolve," said Jonathan Pershing, a veteran climate negotiator who served as special envoy for climate change at the U.S. Department of State until Trump's election last November. "The goad of disagreement sometimes can drive coalitions more strongly."

Even as Trump branded the Paris deal "unfair," state governors took to social media to confirm their support for the accord. The mayor of Pittsburgh—a Pennsylvania city Trump highlighted as a beneficiary of his decision to turn his back on the global pact—vowed to abide by the Paris Agreement.

California Opposition

California Gov. Jerry Brown departs June 2 for China, where he will urge the world's most populous country and largest car market to take environmental cues from Sacramento instead of Washington. While the Trump administration is seeking to relax fuel-mileage standards for 2022–2025, California is maintaining stricter rules.

"California will resist," Brown said on a call with reporters. "This is an insane move by this president."

Even Russia's Energy Minister said he was confident Trump couldn't topple the Paris deal, which seeks to limit global warming well below 2 degrees Celsius (3.6 degrees Fahrenheit). Russia hasn't yet ratified the Paris Agreement, and many in the government in Moscow view the deal as a threat to their oil and natural gas exports.

"Many countries have confirmed their commitment to the accord," Alexander Novak, Russia's

energy minister, said June 2 at the St. Petersburg International Economic Forum. "Six G-7 countries maintain the commitment, and so does China. So I think in this case we don't see significant risks of other countries dropping their commitment in a domino effect."

Solar vs. Coal

While the Paris climate deal was seen as crucial to stopping catastrophic climate change, market forces play a key role in what technologies get new investment. Solar power is already cheaper than coal in some parts of the world. In less than a decade, it's likely to be the lowest cost option almost everywhere, according to Bloomberg New Energy Finance.

European oil majors BP and Total said the transition to lower carbon fuel is inevitable regardless of Trump's decision. Both called for a global carbon price to shift the world away from the dirtiest energy sources and are pursuing more investments in natural gas, which has lower carbon emissions than oil or coal.

"In 20 years, we will not be known as oil and gas companies, but as gas and oil companies," Total Chief Executive Officer Patrick Pouyanne said at the St. Petersburg forum June 2. "If we want to have the gas, despite the position of president Trump, we need to go to carbon pricing one way or another."

—With assistance from Jack Farchy, John Lippert, Ryan Beene and Anna Hirtenstein.

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EU, China Show Common Climate Front After U.S. Shuns Global Pact

Posted June 02, 2017, 11:10 A.M. ET

By Jonathan Stearns

The European Union and China displayed a united front over the need to fight climate change while revealing nagging differences over the path to deeper trade and investment ties.

Jean-Claude Juncker, president of the European Commission, the EU's executive arm, said Europe and China must lead the global transition to clean-energy technologies after the U.S. decided to withdraw from the landmark climate-protection accord reached by almost 200 countries in Paris two years ago.

"There is no backsliding on the Paris agreement," Juncker told an EU-China business conference June 2 in Brussels. Chinese Premier Li Keqiang told the same audience that EU-China ties help to counter "the growing uncertainties in the world."

The two leaders spoke less than 24 hours after U.S. President Donald Trump provoked worldwide disappointment and anger by announcing plans to withdraw from the Paris pact, which curbs fossil-fuel production. Juncker said fighting climate change is "more important today than yesterday."

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Trump's Paris Exit Leaves Him Isolated From C-Suites to Capitals

Posted June 02, 2017, 9:49 A.M. ET

By Jennifer A. Dlouhy

The response to President Donald Trump's announcement he was exiting the Paris climate accord and wanted to renegotiate on his terms was immediate: The leaders of France, Germany and Italy said no.

On Wall Street, corporate executives pilloried the businessman president. Goldman Sachs' CEO tweeted for the first time, calling the move a setback for the environment and U.S. leadership. Tesla Inc.'s Elon Musk and Bob Iger of Walt Disney Co. quit a White House advisory council in protest.

Even the mayor of Pittsburgh, Pennsylvania -- a city Trump highlighted as a beneficiary of his decision to turn his back on the global pact -- vowed to abide by the Paris agreement.

Trump's decision leaves him more alienated than ever, isolated on the world stage and increasingly embattled at home.

Coming against the backdrop of sprawling probes into ties between Russia and Trump's campaign, the backlash threatens to sap the president's power when he needs it most to advance domestic priorities such as tax reform and a health care overhaul while confronting an increasingly bellicose North Korea.

It's a dramatic change in fortunes for the president after just 133 days in office. Business leaders no longer seem to fear Trump's tweets; foreign leaders have moved from attempts to find rapport to direct confrontation.

Consider that in earlier days, a tweet about Ford Motor Co. shipping U.S. jobs to Mexico prompted the automaker to announce it was abandoning plans to build a $1.6 billion plant there.

Days after his election, Trump called the top executive of United Technologies Corp. and told him not to move jobs from a Carrier factory in Indianapolis to Mexico. Carrier partially relented, agreeing to keep 1,100 jobs in the U.S. in exchange for $7 million in tax breaks and incentives from the state. Even so, 1,300 jobs are still going to Mexico.

And in her first visit with Trump in Washington, German Chancellor Angela Merkel gamely tried to shake Trump's hand during a photo opportunity, offering an optimistic assessment of the meeting despite the president's persistent criticisms of her country.

"I've always said it's much, much better to talk to one another and not about one another, and I think our conversation proved this," she said afterwards.

There is none of that fear and trembling now.

After Trump's announcement on Paris, Ford issued a statement asserting that "we believe climate change is real and remain deeply committed to reducing greenhouse gas emissions." Company chairman Bill Ford, the man Trump once described as "my friend," broke with the president over his executive order on immigration. And Ford still employs more than 7,000 workers in Mexico.

Although Carrier hasn't announced a change to its plans, other companies are moving production south. And foreign leaders now game out how to try to one-up the president.

In his first meeting with Trump, French President Emmanuel Macron squeezed Trump's hand so hard that the American's knuckles turned white. And when the two chatted before cameras, Macron spoke only French. He switched to English for his remarks with U.K. Prime Minister Theresa May.

After Trump's announcement on Paris, Macron tweeted, "Make our planet great again," and assured American scientists, engineers, entrepreneurs and "responsible citizens" they could find "a second homeland" in France.

Trump's first foreign trip as president left fellow members of the North Atlantic Treaty Organization unsettled and wary, as well. Trump omitted any clear commitment to the alliance's pledge of collective defense, leaving allies uncertain whether the U.S. would come to their aid if attacked.

Afterwards, unlike her White House visit, Merkel didn't extol the benefits of discussion.

She told a beer-hall rally in Munich that Europe "really must take our fate into our own hands," adding "this is what I have experienced in the last few days."

Former Defense Secretary Leon Panetta said the combined weight of Trump's NATO speech and his decision to leave the Paris agreement mark "the sad demise of a 70-year era of American global leadership."

"'America First' policies are threatening our strategic interests and eroding our moral standing in the world," Panetta said in a statement.

To be sure, the Republican voters that elected Trump to the White House have not turned away from the president. Among Republicans, 87 percent say they approve of the job Trump is doing, according to Gallup's most recent weekly poll. Trump's job approval has fallen just slightly, from 45 percent just after his inauguration to 41 percent.

And congressional leaders upon whom Trump depends to advance his agenda endorsed his action. House Speaker Paul Ryan (R-Wis.) called the Paris agreement "a raw deal for America" and commended the decision. And Senate Majority Leader Mitch McConnell (R-Ky.) was more blunt: "I applaud President Trump and his administration for dealing yet another significant blow to the Obama administration's assault on domestic energy production and jobs."

The tone of Trump's Rose Garden speech Thursday was unapologetic, evoking the inaugural address in which the president angrily lashed out at other countries playing the U.S. for a fool and vowed that "from this day forward, it's going to be only America first."

"The Paris agreement handicaps the United States economy in order to win praise from the very foreign capitals and global activists that have long sought to gain wealth at our country's expense," Trump said. "We don't want other leaders and other countries laughing at us anymore."

Trump did make an offer to renegotiate the Paris accord, but that was quickly rejected. Merkel, Macron and Italian President Sergio Mattarella issued a statement insisting that the agreement was "irreversible" and "cannot be renegotiated."

And after the president said he was taking action to put the interests of Youngstown, Ohio; Detroit, Michigan; and Pittsburgh above those of Paris, Bill Peduto, Pittsburgh's mayor, shot back that the city needed no such help: "I can assure you that we will follow the guidelines of the Paris agreement

for our people, our economy and future."

—With assistance from Shannon Pettypiece

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Exxon Citizen Suit With Record Penalty Difficult to Repeat

Posted June 02, 2017, 7:01 A.M. ET

By Renee Schoof

The $20 million fine recently levied against ExxonMobil Corp. is a record penalty for an air pollution lawsuit brought by a citizens' group, but attorneys say bringing other big cases like it will be difficult.

There are few targets as large as Exxon's Baytown Complex in Texas, one of the largest integrated refining and petrochemical facilities in the world. And environmental groups opposed to the Trump administration's policies are preparing to devote more of their time to defending Environmental Protection Agency regulations, sapping resources they might have used to sue industrial polluters.

While citizen suits in general are expected to increase, Clean Air Act cases like the Exxon suit are so complex that they stretch the bounds of what the groups can do, attorneys told Bloomberg BNA.

"We're not the federal government," Joshua Kratka, a senior attorney at the non-profit National Environmental Law Center who argued the case against the Baytown refinery, said. "There's no way we have those resources. There's really no substitute for a strong and effective EPA."

A U.S. District Court for the Southern District of Texas judge in April assessed penalties of more than $21 million for violations of Exxon's Clean Air Act permits based on self-reported "emissions events," or unauthorized pollution caused by equipment malfunctions or startup and shutdown. Since the company already had paid more than $1.4 million in state and local penalties, the net penalty was about $19.9 million. It appeared to be by far the largest citizen suit penalty based on records going back about 10 years, according to the Justice Department.

Exxon on May 24 filed a motion to alter the judgment, challenging the basis for the penalty and arguing that it should be eliminated. Kratka said plaintiffs would file a response arguing that Exxon's case was without merit.

Resource-Intensive Cases

The Clean Air Act allows citizens groups, such as environmental advocates, to bring enforcement challenges to industrial facilities believed to be violating federal air pollution standards. But the cases are expensive and time-consuming, attorneys said.

"There aren't that many Clean Air Act citizen suits in any given year," Eric Schaeffer, executive director of the Environmental Integrity Project and a former director of EPA's Office of Civil Enforcement, said. "They're difficult to bring."

Environmental groups will increasingly use their resources for suits against the federal government over rollbacks of environmental regulations on the fossil fuel industry, Kratka said. And "the more times citizen and environmental groups have to sue the government, the less capacity they have to

sue the violators."

The Baytown lawsuit succeeded because the environmental attorneys did a careful job of researching the facts of the violations, attorneys said. They had a boost because air emissions reports must be made available online in Texas, and the groups used those reports as evidence that Exxon had violated federal pollution limits. They also got four people who lived near the complex to testify.

Environment Texas Citizen Lobby Inc. and the Sierra Club sued Exxon in 2010. The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P. Bloomberg BNA is an affiliate of Bloomberg L.P.

The suit claimed there were unauthorized air emissions of benzene, sulfur dioxide and other pollutants from Exxon's Baytown refining and petrochemical complex between October 2005 and September 2013. It cited State of Texas Environmental Electronic Reporting System (STEERS) reports to the Texas Commission on Environmental Quality documenting emissions of pollutants.

'Too Big to Comply'

Despite the hefty fine, Seth D. Jaffe, a partner at Foley Hoag LLP in Boston and coordinator of the firm's environmental practice group, who was not involved in the case, said the decision could be viewed as a victory for Exxon because the penalty covered years of violations and was small in comparison to the roughly $500 million the company spends on maintenance every year.

The maximum penalty could have reached $500 million, Jaffe wrote in a blog. Moreover, the federal judge denied the plaintiffs' request for injunctive relief.

"I think it's a win for Exxon because the law does not make any exceptions for facilities that are too big to comply," Jaffe told Bloomberg BNA. "The fact that it's impossible to comply doesn't mean you don't have to pay something if you're in violation."

Exxon Already Fined by Texas Regulator

An ExxonMobil spokesman said Texas regulators handled the case when the Texas Commission on Environmental Quality imposed the $1.4 million penalty on the basis of an agreed upon order. The state regulator also ordered Exxon to take corrective actions to reduce emissions. Exxon and the TCEQ agreed on the enforcement order in February 2012, two years after the environmental groups sued.

The spokesman, Todd Spitler, told Bloomberg BNA that aggregating volumes from emissions events over time, as the environmental groups did, "does not appropriately or accurately reflect the nature of the events or indicate an underlying issue at our integrated Baytown complex."

That's because the company reports emissions to federal and state regulators in a timely and consistent manner, complies with "all laws, regulations and permits, and has a robust compliance assurance system that enables workers to identify and report potential deviations from the company's Clean Air Act permit requirements, Spitler said.

"Baytown personnel dedicate thousands of hours every year monitoring, validating and documenting our compliance to these regulations and our permits," he said.

Spitler also said the Baytown complex had spent more than $1.3 billion since 2003 on environmental projects aimed at improving air quality and energy efficiency. Since 2005, the Baytown complex has reduced emissions from malfunctions and maintenance reported to the TCEQ by 90 percent, he said. Court records showed Exxon spent between $464 million and $685 million per year on maintenance of equipment at the complex.

Successful But Rare

The Baytown case is the third successful Clean Air Act citizen lawsuit filed by advocates against facilities in the Houston area over the past decade. During the trial, the Texas Oil & Gas Association raised fears that if the court validated the advocates' approach, it could lead to a "a cascade of citizen suits, seeking to relitigate years of past administrative enforcement."

But Environment Texas, one of the advocacy organizations involved in the Baytown litigation, can only handle one citizen lawsuit at a time, Luke Metzger, founding director of the group, told Bloomberg BNA.

Environment Texas is already involved in another Clean Air Act suit, this one against Pasadena Refining System Inc., which is owned by Petroleo Brasileiro S.A. (Petrobras). The lawsuit, filed in March, alleged the Houston-area refinery violated emissions limits thousands of times over the past five years.

Environment Texas and the Sierra Club filed two others since 2008—one against Chevron Phillips Chemical Co. and another against Shell Oil Co. Both were resolved with consent agreements. The groups said that the companies reduced emissions from their Gulf Coast plants by about 95 percent, or more than was required by their settlements.

Those cases, like the Exxon citizen suit, involved mainly "upset events," such as equipment breakdowns and malfunctions.

"The goal is to get plants to put money into maintenance and better design and training, so they don't break down and flare pollution into the community," Kratka said.

Texas has an affirmative defense for such upset emissions, meaning that if a company can prove that it satisfied conditions such as the events being unavoidable or not recurring, it has a defense against penalty.

Kratka, who argued the appeal before the Fifth Circuit, said that ExxonMobil said all the violations met those criteria.

"We challenged every one, and the judge this time said it was the defendant's burden to come up with proof," Kratka said.

N.Y. Says Exxon's Climate Change Proxy Costs May Be 'Sham'

Posted June 02, 2017, 12:27 P.M. ET

By Erik Larson

New York's top cop told a judge that his probe into Exxon Mobil Corp. uncovered "significant evidence" the oil giant may have misled investors about how it calculates the impact of climate

change on assets and project decisions.

New York Attorney General Eric Schneiderman said in a court filing June 2 that the investigation into Exxon's public statements about climate change revealed that for the last decade it may not have been pricing in the future impact of greenhouse gas emissions as it claimed.

"That evidence suggests not only that Exxon's public statements about its risk management practices were false and misleading, but also that Exxon may still be in the midst of perpetrating an ongoing fraudulent scheme on investors and the public," Schneiderman said.

If true, the allegations risk inflaming investors who this week backed a non-binding resolution urging the Irving, Texas-based company to consider whether it can prosper under strict greenhouse gas limits. While Exxon opposed the vote, it has accepted climate-change science and opposed President Donald Trump's decision to pull the U.S. out of the 2015 Paris Climate Accord.

Alan Jeffers, an Exxon spokesman, didn't immediately return a call for comment before regular business hours June 2. A message left with the company's media line wasn't immediately returned.

Proxy Costs

The allegations center on Exxon's claim that it applies so-called proxy costs to greenhouse gas emissions, which the company says "reasonably approximates the range of potential future government actions with respect to climate change," according to the filing. The attorney general said Exxon regularly cites the proxy costs to "assure investors that none of Exxon's projects or assets will be materially affected by future climate change-related regulations."

That claim may be vastly exaggerated, Schneiderman said in his filing in state court in New York.

"Exxon has identified only a single, anomalous instance in which a proxy cost was actually applied," the attorney general said. "Exxon's documents reveal a widespread lack of awareness among employees of the proxy cost policy, or how it should be applied."

The use of proxy costs "may be a sham," and Exxon also has "secret internal versions of proxy costs," Schneiderman alleged. The company told an employee from its majority-owned Imperial Oil Ltd. not to apply it to its Canadian oil sands projects, according to the filing.

Exxon has refused to make the employee available to testify, "contending for the first time that it lacks control over its majority-owned subsidiary from which it has been producing documents for months," he said.

Exxon has repeatedly denied wrongdoing and claims the state probe was started in "bad faith" because the outcome had been predetermined based on ideological coordination with environmental groups and even former Vice President Al Gore, an outspoken opponent of climate change.

Schneiderman and his Massachusetts counterpart, Maura Healey, have been investigating since 2015 whether Exxon misled the public and investors by withholding information about how climate change could impact the company's finances. Exxon sued to block their subpoenas for millions of pages of documents, while Republicans in Washington have sought to derail the investigations from Capitol Hill.

Schneiderman also referenced for the first time the existence of a second alias email account that was discovered in the course of the investigation, months after he accused Exxon of failing to disclose former Chief Executive Officer Rex Tillerson's secondary email account. He used the alias Wayne Tracker to discuss sensitive topics with the board.

The identity of the owner of the new alias account, which has the name "J.E. Gray," wasn't disclosed in the June 2 filing.

Sworn testimony of Exxon's lawyers suggested the company may have withheld the existence of the alias accounts as a "test of whether the Attorney General's office is reading the documents," according to Schneiderman.

Schneiderman filed the additional material in support of his May 8 subpoena to Exxon. The case was transferred to Manhattan by a federal judge in Dallas who said it belonged in New York, effectively restarting the litigation from scratch. Schneiderman has used the opportunity to make fresh allegations.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 11/17/2017 5:10:05 PM
Subject: Checkpoint: A 'proud resister' called for Trump and Franken to resign and Moore to bow out. The Pentagon retweeted it.



A 'proud resister' called for Trump and Franken to resign and Moore to bow out. The Pentagon retweeted it.

The message was 'erroneously retweeted content that would not be endorsed by the Department of Defense.'

By Dan Lamothe • Read more »

Coast Guard says it's $900 million short after 'all-hands-on-deck' hurricane response

The service is credited with rescuing more than 11,000 people affected by hurricanes Harvey, Irma and Maria.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Fri 6/30/2017 2:05:24 PM
Subject: POLITICO's Morning Transportation, presented by Airlines for America: Senate Commerce makes quick work of FAA markup — AOPA rallies the troops — FASTLANE in the slow lane

By Tanya Snyder | 06/30/2017 10:00 AM EDT

With help from Stephanie Beasley

PROGRAMMING NOTE - Due to the July Fourth holiday, Morning Transportation will not publish on Monday, July 3 and Tuesday, July 4. Our next Morning Transportation will publish on Wednesday, July 5.

QUICK AND EASY: What the House took nearly 10 hours to do on Tuesday, the Senate managed in just under an hour. The Senate Commerce Committee approved its FAA reauthorization bill (S. 1405) Thursday morning with 56 amendments, setting up a showdown with the House's dramatically different bill (H.R. 2997) - assuming both bills make it off the floor in their respective chambers.

MEANWHILE, IN THE HOUSE: House Transportation Committee Chairman Rep. Bill Shuster (R-Pa.) said Thursday that he's still trying to drum up enough Republican votes to get through a floor vote, which he's hoping will happen in mid-July. Meanwhile, Sen. John Thune (R-S.D.) admitted that the uncertainty around a health care vote in the Senate complicates the prospect of scheduling floor time for the FAA bill. But what looks like suspended animation over the next week and half masks a lot of high-level brokering, and it's anyone's guess what deals will emerge. But even if Shuster wins over taxwriters and appropriators and Thune grabs some floor time, it's hard to see a Senate so deeply skeptical of Shuster's plan to separate air traffic control from the FAA just going along with it in conference - and it's one of those issues where there's not much halfway ground to occupy.

Senate's got problems, too: Despite Thursday's smooth markup, senators inserted some drama into the proceedings by adopting a controversial amendment by Thune to allow other kinds of flight training to qualify for the rule requiring commercial airline co-pilots to have 1,500 hours of flight time before they're certified to fly. "Regional airlines have lobbied lawmakers for years to relax the 1,500 hour rule, while the families of those who died in a 2009 plane crash that spurred the rule have fiercely opposed any changes," reports our Lauren Gardner. It's a highly emotionally charged issue that isn't going away anytime before the bill hits the floor.

SPEAKING OF THE FLOOR: Senate Minority Leader Chuck Schumer (D-N.Y.) pledged Thursday to "continue to do everything I can to ensure that any effort to water down these rules never becomes law." The plane crash that spurred the rule occurred in his state, outside of Buffalo.

IT'S FRIDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Send your tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and tsnyder@politico.com or @TSnyderDC

"It won't be a stylish marriage / I can't afford the carriage / But you look sweet upon the street / On a bicycle built for two."

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get listening, too!

More controversy: Commerce voted along party lines to narrowly adopt an amendment by Sen. Deb Fischer (R-Neb.) to prevent states from imposing their own meal and rest break requirements for interstate truck drivers. The Teamsters oppose this provision, saying it robs their drivers of the more generous breaks that some states want to offer.

AOPA rallies the troops: The Aircraft Owners and Pilots Association kicked their opposition to the ATC plan up a notch Thursday with an action alert to their nearly 350,000 members and supporters, asking them to ask their representatives to vote against the House FAA bill on the floor. Rep. Kenny Marchant (R-Texas) sure took notice. "I hadn't heard from any owners" before the alert, Marchant said Thursday, noting that he has a lot of aircraft owners in his district and expected an inbox full of messages about the bill. Marchant had previously expressed that he leaned in favor of the proposal.

PSA FROM YOUR FRIENDS AT MT: Be careful out there this weekend. The Fourth of July is historically the deadliest day of the year on U.S. roads. The National Safety Council estimates that 582 people could be killed in traffic crashes during this four-day weekend, with 66,900 more seriously injured.

** **A message from Airlines for America:** America invented aviation, yet our global leadership is at risk. Passing FAA reauthorization and modernizing our air traffic control system will bring us into the 21st century. We need reforms without increasing costs for travelers. Ask Congress to support ATC Reform and reject an unnecessary Airport Tax increase. - www.stopairtaxnow.com **

FASTLANE IN THE SLOW LANE: Just DOT formally announced its new INFRA grant program Thursday, Illinois' Democratic Sens. Dick Durbin and Tammy Duckworth called on the Trump administration to use the full 2017 allocation for FASTLANE grants under the old criteria. DOT announced yesterday it would hold the vast majority of the funds for a new round of grants under the updated criteria, forcing applicants to re-apply. "President Trump promised a trillion dollar infrastructure package, but instead his budget slashed transportation investments and his Administration continues to delay funding," said Durbin in a statement.

MCCASKILL URGES DHS TO LISTEN TO AIRLINES: Sen. Claire McCaskill (D-Mo.) said DHS should listen to airline complaints about the "onerous" implementation timeline for new security measures at 280 point-of-departure airports for flights to the U.S. The ranking member of the Senate Homeland and Governmental Affairs Committee said DHS should give airlines enough time to "try to work this out in a way that's not going to be really obtrusive" for travelers. But Rep. John Katko (R-N.Y.) said airlines will need to make do. "I know it's going to be an inconvenience," Katko said Thursday. "I know it's going to be some expense to the

airlines, but I don't think we can let our guard down." POLITICO obtained a document sent to airlines on Wednesday ordering them to adopt the new security measures within 21 to 120 days. Explosive trace detection technology would need to be in place in the first 21 days, Stephanie Beasley reports . Airlines that do not comply face penalties that include a ban on all electronics on flights to the U.S.

FROM IRAQ TO I-95: Another bill approved Thursday by the Commerce Committee would streamline the process for active-duty military and reservists to apply for commercial driver's licenses. "Many servicemen and women have been uniquely trained to drive large military vehicles and want to carry over that expertise into their civilian careers," said Sen. John Cornyn (R-Texas), one of the sponsors of the bipartisan bill, which expands on a similar provision in the FAST Act that only applied to veterans.

ANOTHER ONE IN AT DOT: The Senate Commerce also found time during their markup to approve three Trump administration nominees for transportation-related posts: David Pekoske for TSA administrator, Derek Kan for undersecretary of Transportation for policy and Robert Sumwalt to be a board member of the NTSB.

C-B-Oh-No: In case you've forgotten, the CBO does more than just give bad news about health care bills. Thursday, the CBO updated their projections of when the Highway Trust Fund will go bust using the information that underlies CBO's June baseline. They predict that the trust fund will stay solvent through the end of the FAST Act, which expires September 30, 2020 - but both the highway and transit accounts would go into the red in 2021, even if FAST Act revenue levels stayed in place.

NAFTA: DO WE HAFTA? NAFTA needs a major overhaul to increase wages for workers in all three countries and reduce the "enormous trade deficit" with Mexico as Trump promised on the campaign trail, said Josh Nassar, the United Auto Workers' legislative director. At an interagency hearing on the trade deal Thursday, Nassar "specifically called for stronger rules of origin for autos to qualify for U.S. duty reductions under the pact - a change automakers warned could make North America a less competitive region to make cars," Doug Palmer reports for Pros. Meanwhile, trucking industry officials pushed to eliminate a NAFTA provision allowing Mexican truck drivers to transport goods in the U.S.

THE AUTOBAHN:

- "Shark patrol drones in Australia fitted with danger sirens." Geo.tv.

- "Study: UAS as a new source of disturbance for wildlife." sUAS News.

- "'State of Emergency': Cuomo to send $1B to MTA." POLITICO New York.

- "Robocalypse Now? Central Bankers Argue Whether Automation Will Kill Jobs." The New York Times.

- "Analysis: Trump's travel ban a far cry from original." The Associated Press.

- Secretary Chao defends Trump in the wake of Mika Brzezinski tweets. The Atlantic.

- "Facebook's Aquila drone completed a second flight without breaking anything." The Verge.

THE COUNTDOWN: DOT appropriations run out in 93 days. The FAA reauthorization expires in 93 days. Highway and transit policy is up for renewal in 1,189 days.

** **A message from Airlines for America:** Modernizing our nation's air traffic control system and bringing it into the 21st century is one of our most important infrastructure priorities. Congress now has the opportunity to enhance America's world-leading safety record while reducing flight delays and cancellations. And we must reform our air traffic control system and secure our position as the global leader in aviation without increasing, or uncapping, the Airport Tax. This would further burden consumers with unnecessary levies. Flyers today spend $63 in taxes on a typical $300 airline ticket. Isn't that enough? We can't have a system in which individual airports raise taxes on passengers whenever they want by however much they want. Airports enjoy a variety of funding sources for improvement projects, including nearly $7 billion that is sitting dormant in the airport trust fund. To tell your Members of Congress that we need ATC Reform without a tax hike on passengers, visit www.stopairtaxnow.com. **

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Mon 7/10/2017 2:10:00 PM
Subject: POLITICO's Morning Score: Strange attacks Brooks on pro-Trump credentials — Morrisey 'major announcement' coming in West Virginia — Obama to headline redistricting group fundraiser

By Scott Bland | 07/10/2017 10:00 AM EDT

With Daniel Strauss, Maggie Severns and Elena Schneider

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

SIX WEEKS OUT - Strange mailer attacks Brooks as Alabama Senate primary draws near: GOP Sen. Luther Strange is starting to scrap with Rep. Mo Brooks, one of his most prominent Republican primary opponents, ahead of the special primary for Strange's seat on Aug. 15. The first shot: a mailer, paid for by Strange for Senate, hitting Brooks for not supporting President Donald Trump during the 2016 presidential primary and continuing to criticize him afterward. Brooks, Strange and former state Supreme Court Justice Roy Moore are the best-known candidates in a crowded primary, and they are competing for two slots in a September runoff, assuming no one unexpectedly breaks 50 percent in August.

- The Strange mailer quotes Brooks saying "Trump voters are going to regret their votes" on MSNBC in February and then, after Trump secured the nomination in May, that "voters sure are facing some tough choices in November, aren't they?" (In the same Montgomery Advertiser story, Brooks said he would vote for Trump in November.) "Luther Strange strongly supported our President from Day 1," the mailer trumpets next to the Brooks quotes, adding: "This was never a 'tough choice' for Luther Strange." (See the front and back of the mailer here.)

SENATE CANDIDATE WATCH - Morrisey announcement coming Monday night in West Virginia: Republican Attorney General Patrick Morrisey has a 5 p.m. "major announcement" scheduled in Harpers Ferry "about his political plans." Morrisey already has a super PAC sparring with Rep. Evan Jenkins, the main Republican candidate currently in the race against Democratic Sen. Joe Manchin.

- Barletta Senate decision "hopefully" coming in several weeks: GOP Rep. Lou Barletta said he's getting closer to deciding whether he'll run against Democratic Sen. Bob Casey, in an interview for the "Face the State" program on CBS21 in Harrisburg. "I'm giving it serious thought. I've been talking to my family, I've been talking to folks around the state. And, hopefully, in the next couple of weeks, I'll have a decision whether I'm going to run or not," Barletta said, via John Micek on PennLive. **Full story.**

- "GOP state lawmaker planning bid for McCaskill seat," by the St. Louis Post-Dispatch's Kurt Erickson and Chuck Raasch: "GOP state Rep. Paul Curtman "is expected to announce the formation of an exploratory committee for a Senate run" this week. "... [A]llies said he had

been mulling a run for Wagner's congressional seat, but nixed that idea when Wagner pulled out of the Senate sweepstakes and said she would run for re-election." **Full story.**

Q2 FUNDRAISING - FIRST IN SCORE - TX-07: Democrat Alex Triantaphyllis, the director of Immigration and Economic Opportunity at Neighborhood Centers Inc., a Houston nonprofit, raised more than $450,000 since entering the race to challenge GOP Rep. John Culberson. Triantaphyllis finished the second quarter with $400,000 in cash on hand, per a statement from his campaign.

- FL-13: SaintPetersBlog reported that Democratic Rep. Charlie Crist raised over $550,000 in the second quarter.

- **KS-03:** GOP Rep. Kevin Yoder raised close to $470,000 in the second quarter, his campaign announced Friday. Democrat Andrea Ramsey, who jumped into the race in June, announced raising over $200,000 by the end of the quarter.

- VA-10: Democrat Alison Kiehl Friedman raised over $400,000, while Democrat Lindsay Davis Stover raised over $300,000 in the second quarter, the Washington Post reported. They are part of the crowded Democratic field opposing GOP Rep. Barbara Comstock.

- **South Carolina governor:** "Republican Catherine Templeton ... raised $750,701 from April through June in her bid to upset S.C. Gov. Henry McMaster," The State's Jamie Self reports. "... The haul tops her first-quarter numbers, which just crested $700,000, and brings her total donations to more than $1.4 million - positioning her even more firmly as McMaster's biggest threat in next year's June primary. **Full story.**

Days until the 2017 election: 120.

Days until the 2018 election: 484.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

ALWAYS OPEN - "Rosen leaves House Democrats hunting for Nevada candidates again," by Campaign Pro's Elena Schneider: "Democrats had to beg candidates to run in Nevada's competitive 3rd District in 2016 - and that was before Donald Trump won the district on his way to the presidency. Now, Rep. Jacky Rosen's swift departure for a 2018 Senate campaign leaves House Democrats, once again, searching for a candidate who can appeal to Nevada's prototypical battleground district, which has flipped between parties four times in a decade." **Full story.**

PRIMARY PREP - "Coburn will work to oust Mullin after congressman breaks term limit pledge," by the Oklahoman's Justin Wingerter: "Rep. Markwayne Mullin is facing opposition from some conservatives after breaking a term limit pledge Tuesday. ... Whether

Mullin's decision to break his pledge will hurt him in 2018 remains an open question. He dominated in 2016, defeating fellow Republican Jarrin Jackson in the June primary by 27 percentage points and defeating Democrat Joshua Harris-Till by 67 percentage points in November. [Former Sen. Tom] Coburn vowed this week to campaign for Jackson if he runs again in 2018." **Full story.**

REDISTRICTING WATCH - "Obama returns to politics with redistricting group fundraiser," by POLITICO's Edward-Isaac Dovere: "Barack Obama will make the first official political move of his post-presidency on Thursday, headlining a private fundraiser for the National Democratic Redistricting Committee at a private home in Washington." **Full story.**

MILESTONE - CLF knocks on 1 million doors: The Congressional Leadership Fund, a super PAC closely aligned with GOP House leadership, announced Monday that they've knocked on 1 million doors and placed 700,000 phone calls in 13 congressional districts over the last six months. CLF is operating a dozen field offices in districts across the country ahead of the 2018 midterms.

HOUSE CAMPAIGN KICKOFFS - MN-08: St. Louis County Commissioner Pete Stauber is set to become the first Republican to jump into the race against Democratic Rep. Rick Nolan, the Duluth News Tribune reports. "Stauber, 51, has served on the county board since 2013 and earlier was a member of the Hermantown City Council. He has been a Duluth police officer for more than 23 years, currently holding the rank of lieutenant." Nolan won reelection by a half point in 2016 as Trump carried the district by 15.

- MI-08: Democrat Elissa Slotkin, former acting Assistant Secretary of Defense, launched her campaign to challenge GOP Rep. Mike Bishop, per a statement on Monday.

- FL-27: Florida's first openly gay state representative, Democrat David Richardson, announced his bid for the now-vacant seat held by GOP Rep. Ileana Ros-Lehtinen, per a statement from his campaign.

- FIRST IN SCORE - NC-02: Democrat Sam Searcy, a distillery owner, launched his bid to challenge GOP Rep. George Holding, who took out GOP Rep. Renee Ellmers in a redistricting primary battle last year. **Watch his launch video here.**

- VA-07: Democrat Abigail Spanberger, a former CIA operations officer, announced her bid to challenge Republican Rep. Dave Brat on Monday, per a statement from her campaign.

FEC WATCH - Good government groups file FEC complaint on Price: The Campaign Legal Center and Democracy 21 filed a Federal Election Commission complaint on Friday alleging Health and Human Services Secretary Tom Price illegally used campaign funds to support his confirmation. Read the complaint **here**.

- "Duncan spends campaign funds freely on family," by the Nashville Post's Cari Wade Gervin: "For U.S. Rep. John J. 'Jimmy' Duncan Jr., keeping it all in the family includes his campaign funds. Over the past decade Rep. Duncan has doled out hundreds of thousands of

dollars to his two sons, his niece, his son-in-law, his daughter-in-law and his sister for campaign work, raising both ethical and legal questions for the senior statesman. In fact, the only non-family member paid a regular salary for campaign work in recent years has been Duncan's chief of staff, Bob Griffitts ... since 2013, Rep. Duncan has paid his son $316,500 in salary alone. The campaign also pays for his son's cellphone and reimburses his mileage, many meals and multiple other expenses." **Full story.**

STAFF TURNOVER - "Two top staffers leave Gillum campaign," by POLITICO Florida's Daniel Ducassi: "Following a series of rough news cycles and a fundraising drought, Democrat Andrew Gillum's 2018 campaign for governor announced on Friday the departure of two top campaign staffers. Stepping down are campaign manager Phillip Thompson and the campaign's finance director and deputy campaign manager, Brice Barnes, according to a statement describing the moves as 'staff transitions' and as part of the 'next phase' in the campaign." **Full story.**

COMMISSION REACTION - "Hundreds withdraw Colorado voter registrations in response to compliance with commission request," by KMGH's Blair Miller: "At least two Colorado county clerks say they've seen a large increase in the number of people who have withdrawn their state voter registration since Colorado Secretary of State Wayne Williams said he would send the Trump administration's election integrity commission some voter-roll information in accordance with state law. Alton Dillard, a spokesperson for the Denver Elections Division, said 180 people have withdrawn their registration in the county since July 3. When compared to the eight people who withdrew their registration from June 26-29, it marks a 2,150 percent increase, according to Dillard. Haley McKean, a spokeswoman with the Arapahoe County Clerk and Recorders Office said at least 160 people had withdrawn their registrations since July 1. She added that 'dozens' of others had made their voter registration confidential." **Full story.**

CODA - QUOTE OF THE DAY: "The president once told me that the most important lesson he learned from Roy Cohn was loyalty." - Newsmax chief and Trump friend Christopher Ruddy, regarding Trump's long memory of Republicans who turned from him during the campaign in 2016, via POLITICO.

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http://www.politico.com/tipsheets/morning-score/2017/07/10/strange-attacks-brooks-on-pro-trump-credentials-221231

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Wed 7/26/2017 9:41:25 AM
Subject: Morning Media: Conservative media breaks with Trump over Sessions -- IJR splits from IMGE -- N.Y. Times departure lounge

By Hadas Gold | 07/26/2017 05:39 AM EDT

With Alex Weprin and Cristiano Lima

FOR KEEN OBSERVERS OF THE RIGHT WING/CONSERVATIVE MEDIA LANDSCAPE the past couple of days have been notable. Notable, because many on the right are unhappy with President Donald Trump's latest attacks on Attorney General Jeff Sessions. In his most recent interview with The Wall Street Journal (where editor-in-chief Gerard Baker is the lead byline), Trump declined to offer a vote of confidence in Sessions, who was the first Senator to endorse Trump during the campaign. He even said Sessions probably only endorsed him because of his big rally crowds, "So it's not like a great loyal thing about the endorsement."

-- The likes of Breitbart and Rush Limbaugh, among others, did not take well to such criticisms. Sessions, with his tough talk on sanctuary cities, the border wall and immigration has been a favorite of the right leaning media for a long time. It was jarring in a way to see several stories on Breitbart blasting Trump for attacking sessions, with one article saying the "Attack on Sessions over Clinton Prosecution Highlights [Trump's] Own 'Weak' Stance," another article noting that "[Pat] Buchanan, [Ann] Coulter, Other Voices of the Right Cry Out in Dismay as Trump Steps Up Attacks on Sessions." Another piece by Washington editor Matt Boyle called Sessions "A Man Who Embodies the Movement That Elected Donald Trump President," noted that Sessions "burned his own bridges" to help Trump's campaign and that Sessions "stood by Trump through it all."

"Losing Sessions could endanger the administration and the split the critical coalition that helped Trump to the presidency," Boyle warned.

Now we're also learning from the New York Times that Coulter stopped by the Oval office and railed to Trump that he needed to focus more on his supporters. And Sessions is due to announce "a number of criminal leak investigations based on news accounts of sensitive intelligence information," the Washington Post reports.

THERE'S ALREADY ONE CASUALTY OF THE ANTHONY SCARAMUCCI ERA at the White House: Assistant Press Secretary Marc Short. My colleague Tara Palmeri scooped on Tuesday morning that Scaramucci planned to fire Short at the morning meeting. But the move was delayed and Scaramucci confusingly told reporters he was "upset" that Short would find out about any changes to his employment through the media (though Scaramucci himself told POLITICO that was the plan). Short resigned by Tuesday afternoon. Scaramucci told reporters on Air Force One on Tuesday evening that he'll spend next few weeks reviewing and possibly restructuring the White House press office, adding "if the leaks continue then I've got to let everybody go."

Good morning and welcome to Morning Media! I always want to hear from you -- hgold@politico.com / @Hadas_Gold. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**. (clima@politico.com / @ludacristiano). Archives. Subscribe.

INDEPENDENT JOURNAL REVIEW'S PARENT COMPANY MEDIA GROUP OF AMERICA HAS OFFICIALLY SPLIT FROM IMGE, the Republican digital media and ad firm. The relationship between the two has always put a damper on IJR's ideals that it was editorially independent, especially when people who are so closely aligned to Republican politics and the Trump administration were investors and directly involved in IMGE. But now the site says they're free and completely divested, with IJR founder Alex Skatell staying with Media Group of America, which will focus only on media companies, most notably IJR. Meanwhile Axios notes that IMGE has now hired Bryan Sanders, husband of White House Press Secretary Sarah Huckabee Sanders.

COMEDY CENTRAL SHOW TO TAKE ON THE 'ALT-RIGHT,' by Alex Weprin: Comedy Central has announced details about its new 11:30 p.m. program, which will follow "The Daily Show." While "The Colbert Report" parodied cable news pundits like Bill O'Reilly and Sean Hannity, the new program hosted by Jordan Klepper, "The Opposition," will mock alt-right figures such as Alex Jones. "I think we were inspired by those points of view. I'm a midwesterner. I would like to see my [character] as an Alex Jones meets Garrison Keillor," Klepper told reporters at the Television Critics Association summer press tour in Los Angeles. His show will follow "The Daily Show" starting Sept. 25.

-In other Comedy Central news, the channel has ordered more episodes of "The President Show," which currently airs once per week at 11:30 p.m. The show, hosted by comedian Anthony Atamanuik as "Donald Trump," will move to midnight once Klepper's show starts.

SOUNDBITE: "Stop listening to the bombastic loudmouths on the radio, television and the Internet. To hell with them." [John McCain]

AT&T-TIME WARNER TIE UP ON TRACK, by Alex Weprin: Despite concern that President Trump might try to torpedo the deal, AT&T told its shareholders on Tuesday that it is on track to close its acquisition of CNN and HBO parent company Time Warner by the end of this year. The company added that the "merger planning process [is] approaching completion," meaning that the company now has a good idea of how it will be organized and what staffing changes would need to occur once the deal is approved.

NEW YORK TIMES DEPARTURE LOUNGE: A slew of Times stalwarts have taken buyouts. Among them: Bruce Headlam, an editor in the opinion section (Headlam was also featured in the documentary film "Page One" when he was media editor), Charles Duhigg, who's been in charge or live events, former Jerusalem bureau chief Ian Fisher and defense reporter Chris Drew.

-- Headlam told me after he leaves he'll be working on a new project with Malcolm Gladwell, a company that will be "doing digital journalism in a lot of different forms," "an

empty vessel for interesting things" including some writing, visual and audio journalism. There's no name just yet.

REVOLVING DOOR:

-- After just three months as Washington Bureau Chief for the New York Post, **Gabby Morronogiello** is returning to the Washington Examiner as a White House reporter. **Steve Nelson** is also joining the Examiner's White House team, he comes from U.S. News & World Report. More here.

TIL: You will soon be able to seamlessly incorporate a Taco Bell run into your Lyft ride via their app and this is genius because I am obsessed with Taco Bell. [The Verge]

CORRECTION: In yesterday's edition I wrote that Jason Leopold is with Vice. He's been with BuzzFeed now for months. Apologies!

EXTRAS:

-- ABC News and digital media company ATTN are partnering up to co-produce original social media video content. [ATTN]

-- **MSNBC had its first weekday primetime ratings victory,** but Fox News still won the total week. [The Wrap]

-- Ok, who wants to buy Gawker.com? The domain and all the old articles from the defunct website are going up for sale. [WSJ]

-- Time Inc. is putting three of its magazines up for sale: Golf, Coastal Living and Sunset. [Bloomberg]

-- Nielsen is adding data from Hulu and Youtube TV into its TV ratings measurement system. [Variety]

-- Fox was hit with another big lawsuit, this time by one of the execs accused of harassment. [The Hollywood Reporter]

-- People are mad that Olympic swimmer Michael Phelps didn't actually race a great white shark during Discovery Channel's Shark Week. [Variety]

-- Twitter faces congressional backlash after reportedly blocking users from posting an article critical of U.S. net neutrality laws -- they say it was a tlich [Recode]

-- "Guardian and News Corp to press ahead with ad alliance talks" [Financial Times]

--Viacom is said to be offering an all cash bid to acquire Scripps Networks, the owner of Food Network and HGTV. [Reuters]

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http://www.politico.com/media/tipsheets/morning-media/2017/07/26/conservative-media-breaks-with-trump-over-sessions-ijr-splits-from-imge-ny-times-departure-lounge-001318

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Mon 7/17/2017 2:04:18 PM
Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: House FAA bill up in the air — House Appropriations to mark up THUD spending bill tonight — Norwegian U.K. gets tentative OK from DOT

By Stephanie Beasley and Brianna Gurciullo | 07/17/2017 10:00 AM EDT

With help from Lauren Gardner and Tanya Snyder

HOUSE FAA BILL UP IN THE AIR: House Majority Leader Kevin McCarthy's floor schedule for this week left out Transportation Chairman Bill Shuster's FAA reauthorization bill. The million-dollar question, of course, is why. It's likely some combination of not enough votes - as our friends at POLITICO Playbook reported : "The whip count was close to a few dozen votes short as of the time lawmakers left town Friday afternoon" - and efforts to accelerate appropriations adding pressure on floor time.

But wait: The bill, H.R. 2997 (115), could be added quickly to the floor schedule if there's an opening or if the whip count changes.

MARK IT UP NOW, Y'ALL: The full House Appropriations Committee will mark up the fiscal 2018 spending bill for transportation and HUD tonight. The subcommittee held a less than 20-minute markup for the legislation last week, but expect this one to go longer. Remember, the bill includes $900 million targeted at projects like Gateway but would scrap the TIGER grant program.

HAPPY MONDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren will be back at the helm with Steph, so send along your tips, feedback and lyrics: lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

"Well, I got one foot on the platform / The other foot on the train / I'm goin' back to New Orleans / To wear that ball and chain." (h/t Zach Montellaro)

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with tunes (picked by us and readers) that are all about flying, driving, commuting and sailing?

NASAO SAYS NO: The National Association of State Aviation Officials came out against Shuster's bill on Friday, saying there are "unnecessary, controversial risks" to divorcing air traffic control operations from the FAA. In particular, the group opposes a stipulation to shrink the Airport and Airway Trust Fund, whose source of revenue is mostly excise taxes. "This provision completely dismantles a system of taxes that is nearly self-sufficient in favor of a haphazard tax scheme that cannot even support the authorized [Airport Improvement Program] increases contained in the bill reported out of Committee," said Mark Kimberling, NASAO's president.

WELL THAT'S AN INTERESTING ANALOGY: Rep. Steve Russell (R-Okla.) held forth on the floor of the House for 40 minutes Friday about what he described as the dangers of spinning air traffic control operations away off from the FAA. "We're all in agreement on modernization," he said. "But privatization? I'm afraid, Mr. Speaker, that a lot of us are like a pack of dogs lapping up antifreeze. It smells good. It might even taste good. But it's not without drastic consequence."

NORWEGIAN U.K. GETS TENTATIVE OK: DOT preliminarily decided that Norwegian U.K. should receive a foreign air carrier permit, according to an order issued Friday. The Norwegian Air Shuttle subsidiary applied for the permit to fly to the United States in late 2015. DOT said arguments against Norwegian U.K.'s bid reiterated those that had been "made by essentially the same opposing parties in the context of their objections" to the application for a foreign air carrier permit by Norwegian Air International, Norwegian Air Shuttle's Irish subsidiary. But DOT "has already thoroughly considered, and rejected, these arguments," Friday's order says. "We tentatively see no persuasive basis on the record of the present proceeding to reach a different conclusion here." Pros can read the full order here.

ICYMI: The Congressional Budget Office took a look at Trump's proposal to spend $200 billion on infrastructure over the course of a decade. Here's what the CBO had to say : "When considering the entire set of proposals in the budget, though, overall spending on infrastructure would not increase by $200 billion. The president's proposals for discretionary spending would reduce appropriations for other accounts that provide funding for infrastructure, such as those for ground transportation and water resources. Those reductions would largely offset the proposed increase in mandatory spending on infrastructure over the 2018-2027 period." Many a Democratic lawmaker has pointed this out. (h/t Jeff Davis at the Eno Center for Transportation, who spotted the CBO analysis.)

LAPTOP BAN UPDATE: The Department of Homeland Security issued a revised directive late last week clarifying aviation security updates that must be in place at 280 point-of-departure airports beginning Wednesday. Airlines requested the additional language clarifying the directive DHS initially issued on June 28 outlining measures that must be implemented to avoid electronics restrictions on flights to the United States, according to TSA spokesman James Gregory. He said the revised directive includes "technical adjustments that allow for the airlines to implement the measures to the full extent required." Reuters reported the directive would specifically give airlines more time to obtain explosive trace detection equipment.

Let's work together: A DHS spokesman told reporters last week that the department was offering technical assistance to airlines and airports and would be willing to provide interim alternative measures. "As we have said since the beginning of this process, DHS and TSA are committed to working alongside our aviation partners to ensure the enhanced security measures are implemented effectively and efficiently," Gregory said in a statement to MT.

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VISA REQUIREMENTS THEY ARE A-CHANGIN': The Trump administration is preparing new visa procedures that will include "extreme vetting" measures that would require applicants to "demonstrate the paperwork and background information that we need to appropriately demonstrate that they have or don't have a security past that would concern us," White House Homeland Security Adviser Tom Bossert said during a gaggle with reporters Friday. Homeland Security chief John Kelly has also said DHS could require visa applicants to share their social media passwords. "I would say that Secretary Kelly owns and is responsible for that portion of the policy, and for implementing it," Bossert said. The new visa procedures, which are expected to replace the administration's current ban on travel from six Muslim-majority countries, could be applied worldwide.

THIS WEEK:

Tuesday - The House Transportation Highways and Transit Subcommittee holds a hearing on implementing the FAST Act and road safety. The House Appropriations Committee marks up the fiscal 2018 spending bill for DHS.

Wednesday - The Senate Homeland Security and Governmental Affairs Committee marks up David Pekoske's nomination to be TSA administrator. The House Agriculture Committee holds a hearing on infrastructure in rural areas. The House Transportation Water Resources and Environment Subcommittee holds a hearing on implementing WRDA. The Air Line Pilots Association begins its public "Air Safety Forum."

Friday - The Drone Advisory Committee holds a virtual meeting.

GO SLOW: The NTSB will release a study on speeding-related car crashes later this month. NTSB said that speeding is responsible for as many highway crashes as alcohol. Despite speeding being one of the most common factors in vehicle crashes, contributing to about 10,000 highway deaths each year, it remains an "underappreciated problem," the agency said. NTSB officials will discuss findings from the new study on passenger vehicle speeding on July 25.

NOT NOW, NOT EVER: Paul Wiedefeld, the general manager and CEO for the Washington Metropolitan Transit Authority, announced Friday that he had fired a track department supervisor after discovering the supervisor had misused overtime and claimed earnings for times when he wasn't working. Wiedefeld called the incident "disturbing and disappointing." Metro employees "must hold ourselves to a standard of conduct that is above suspicion and reproach," he said in a statement.

BY THE NUMBERS: U.S. airlines disclosed that they had 27 domestic flight delays on tarmacs that lasted over three hours in May, the overwhelming majority of which happened at Philadelphia International Airport amid a thunderstorm, DOT said Friday. Another figure worth noting: DOT fielded 1,262 complaints related to U.S. air carrier service in May, a 54 percent increase from the same month of last year.

AMTRAK UPDATE ON 'SUMMER OF HELL' REPAIRS: Amtrak said its repair work at New York's Penn Station is running on schedule. In its most recent progress report, Amtrak said

it has even accelerated some of its scheduled work on tracks and switches for Penn Station and along the Northeast Corridor. Amtrak is expected to complete the project by Sept. 1, ahead of the Labor Day weekend.

GET YOUR MOTOR RUNNING: Washington state has launched its first self-driving car pilot. Gov. Jay Inslee's office announced the state would partner with Torc Robotics to pilot a vehicle in Seattle. Inslee issued an executive order last month allowing for the testing and operation of autonomous cars as well as pilot programs.

MT MAILBAG: Safety advocates fired off a letter Friday to House Appropriations Committee leaders asking them to fight anything in the fiscal 2018 DOT spending bill (or amendments to the bill) that would loosen federal restrictions on truck weight and size, preempt state rules for trucker rest breaks or create exemptions for electronic logging device regulations. The Truckload Carriers Association also wrote in last week, asking appropriators to reject any amendments that would allow twin-33 trailers across the country.

LOBBYING UPDATE: Jim Burnley, who was DOT secretary in the late 1980s and now is a partner at Venable, is lobbying for Mobile Barriers, a Colorado-based company that makes movable barriers for highway construction areas.

THE AUTOBAHN:

- "Here's what you need to know now about U.S. Customs searches of your phone." Quartz.

- "New jets threaten Airbus and Boeing duopoly." The Wall Street Journal.

- "Fiat Chrysler recalls 1.33 million vehicles over fire, air bag risks." Reuters.

- "Qatar Airways offers a glimpse of the new laptop security regime." USA Today.

- "Cities look to business (not Washington) to build sustainability." POLITICO Magazine.

- "No more napping on the railroad, says new CSX boss." The Wall Street Journal.

- "Trump badly lagging Obama, Bush, Clinton in political appointees." POLITICO.

THE COUNTDOWN: DOT appropriations run out in 76 days. The FAA reauthorization expires in 76 days. Highway and transit policy is up for renewal in 1,172 days.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Wed 5/31/2017 10:03:38 AM
Subject: Morning Media: A source close to Kushner — Pelley peaces 'Evening News' — The new Megyn Kelly — The anti-Media Matters

By Joe Pompeo | 05/31/2017 06:01 AM EDT

With Cristiano Lima and Alex Weprin

WAS RUPERT MURDOCH THE SOURCE IN THAT UN-BYLINED FOX NEWS STORY about Jared Kushner? His rep didn't have anything to say about that when Morning Media got in touch. But there sure was a lot of speculation yesterday that FNC's "source familiar with the matter" was the 21st Century Fox chief and Kushner pal himself. The May 29 article, "Jared Kushner didn't suggest Russian communications channel in meeting, source says ," got a second wind yesterday when President Trump retweeted a link to it, and media gossips were quick to point out that "Rupert Murdoch regularly talks to Jared Kushner and now this curiously unbylined story turns up on Fox News," as the FT's Matthew Garrahan put it. Our colleague Jack Shafer: "What if the source for that Fox story--which has no byline--is Rupert Murdoch?"

NPR media correspondent and Murdoch Kremlinologist David Folkenflik has an insightful run-down: "Fox News' Refet Kaplan tells NPR that Catherine Herridge, listed at bottom was lead reporter & after vetting, others wrote from her notes ... Fox report, sympathetic to Kushner & relying on sole source, cut agst NYT WaPo etc ... Given her past record, Herridge's involvement as central reporter gives the item more credence as a journalistic exercise; But.... Herridge moments ago on Shep Smith's show attributed story to 'a source who has talked to Kushner tells Fox News...' You know who talks to Kushner as well as Trump? Fox News acting CEO & effective owner Rupert Murdoch. Murdoch loves gathering and disseminating political gossip to editors et al. One of his delights as a newspaper proprietor."

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

MEGYN KELLY GAVE SOME INTERVIEWS AHEAD OF HER NBC DEBUT THIS SUNDAY - "I was not born to be a political news anchor," the former Fox News host told POLITICO's Hadas Gold . "I'm not going to miss the crazy news cycle. The audience enjoyed the show and I'm grateful for it. But it wasn't who I was and it isn't who I am . . . While I will cover politics ... I don't want to do only that. It's not enough for me personally." The new Megyn Kelly? "I want to foster more human connections and make people feel something better than the constant outrage." That said, the premiere of "Sunday Night with Megyn Kelly" will kick off with an interview that's about as political and "crazy news cycle" and "constant outrage" as it gets: Vladimir Putin.

REVOLVING DOOR: **SCOTT PELLEY OUT AT 'CBS EVENING NEWS'** - The New York Post's Page Six scooped last night and we confirmed independently that the anchor is leaving the program, and is expected to be shifted to "60 Minutes" full-time. A CBS source said

of Pelley's office being cleaned out yesterday, "Scott arranged to have his office moved out on his own. No one asked him to do that." Gotta love the Page Six attitude here: "We reported in December that Pelley was on his way out of the anchor chair on the flagship news show ... At the time, the network denied the story, telling us, 'There's no truth to this.' But now, there is a lot of truth to it." An official announcement about the change is expected today. Guest anchors will fill in for Pelley until a permanent replacement is named, and as of late last night it was unclear who that will be. Dylan Byers : "Sources now say that while Pelley has moved out of CBS News, he will anchor show again / have chance to say goodbye."

Elsewhere....

-- **The BBC's Ian Pannell is joining ABC News** as a senior foreign correspondent based in London, after more than 20 years with the U.K. news giant.

-- **NPR has hired Pallavi Gogoi**, a veteran of CNN and the Associated Press, as chief business editor.

-- **Longtime Pitchfork president Chris Kaskie** is leaving the influential music publication after 14 years, and less than two years after Pitchfork was acquired by Condé Nast. Billboard has more.

WHAT BETTER PLACE FOR A P.R. ROLLOUT OF THE RIGHT'S ANSWER TO MEDIA MATTERS than Sean Hannity's Fox News show? That's where conservative commentators Brian Maloney and Melanie Morgan last night introduced their new organization, the Media Equality Project, which has kicked off "Operation Fight With Fire" as part of "#StoptheScalpings" campaign calling for an end to the advertiser boycotts of right-wing media folk. Hannity's been on a jihad lately about what he sees as a left-wing plot to get rid of figures like himself and Bill O'Reilly, who was ousted from Fox News recently amid an explosive sexual harassment scandal, after Media Matters and other groups encouraged advertisers to pull out of his show. Morgan said backing Hannity was a "simple choice between good and evil," while Maloney promised to give liberal groups "a taste of their own medicine." Their first target? MSNBC's Rachel Maddow: "We want to call attention that Maddow has gotten away with being a conspiracy wacko for years and years."

More details in yesterday's announcement: "As long as Media Matters continues to attack conservatives, we will return them the same kindness. We begin with Rachel Maddow who has been the biggest purveyor of lies and propaganda in the media today. Like Media Matters, we will now inform the public and the advertisers about who they are financing."

Related, via the AP: "The USAA financial services firm is reinstating its advertising on Sean Hannity's Fox News Channel program after receiving heavy criticism for its initial decision from many of the military members and veterans that it serves."

MEANWHILE, HERE'S CNN'S STATEMENT ON KATHY GRIFFIN'S TRUMP BEHEADING - "We found what she did disgusting and offensive. We are pleased to see she has apologized and asked that the photos be taken down. We are evaluating New Year's Eve and

have made no decisions at this point."

MUST READS:

-- "Portland MAX hero's last words: 'Tell everyone on this train I love them'" [Oregon Live]

-- "Jared Kushner's charmed life is about to come to a screeching halt" [The Guardian]

-- "Amazon's Brick-And-Mortar Bookstores Are Not Built For People Who Actually Read" [The New Yorker]

-- "What Happened to J. Crew?" [NYT]

HEAT STREET EDITOR HEADED TO FOXNEWS.COM? Sister outlet The Wall Street Journal reports: "21st Century Fox FOX is looking to revamp Fox News's digital news operation, and part of the solution could come from sister company News Corp. Discussions are under way for Noah Kotch, the editor of News Corp's right-leaning news site Heat Street, to take the reins of FoxNews.com, people familiar with the matter say. The interest in Mr. Kotch comes after months of stop-and-go talks in which Fox explored acquiring Heat Street, the people say. Such a deal now appears unlikely." Lukas Alpert has more.

BILL O'REILLY'S NEXT BOOK - It's a juicy tell-all about the scandal that ended his two-decade career at Fox. KIDDING!!! It's a Revolutionary War-era non-fiction narrative and the latest in O'Reilly's "Killing" series. The AP has the details : "'Killing England: The Brutal Struggle for American Independence' will be published Sept. 19, Henry Holt and Co. ... The book will be co-written by O'Reilly's longtime collaborator, Martin Dugard. The six previous 'Killing' books, which include 'Killing Lincoln,' 'Killing Reagan' and 'Killing Kennedy,' have consistently sold more than 1 million copies each in hardcover ... O'Reilly said he chose the American Revolution because he had never read a book that explained it 'top to bottom' ... O'Reilly ... said he wasn't worried that sales would fall off without having his show to promote his books."

NEW POPULIST FOX NEWS SHOW PREMIERES SUNDAY - "The Next Revolution" -- announced in March and hosted by FNC contributor, British Conservative Party figure and Brexit backer Steve Hilton -- will lift off with "interviews with employees from the Silicon Valley who have not opened up about their political views for fear of backlash," the network said yesterday. "Additionally, a segment ... 'SwampWatch' will provide opinion and analysis on which industries, agencies and political groups in Washington D.C. and beyond are having an effect on President Trump's pledge to 'drain the swamp.'" Press release.

SOUND BITES:

-- "Since he walked out after condemning unnamed sources, here's a question for @PressSec: How many times has White House briefed anonymously?" [Peter Baker]

-- "Why doesn't Jared Kushner hold a news conference? Is there some law that says he never has

to speak in public or give an interview?" [Jeffrey Toobin]

-- "Last week @washingtonpost didnt credit us w/breaking back channel talks. Today @nytimes didnt credit us w/breaking FBI probing Kush-VEB meet" [Jonathan Landay]

-- "I go to bed worried that Marty is gonna beat us, and he goes to bed worried that we're gonna beat him" [Dean Baquet]

-- "Is there any job besides 'newspaper columnist' that is so hard to get and yet has zero performance standards" [Hamilton Nolan]

DETAILS ABOUT NYT'S NEW 'READER CENTER' - It was announced a few months ago, and some Times watchers were scratching their heads about how this thing would function differently than the public editor. Now we have a clearer picture, via Times deputy managing editor Cliff Levy, who explained in a memo yesterday : "Hanna" Ingber, formerly of the international desk, "will head a team that will partner with reporters, columnists and editors in the newsroom and in opinion on a range of projects, including: "Improving how we respond directly to tips, feedback, questions, concerns ... Helping to make sure that we are as transparent as possible in how we explain our coverage ... Broadening our efforts to allow readers to make their voices heard on our digital platforms ... [and] Overseeing our Facebook Live initiative."

In other Times news: The company says its newsletter subscriptions "have more than doubled to over 13 million in April 2017, from 6 million newsletter subscriptions in April 2014."

IF 'OBSERVER' WERE OFFERED UP FOR SALE, WHAT EXACTLY WOULD BE LEFT TO SELL? WWD reports: "A significant number of the Observer's skeleton staff has been let go less than a week after Ken Kurson resigned as editor in chief of Observer Media. The onetime salmon colored weekly newspaper, which Jared Kushner acquired in 2006, has been struggling to find its footing. ... On Tuesday morning, four staffers were laid off ... It could not be determined if any of the remaining editorial staffers, which total around 12, will be let go."

MORE CUTS COMING TO CONDE NAST? "No," business chief Jim Norton told WWD in an interview. And what about the rumor that Norton was brought in to get the company ready for a sale? "I mean I can't address it but I can tell you, it has never come across my desk." More: "Meet Jim Norton: The Man Behind Condé Nast's Restructuring"

SOUNDTRACK: The Jam, "Town Called Malice"

EXTRAS:

-- "Spicer's 'middle finger' to the press" [POLITICO]

-- Body-slammed Guardian reporter Ben Jacobs' broken glasses are to be immortalized in the Newseum. [The Guardian]

-- "Trump and the media: It's like Nixon all over again, says Gerald Ford's spokesman" [Yahoo

News]

-- MSNBC's President Phil Griffin says White House scandal and a renewed focus on hard news are to thank for the network's recent ratings surge. [Variety]

-- Jonah Peretti says a lawsuits targeting BuzzFeed for publishing the infamous Russia-Trump dossier is an attempt to "silence the American media." [Business Insider]

-- Bill Simmons is moving The Ringer from Medium to Vox, which will split the ad revenue. [WSJ]

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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Interior May Restore Pre-2015 Federal Fracking Regulations

Posted June 27, 2017, 03:16 P.M. ET

By Alan Kovski

The Interior Department appears poised to rescind its 2015 rule on hydraulic fracturing outright, after which it may simply revert to the pre-existing status quo on federal regulations for fracking on federal and Indian lands.

But, defenders of the Obama-era rule will have to wait and see exactly what the Trump administration does before they can formulate a legal strategy in response, Earthjustice attorney Michael Freeman told Bloomberg BNA June 26.

Oil and gas companies, routinely using fracking to enhance the flow of subsurface hydrocarbons, also are waiting, but with more hope for the outcome. Two of their trade groups, the Independent Petroleum Association of America and Western Energy Alliance, joined in litigation against the 2015 rule.

Interior asked a federal appeals court to hold the litigation in abeyance while the Bureau of Land Management (BLM) works to rescind the rule and considers what to put in its place.

The most recent federal brief filed at the U.S. Court of Appeal for the Tenth Circuit said BLM anticipates it will repeal the 2015 rule and revert to federal regulations for fracking that have existed for decades (Wyoming v. Zinke, 10th Cir., No. 16-8068, 6/20/17).

Looking to Pre-2015 Code

"It certainly looks like they are just going to rescind the rule outright" rather than replace it with a revised rule, Freeman said. But as for a legal challenge, he said, "I think we'll have to see what they say and how they try to do it."

The federal brief filed June 20 said, "BLM expects to seek comment on a proposal to rescind the

2015 hydraulic fracturing rule and to restore the affected sections of the Code of Federal Regulations to their pre-2015 language."

A BLM notice of proposed rulemaking is under review at the White House Office of Management and Budget, but its contents are not publicly disclosed.

The agency will provide for a public comment period of 60 days before a final decision, the government told the appeals court.

Authority to Regulate in Question

Wyoming, supported by three other states and the Ute Indian tribe, challenged the legal authority of the BLM to regulate fracking and won in the U.S. District Court for the District of Wyoming, vacating the 2015 rule. The Obama administration appealed, and the Trump administration has continued the appeal, hoping to defend its authority if not the details in the 2015 rule.

Environmental groups intervening in the case have asked the appeals court to continue the case, not hold it in abeyance, to rule on federal authority over fracking. In the June 20 brief, the government said the question of authority need not be decided in the current case.

"If BLM restores the earlier regulations, as it anticipates, BLM's statutory authority could be decided at that time within the context of a rule that BLM chooses to implement," Interior said.

The phrase "as it anticipates" was another indication of where the government was headed.

Federal Explanation Wanted

Freeman, whose Earthjustice law firm represents Earthworks, the Wilderness Society and other environmental intervenors in the case, said the federal government has not provided an adequate explanation to the appeals court of the rationale for the government's course of action.

He described the administration's moves as an "abdication of responsibility" to protect public lands. Like the Obama administration, he said the older federal regulations for fracking were out of date.

The government has indicated the 2015 regulations impose regulatory burdens that may be unjustified, but it has not spelled out the details. It also has cited President Donald Trump's March 28 executive order directing Interior Secretary Ryan Zinke to publish a proposed rule for "suspending, revising, or rescinding" the 2015 rule.

Oil and gas industry groups have been emphatic about what they see as the unjustified burden of additional reporting and approval requirements imposed by the Obama administration regulations.

State regulations have been adequate to govern fracking on federal as well as other lands, the industry groups have said. To them, the 2015 fracking rule was a solution in search of a problem.

EPA Nitrogen Dioxide Air Standards Up For White House Review

Posted June 27, 2017, 02:03 P.M. ET

By David Schultz

The EPA's review of its nitrogen dioxide air pollution standards is nearly complete with the agency sending its proposal for how to proceed to the White House Office of Management and Budget.

OMB is reviewing the agency's proposed decision, according to a June 26 posting on its website.

The Clean Air Act requires the Environmental Protection Agency to review its nitrogen dioxide standards at least once every five years to determine whether they should be revised. Earlier this year, the agency's air pollution science advisers said the EPA should leave the current standards in place. The agency also indicated it was leaning toward keeping the current standards in place in a draft version of its review that it released last year.

Nitrogen dioxide air pollution is primarily a byproduct of vehicle fumes that can cause serious respiratory problems. Regions that exceed the agency's standards for nitrogen dioxide levels, which are currently between 53 and 100 parts per billion, could face mandatory pollution control measures, including stricter permitting requirements for industrial facilities.

An OMB review is typically the final stage of the rule making process before an agency decision is made public.

$1 Billion Mine Cleanup Bill Moves to Full House

Posted June 27, 2017, 12:52 P.M. ET

By Stephen Lee

A bill that would speed the delivery of $1 billion to states grappling with old, unreclaimed mine sites passed a House committee June 27.

The Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More (RECLAIM) Act (H.R. 1731) passed the House Natural Resources Committee on a voice vote and now moves to the full House.

Under the bill, $1 billion would be drawn from the federal Abandoned Mine Land fund and delivered to states so they can clean up their most polluted or dangerous old mines. Money in the fund comes from a tax on coal production.

The committee adopted three amendments during the markup. One, offered by Rep. Don Beyer (D-Va.), lets states request funding for mine cleanup projects that aren't connected to future economic development. Previously, the bill required states to show an "economic nexus" for all projects at abandoned mines that pose a threat to health, safety and the general welfare of the public.

Another from Rep. Liz Cheney (R-Wyo.) would protect Wyoming—which alone pays more than half of the total AML fees because it's the biggest coal-producing state— from being affected by accelerated payments out of the fund. The third amendment, offered by Rep. Glenn Thompson (R-Pa.), would bar states that don't use the money for reclamation from receiving further funding authorized by the bill.

Two Senate Companion Bills

Rep. Donald McEachin (D-Va.) introduced but withdrew an amendment that would have struck a section from the bill moving the headquarters of the Appalachian Regional Commission out of

Washington, D.C., to a "more affordable location" in Appalachia. In McEachin's view, that move will only weaken the ARC, a $146 million federal-state partnership intended to create economic opportunities in the 13 Appalachian states and is consistent with President Donald Trump's intent, stated in his budget request, to eliminate the commission altogether.

The RECLAIM Act stalled in the last Congress when no senator offered a companion version. This year, however, two companion bills have been introduced—one by Senate Majority Leader Mitch McConnell (R-Ky.) and another by Sen. Joe Manchin (D-W.Va.)—and proponents on both sides of the aisle say they're optimistic it will pass.

During the House markup, the panel also passed the Community Reclamations Partnerships Act (H.R. 2937), which lets states assume the liability for good samaritans who want to clean up old mine lands.

Other bills advanced to the full House include the Resilient Federal Forests Act (H.R. 2936), which seeks to reduce the risk of catastrophic wildfires through active forest management, according to its sponsor, Rep. Bruce Westerman (R-Ark.). The bill passed on a 23-12 vote.

The Water Rights Protection Act (H.R. 2939), which bars the Departments of the Interior and Agriculture from requiring private citizens to hand over their water rights to the federal government in order to keep operating on federal lands, passed on a 24-14 vote.

Pumped Hydropower Storage Bill Passes House

Posted June 27, 2017, 03:34 P.M. ET

By Brian Dabbs

A bill designed to eliminate regulatory uncertainty in hydropower storage at federal reservoirs passed the House June 27.

The legislation (H.R. 1967) would tap the Bureau of Reclamation as the lead regulator for pump storage at the agency's facilities. The Federal Energy Regulatory Commission sometimes requires permits for that activity, and the legislation would remove FERC from the regulatory process, the bill's supporters said.

A House Natural Resources Committee spokeswoman previously told Bloomberg BNA that the bill could be part of a broad infrastructure package in the future. Its status in the Senate remains uncertain.

Pump storage is similar to a battery, and proponents said it's a useful way to extend the period of time that hydroelectric power is available. Water is pumped from a lower reservoir to a higher reservoir and later used to generate electricity.

Rep. Doug Lamborn (R-Colo.) sponsored the bill, and Rep. Cathy McMorris Rodgers (R-Wash.), a member of the Republican leadership and founder of the Hydropower Caucus, joined on the bill.

Perry: Renewables Affect Grid Reliability; FERC Member Refutes

Posted June 27, 2017, 02:47 P.M. ET

By Rebecca Kern

Energy Secretary Rick Perry said previous policies benefiting renewable resources threaten baseload resources and lead to a less reliable electric grid, but Federal Energy Regulatory Commissioner Colette Honorable refuted his claim.

"These politically-driven policies, driven primarily by the hostility to coal, threaten the reliability and stability of the greatest electrical grid in the world," Perry said June 27 at the Energy Information Administration's annual conference in Washington.

"We'll also ensure our grid reliability and that our baseload capacity that is needed to power the economy is not tossed aside in the name of some political favorite," Perry said, referring to the tax subsidies Congress passed during the Obama administration for wind and solar technologies.

Honorable: 'Bring on' Renewables

But FERC's Honorable refuted the assertion that wind and solar resources threaten reliability. Baseload generators include nuclear power plants and coal plants, many of which are closing due to low natural gas prices, energy analysts and grid market operators said.

"Do I believe [renewables] have impacted grid reliability? Absolutely not," she said a session following Perry's presentation at the EIA conference. FERC is an independent agency that orders and approves standards to ensure the reliable operation for the electric grid.

"Do we recognize that renewables have different attributes? Yes. Do we recognize that we must ensure the proper support for renewables? Yes," she said.

But no reliability problems have occurred in the regional grids operated in the Midwest and Texas, where large amounts of wind have been integrated onto the system, according to Honorable.

"I don't see any problems with reliability, and I say, 'Bring on more renewables,'" she added.

Honorable announced late June 26 that Friday, June 30, will be her last day as a commissioner.

Department Grid Study

Perry has questioned the impact of renewable subsidies and taxes on baseload resources and whether adding more renewables would affect the grid's reliability, and directed the Energy Department to conduct an internal study of reliability of the electric grid.

"I've asked the staff to undertake a critical review of the regulatory burdens placed by the previous administration on baseload generators," he said. The study is expected to be issued to the public in July.

The renewable industry is on the defensive, however, saying intermittent resources such as wind and solar add more resiliency, diversity, and reliability to the electric grid.

A June 26 report from the Natural Resources Defense Council concluded that today's grid planners are increasingly valuing resource flexibility to make it easier to balance supply and demand in real time. It found that baseload plants are limited in providing this flexibility because they can't be turned on and off without incurring significant cost.

A white paper that the Advanced Energy Economy Institute issued in May highlighted the flexibility that renewable resources offer. The Solar Energy Industries Association and the American Wind Energy Association sent similar briefing papers to the Energy Department.

Energy Secretary Supports Nuclear, but Funding Cut Proposed

Posted June 26, 2017, 09:00 P.M. ET

By Rebecca Kern

Energy Secretary Rick Perry called domestic nuclear energy development a "game changer" at the start of White House "Energy Week," but the department's proposed budget would cut funding for its nuclear office.

Perry's June 26 comments to reporters came during the announcement of Energy Week events including some focused on American energy dominance—bringing together state, tribal, business, labor leaders in Washington. The week will culminate with an announcement on American energy policy by President Donald Trump at the Energy Department headquarters June 29.

Perry called U.S. nuclear policy "an important player in the development of our clean energy portfolio globally."

"I believe we can achieve this by focusing on the development of technology like advanced nuclear reactors, and small modular reactors," he added.

Advanced reactors are still decades away from commercialization and materials other than water, such as sodium and gas, to cool the reactors. Meanwhile, small modular reactors—smaller-scale and purportedly safer water-cooled reactors—could be on the market by the mid-2020s, with NuScale Power LLC's application under review by the Nuclear Regulatory Commission.

But the proposed fiscal year 2018 budget request for the Energy Department includes a 28 percent cut to the Office of Nuclear Energy from $984 million in the fiscal year 2017 annualized continuing resolution to $703 million. The office is responsible of nuclear technology research and development.

Analyst Skeptical

Chris Gadomski, the lead nuclear analyst at Bloomberg New Energy Finance, is skeptical of Perry's backing.

"Perry says there is support for the U.S. nuclear energy industry, but he says nothing about financial support for the industry," he told Bloomberg BNA June 26.

"Commercializing an advanced reactor will cost between $1.5 billion to $3.5 billion and represents a very risky venture given low natural gas prices, no carbon price, and policy preferences for renewables," he said. "That is a huge challenge for the U.S. industry even with government support. Trump's budget cuts rather than increases support for nuclear."

The Nuclear Energy Institute's Neal Cohen, the senior vice president of external affairs, told Bloomberg BNA that he was "heartened to see Secretary Perry recognize ... the fact that nuclear is

essential and can't be taken for granted." But the trade group, which represents the nuclear power industry, has lamented the proposed funding cuts to nuclear.

"Unfortunately, the proposed budget does not support the actions necessary for the U.S. nuclear energy industry to thrive. Now is not the time to back away from federal investment that has played such a pivotal role in making the United States a world leader in this technology," Maria Korsnick, NEI's president and CEO, said in May when the budget was released.

Defining Energy Dominance

The Energy Week is part of a month-long series of policy-themed weeks, including infrastructure week. The week will focus on American jobs utilizing U.S. domestic energy resources. Perry defined energy dominance as "using domestic resources for the good here at home and abroad."

"An energy-dominant America means a self reliant, a secure nation, free from geopolitical turmoil of other nations who seek to use energy as an economic weapon," he said.

"An energy-dominant America will export to markets around the world, increasing our global leadership and influence. Becoming energy dominant means that we are getting government out of the way so that we can share our energy wealth with developing nations," he added.

Perry Seeks Energy Pact with Mexico, Canada as NAFTA Talks Near

Posted June 27, 2017, 8:09 A.M. ET

By Josh Wingrove and Jennifer A. Dlouhy

The U.S. has a unique opportunity to develop a "North American energy strategy" with Canada and Mexico, Energy Secretary Rick Perry said, striking a conciliatory tone with the other members of the North American Free Trade Agreement.

While President Donald Trump has blasted NAFTA and moved to renegotiate it, Perry referred to the upcoming talks as a "massage" of the 1994 NAFTA deal, saying it presents an opportunity to bolster energy ties, not enact new trade barriers.

"That relationship I don't think has ever been more important than it is today, particularly from an energy perspective," he told reporters at the White House June 26, while stressing his close ties with his counterparts in Ottawa and Mexico City. "Energy is going to play a very important role."

His comments come at the outset of so-called "Energy Week" from the White House, as Trump works to reduce regulations on energy producers and jump-start energy exports. Perry's comments are nonetheless the latest signal Trump's cabinet is warming to trade ties with Canada and Mexico—whether it's lauding NAFTA and its impact on farmers or saying any revisions of the pact will be good for the U.S. neighbors, as well.

"Energy is an ideal area for the Trump administration to move forward with the relationship," Duncan Wood, director of the Mexico Institute at the Woodrow Wilson Intentional Center for Scholars, said in a telephone interview.

Trump has long advocated for American energy dominance, Wood said: "But everybody knows that for the United States to do that on its own is a pipe dream in the short term at least—but for North

America working together, it becomes feasible."

Canada Trade

Perry likened NAFTA renegotiation to the "need to renegotiate a contract from time to time," saying the president wants to "massage" and "rework" the deal, with energy playing an important role. When NAFTA was negotiated, the U.S. was reliant on oil imports from Canada and Mexico; it's now both a major exporter and importer of oil and natural gas with both nations.

"I think we have a unique opportunity in this country to develop a North American energy strategy that will pay great dividends for Canadians, for Mexicans, for Americans, as we go forward," he said, adding he has good working relationships with Canada Natural Resources Minister Jim Carr and Mexican Energy Secretary Pedro Joaquin Coldwell.

Carr echoed the comments, saying in a June 26 interview that Perry has championed North American energy cooperation since his first days on the job.

"We both understand the importance of that integrated market," Carr said in an interview. "We understand we have to keep goods flowing, that we can establish North America as a world leader in the production of conventional and clean energy."

Oil Trade

Energy is a pillar of North American trade. Imported crude from Canada and Mexico now accounts for a larger percentage of total U.S. imports, growing to 49 percent in 2016, from 34 percent in 2010, according to the American Petroleum Institute.

North American energy trade acts to balance regional supply and demand needs. In 2016, the U.S. exported 2.1 trillion cubic feet of natural gas by pipeline to Canada and Mexico, while also importing 2.9 trillion cubic feet from the countries, according to the U.S. Energy Information Administration. The U.S. exported 1.6 billion barrels of crude oil and petroleum products to Canada and Mexico that year, while importing 1.4 billion barrels from the two countries, the EIA reported.

North American energy markets are already highly integrated, at least in oil, gas and petroleum products. Electricity is the outlier; while there are grid connections across the U.S.-Canada border, similar transmission does not occur between the U.S. and Mexico.

Trade Disputes

Already, a plurality of shipments of liquefied natural gas—20 percent, Bloomberg data show—from Cheniere Energy Inc.'s Sabine Pass export facility ultimately have been sold to Mexico since that site began shipping LNG in early 2016.

"If you would have asked me to think about where these volumes would go a year, year and a half ago, I wouldn't have guessed our neighbors to the south of the border would be the single largest market to date," Cheniere Executive Vice President Anatol Feygin said at an EIA conference in Washington June 26.

To be sure, the trade disputes between the countries go beyond NAFTA and energy. The U.S. and Mexico hope to sign a final deal on sugar imports this month, settling a long-standing irritant.

The U.S. imposed a second-round of duties on Canadian softwood lumber on June 26—a move widely expected even before Trump's election. The U.S. is also reviewing steel rules, though Canadian Prime Minister Justin Trudeau is confident his country will be spared by any new measures. The U.S. and Canada are also at odds over aerospace.

Energy, Keystone

There's more room for the conversation now, too, since the Trump administration authorized construction of TransCanada Corp.'s proposed Keystone XL pipeline to deliver oil sands crude from Alberta across the border, ultimately going to Gulf Coast refineries. For years as the Obama administration skeptically weighed the project and environmentalists battled the pipeline, it overshadowed trilateral talks.

That's no longer the case.

"Mexico and the United States could talk about pipelines for natural gas, but ultimately on a trilateral basis, it was all stymied by that issue of Keystone," Wood said. Without the Keystone decision hanging over discussions, "it liberates the agenda a little more."

—With assistance from Jennifer Jacobs and Catherine Traywick.

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Navajo Vote to Extend Large Coal-Fired Power Plant's Lease

Posted June 27, 2017, 9:00 A.M. ET

By Stephen Lee

The massive coal-fired Navajo Generating Station can continue to operate through 2019 after the Navajo Nation Council approved legislation allowing it more time to shut down.

The passage of Legislation No. 0194-17 June 26 gives the operators of the 2,250-megawatt Navajo Generating Station in Page, Ariz.—the biggest coal plant in the West—five years to decommission and remediate the facility starting Dec. 23, 2019, when the current 50-year lease expires.

Had the measure failed, the plant's operators would have had to close it in a matter of days to give themselves enough time to decommission the plant by the 2019 expiration date. The plant's owners said earlier that decommissioning would take roughly two years.

The extension also means the large Kayenta Mine 80 miles away, which solely provides coal to the Navajo Generating Station, will stay open through 2019. If and when the power plant closes, however, the mine will also close because it doesn't have a rail link connecting it to any other customers.

Peabody Energy, which operates the mine, has taken out a $235 million bond to reclaim the land. Some environmental advocates, however, question whether the bond amount is enough to reclaim the 35.8 square miles that have been mined at Kayenta.

Navajo leaders, fearful of what the plant's closure would mean for their economy, had supported the extension. The plant employs roughly 400 workers, and the mine employs another 243, according to

the Institute for Energy Economics and Financial Analysis.

Grim Outlook Beyond 2019

The chances of the plant remaining open beyond 2019 appear murky at best. No outside buyers have stepped forward to take over the plant when the current lease expires, but several players, including the Navajo Nation and Peabody Energy, are actively looking for a buyer.

Andy Tobin, commissioner of the Arizona Corporation Commission—the state's public utilities commission, told Bloomberg BNA before the vote that the plant plays a central role in Arizona's economy.

"It's the only coal plant in Arizona that burns Arizona coal," Tobin said. "Without it, Arizona will become a full-time energy importer, which is something that bothers me as a whole."

Tobin also said he thinks it's possible to build a rail link to the Kayenta Mine, so Peabody can sell the coal to other customers.

Monsanto's Foes Are Branching Out

Posted June 27, 2017, 7:00 A.M. ET

By Tiffany Stecker

Call it the anti-Roundup dream team. A coalition of attorneys, invigorated by their lawsuit representing cancer victims against Monsanto Co., is tackling the world's most popular weedkiller on multiple fronts. They are veteran environmental attorney and political scion Robert F. Kennedy, Jr.; Aimee Wagstaff of Andrus Wagstaff LP in Lakewood, Colo.; Michael Miller of the Miller Firm LLC in Orange, Va.; Michael Baum and Brent Wisner of Baum Hedlund Aristei Goldman PC in Los Angeles; and Robin Greenwald of Weitz & Luxenberg PC in New York. Their weapon? A glimpse at decades of Monsanto's internal deliberations on glyphosate, the main ingredient in Roundup herbicide. The attorneys have spent the last several months poring over hundreds of confidential documents they say show that the company actively worked to downplay the cancer risk for glyphosate. The plaintiffs in the high profile multi-district litigation (MDL), being heard in the U.S. District Court for the Northern District of California, allege that Monsanto's Roundup caused their non-Hodgkins lymphoma, a relatively common cancer of the blood.

They are now extending to another legal challenge. On June 20, they joined other attorneys in filing a complaint that accuses the company of falsely advertising that glyphosate works by targeting an enzyme that is not found in people or pets. They are teaming up with another law firm that is building a name on suing food companies for making such claims.

The attorneys have also weighed in on California's decision to list glyphosate as a carcinogen under the state's Proposition 65 law, which goes into effect July 7, and provided information to members of the European Parliament to sway decision-making on the herbicide. The zeal with which the firms are taking on Monsanto—fueled, Kennedy said, by the troubling information culled from the documents—is rare in private practice, he told Bloomberg BNA. "I've never seen private attorneys so energized against a defendant," Kennedy, whose Hurley, N.Y.-based firm Kennedy & Madonna LLP is working with Baum Hedlund on the litigation, said. "Everybody is cooperating so well, we've created a team." Since March, the lawyers have successfully unsealed a trove of emails, letters and studies intended to inject doubt into the process by which Roundup earned its Environmental Protection Agency approval. They suggest that Monsanto's scientists ghost-wrote studies that

cleared glyphosate of its cancer-causing potential; that the company tried to enlist EPA staff to shut down an investigation into the herbicide; and that officials hired a scientist in 1985 to persuade EPA regulators to change its decision on its cancer classification for glyphosate.

Monsanto has denied these allegations, and the judge presiding in the case also has panned the attorneys for trying to unseal documents not directly relevant to the case, calling the move a "PR campaign" at a May 11 hearing.

Injury Lawyers as 'Private AGs'?

People seeking to sue over Roundup exposure may now be more inclined to approach the firms, Wisner of Baum Hedlund told Bloomberg BNA. "We've all had a chance to see what's behind the curtain," he said. "We bring a lot of institutional knowledge to the litigation."

Since its introduction to consumers in 1974, Roundup has helped revolutionize farming practices, allowing growers to control weeds more efficiently and boost agricultural productivity. But concerns over use with genetically-engineered crops, the chemical's presence in foods, and its role in fostering glyphosate-resistant weeds have left environmentalists skeptical.

Nonprofits have been suing the EPA and other federal agencies for failing to properly regulate glyphosate since the 1990s.

"The problem is so big, it's creating opportunities left and right," Adam Keats, a senior attorney with the Center for Food Safety, told Bloomberg BNA.

Regulatory bodies around the world, including the EPA, have backed findings showing that Roundup has low toxicity. But a contested 2015 finding from the International Agency for Research on Cancer that glyphosate is a "probable" carcinogen created an upwelling of cases from consumer protection and personal injury firms, many of which have been consolidated in the Northern District of California MDL.

These firms have deeper pockets—and less to lose—than environmental nonprofits fighting an agricultural giant, Keats said.

"We don't have the same resources that law firms have; therefore, we pick and choose what we challenge," he said. In seeking to reform the regulatory process, "we're less subject to litigation tactics that would bleed us dry."

When government agencies are reluctant to change their practice, consumer protection lawyers serve as vigilantes against weak regulation, Wisner said.

"I think that these [attorneys for] consumer fraud cases, for better or worse, were effectively becoming private attorney generals," he said.

Suit Is Frivolous, Says Monsanto

The attorneys' latest complaint, filed in the U.S. District Court for the Western District of Wisconsin, pushes back against one of the company's claims.

Glyphosate kills weeds by inhibiting an enzyme essential for keeping plants alive. The chemical disrupts the pathway that the enzyme, 5- enolpyruvylshikimate-3-phosphate (EPSP), takes to

process amino acids, the building blocks of proteins.

Animals don't process amino acids through the same pathway as plants. But bacteria, including the microbes that populate mammals' guts, do. Recent research has found that human intestinal flora can affect the immune system, allergies, and even behavior. Therefore, Monsanto cannot declare that "glyphosate targets an enzyme found in plants but not people or pets," the plaintiffs say.

SImilar "enzymatic pathway" arguments against Monsanto have failed in the past. Federal courts in New York and California dismissed cases when plaintiffs sought relief in the form of court-ordered label changes. The cases were thrown out because one of the nation's pesticides laws, the Federal Insecticide, Fungicide and Rodenticide Act, dictates what information makes it on pesticide labels and pre-empts any injunctive relief claims.

The current action does not seek label changes. Instead, it seeks to compensate consumers who bought Roundup under the representation that the product does not affect human health, Kim Richman, an attorney with the Brooklyn, N.Y.-based Richman Law Group, told Bloomberg BNA.

The Richman Law Group has sued several food and tobacco companies for making false and deceptive claims on their products. They have gone after General Mills for calling Nature Valley granola bars "natural" despite the presence of glyphosate residues, and RJ Reynolds Co. for implying that their brand of American Spirit cigarettes are healthier and safer than other brands.

In the Monsanto challenge, Richman said he wants to draw attention to glyphosate's "real and most pervasive effect — weakening the human gut biome."

"The public has been misled on this point, and it must be addressed," he said.

Monsanto is confident the challenge will go nowhere.

"These are frivolous lawsuits without any merit. We will defend the Company vigorously, and we are confident we will prevail," spokesman Sam Murphey said in an emailed statement.

The match between Richman and the lawyers in the Non-Hodgkins lymphoma MDL is a natural one for the anti-glyphosate crusaders.

"We're bringing the science, he's bringing his world class knowledge of consumer fraud," Kennedy said.

David v. Goliath

Richman has also sued Monsanto in D.C. District Court, as well as in Illinois federal court, over the company's claims that Roundup doesn't affect humans. In the latest complaint, the attorneys represent plaintiffs from Illinois, New York, Wisconsin, California, New Jersey and Florida, kicking off a nationwide class-action suit to recover monetary damages.

It's Richman's latest "big tent" approach in bringing together firms and groups taking on glyphosate from different angles: from consumer deception to public health.

Rather than having competing actions filed in different corners of the U.S., Richman said, his law group is coordinating attorneys across the country and across various practice areas.

This is "all in an effort to file together against a Goliath and bypass an otherwise complicated MDL process, which can often waste valuable judicial resources and delay available relief," he said. The group used a similar tactic in lawsuits against Quaker Oats and General Mills.

The MDL process is triggered by the Judicial Panel on Multi-District Litigation (JPML), a panel of judges that meet six times a year to consolidate complaints across the country into a single court, allowing the process of collecting evidence to play out in that court before a trial begins in the jurisdiction of origin. The judges centralize these cases to avoid duplication, prevent inconsistent pretrial rulings, and save money.

But the MDL process can also be complicated, delaying relief and inviting some firms to take advantage of the system in a way that does not serve the lead plaintiffs or classes they seek to represent. The JPML may unwittingly disenfranchise the plaintiffs or classes by centralizing the cases far from their chosen jurisdiction, Richman said.

Instead of triggering an MDL, he said, the attorneys are able to self-organize and create a "mini" MDL. Avoiding the traditional process, when possible, reflects an emphasis to place plaintiffs and classes "before control and power," Richman said.

The choice of the Wisconsin court is a deliberate one. The court has a reputation for quickly moving cases off the docket, Kennedy said.

Although these mini MDLs generally benefit plaintiffs, they also sidestep the neutral decision-maker in the MDL panel, said Andrew Bradt, an assistant professor at the University of California, Berkeley School of Law who studies the MDL process. Both plaintiffs and defendants like to "shop" for the best court, which can lead to gamesmanship and inefficiency in the legal system. "This is forum shopping on steroids," he said.

Chemical Makers Can Ask, Pay For Part of EPA Risk Analysis

Posted June 27, 2017, 03:14 P.M. ET

By Pat Rizzuto

Chemical manufacturers can request and foot the bill for the EPA to review the risks of some chemical uses without triggering an obligation to cover the cost of a more comprehensive examination, a senior agency official said.

A 2016 update to the nation's chemical safety law allows chemical manufacturers to ask the Environmental Protection Agency to evaluate the risks of chemicals they make—provided the companies pay for the review, which can cost more than $1 million. Between 25 and 50 percent of the chemical risk evaluations the agency conducts can be carried out at the requests of chemical manufacturers who also foot the bill.

A recently issued regulation allows chemical manufacturers that want the EPA to evaluate the risks of some—but not all—uses of a chemical to request and pay for the narrower evaluation, according to Wendy Cleland-Hamnett, acting assistant administrator for chemical safety and pollution prevention. That is a change from the proposed version of the rule that would have required the companies to pay the costs of evaluating the risks of all the chemical's uses—even if the company didn't make the chemical for those other applications.

There are many reasons chemical manufacturers may want the EPA to assess the risks of a

chemical they make. For example, one or more manufacturers may think the chemical they make—or certain uses of it—pose little risk. Having a formal EPA conclusion that agreed with them could benefit them in the marketplace.

The EPA, however, will examine all the uses of that chemical that it thinks warrant review, Cleland-Hamnett said June 27 at a forum on the revised chemicals law held at the George Washington University School of Public Health in Washington, D.C. She discussed changes the EPA made to a trio of chemical regulations issued June 22, the one-year anniversary of the Toxic Substances Control Act amendments of 2016.

EPA Starts Water Rule Repeal, Fulfills Trump Campaign Pledge

Posted June 27, 2017, 02:23 P.M. ET

By Amena H. Saiyid

EPA Administrator Scott Pruitt June 27 initiated the repeal of an Obama-era water jurisdiction regulation by issuing a proposal that would reinstate prior policies on what waters are subject to federal protections, the agency announced.

The proposed repeal, once in final form, will be the first step the Trump administration takes in a two-step process to undo the 2015 Clean Water Rule, also known as the Waters of the U.S. rule (WOTUS). The second step, which Pruitt has said will be completed by as soon as the end of the year, will involve a rewrite of the 2015 regulation.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," Pruitt said in a June 27 news release announcing the proposal. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

Waters and wetlands that fall under Clean Water Act jurisdiction are protected from pollution by federal discharge and dredge-and-fill permits, oil spill prevention requirements, water quality standards, and state water quality certifications, among other programs.

The Obama-era water rule is facing dozens of lawsuits from various business, agriculture and manufacturing groups, including Murray Energy Corp., who argued the federal government improperly expanded its regulatory reach over waters. Environmental groups also have challenged the rule to make it more protective than its current form.

The significance of this first step (RIN:2040-AF74) is that it will take the 2015 Obama water rule off the books, rendering moot all outstanding federal legal challenges against the regulation, attorneys said.

Trump Promised Rollback

The EPA's action moves Trump closer to fulfilling the pledge he made during his presidential campaign and in a February executive order that directed the EPA to undo the regulation that he and other Republicans have termed a "federal land grab."

Trump ordered the EPA and the U.S. Army Corps of Engineers to craft the new jurisdiction rule with states, their co-regulators in implementing the Clean Water Act. States are eagerly looking forward

to that and have encouraged the administration to share more than just an outline of its plans to rewrite the jurisdictional rule.

The undoing of the Obama-era water rule will involve the reinstatement of a 1986 jurisdiction rule and related guidance that the EPA said was in place "prior to the issuance of the Clean Water Rule and that is being implemented now under the U.S. Court of Appeals for the Sixth Circuit's stay of that rule."

A Sixth Circuit panel issued a nationwide stay of the WOTUS rule in 2015 after determining that there was a good chance that groups challenging the rule would prevail.

Reed Hopper, principal attorney with Pacific Legal Foundation's environmental law practice, told Bloomberg BNA in an email that the proposed repeal of the Clean Water Rule would end that Sixth Circuit litigation. However, Hopper said it would not end proceedings before the U.S. Supreme Court, which has been asked to decide which federal court should hear challenges to a water jurisdiction rule.

"The justices know they need to address the issue before a new WOTUS rule is issued," Hopper said.

California Mounts Lobbying Blitz for EPA Water Loans

Posted June 27, 2017, 7:30 A.M. ET

By David Schultz

The Golden State is making a strong lobbying push to try to win new federal loans for water infrastructure projects, according to data and documents reviewed by Bloomberg BNA.

The EPA has received applications from water systems across the country for these loans in 2017, the first year the agency will dole them out. But California is head and shoulders above its peers in trying to persuade the agency to send the loans its way.

Officials in California's water utility industry told Bloomberg BNA that their state's thirst for these infrastructure loans is the result of a desperate need for more efficient water delivery amid a population boom and a crippling drought. But the state may also be trying to give itself a leg up in what will likely be a highly competitive EPA approval process.

Though the agency only has funding to subsidize $1.5 billion in loans this year, water systems are asking it to back 43 different infrastructure projects that would add up to a total of $6 billion.

"It's going to be super competitive," Dan Child, the general manager of Silicon Valley Clean Water, told Bloomberg BNA.

Of the 43 loan applications, 19 come from California. No other state submitted more than three.

Low-Cost Loans

The loans were established by the Water Infrastructure Finance and Innovation Act, also known as WIFIA. Unlike some other federal grant programs, WIFIA doesn't provide municipalities with all of the money they need to complete an infrastructure project. Instead, the program subsidizes the

municipalities' borrowing costs, which allows them to finance a project at much lower rates.

The EPA in fiscal year 2017 will allocate almost $25 million in subsidies, which it says will allow water systems to take out a total of $1.5 billion in low-cost loans. These loans can then be combined with other sources of funding to complete projects worth up to $3 billion, according to the agency.

Child's organization, which runs a Bay Area sewer system, is applying for nearly $200 million in WIFIA loans to replace an 8-mile long pipe that carries untreated sewage to its treatment plant in Redwood City. Like many of his fellow Californians who applied for these loans, Child enlisted the help of lobbyists in Washington.

A Bloomberg BNA review of lobbying filings from the first quarter of 2017 found that more than a dozen municipalities in the state deployed lobbyists to the Environmental Protection Agency and to Capitol Hill to discuss the new water loan program, far more than any other state.

Drought Driven?

The firm Child's organization employed, The Ferguson Group, also represented water systems in San Diego and Monterey.

Its CEO, Roger Gwinn, said that interest has been high from California because the state's water systems are facing huge problems that can't be solved by issuing more bonds or raising water rates.

As recently as April of 2016, more than half of the state was facing extreme drought conditions, according to federal drought monitoring data. Meanwhile, the state's population has increased by more than five percent since 2010, according to Census Bureau estimates.

"They've got tremendous challenges," Gwinn told Bloomberg BNA. WIFIA "saves a tremendous amount of money for the borrowers."

He said many of the applications that have come from the state would address its water shortages by funding desalinization projects or water reuse technology.

Lawmakers Enlisted to Help

Gwinn said he reached out to numerous California lawmakers to ask them to support his clients. Ultimately, five sent letters to the EPA this spring about WIFIA applications from their districts: Sen. Dianne Feinstein (D-Calif.) and Reps. Jackie Speier (D-Calif.), Lou Correa (D-Calif.), Ed Royce (R-Calif.), and Dana Rohrabacher (R-Calif.). That's according to documents obtained by Bloomberg BNA through an open records request.

Sen. Bill Nelson (D-Fla.) sent a letter to the EPA as well regarding a WIFIA application submitted by Osceola County in Florida.

Adam Russell, a Feinstein spokesman, said it's common across Capitol Hill for a constituent to ask their lawmaker to weigh in on an application they have pending with a federal agency.

"Senator Feinstein takes these requests seriously and, when appropriate, weighs in with her support in order to ensure that federal dollars are spent wisely," Russell told Bloomberg BNA.

A spokesman with Rep. Correa echoed these comments, telling Bloomberg BNA that Correa

"supports improving infrastructure in his district."

Criteria for EPA Awards

It's unclear how effective the lobbying push can be given the way the law is written.

In the WIFIA law, there is language that spells out the criteria the agency must follow when determining which loan applications to grant, according to EPA spokeswoman Amy Graham. One of those criteria, she told Bloomberg BNA in an email, requires the agency to consider the geographic diversity of the program's borrowers.

That means that while more than 40 percent of this year's applications come from California, the state likely won't receive 40 percent of the loans.

Dan Hartnett, the head of legislative affairs with the Association of Metropolitan Water Agencies, said there are enough safeguards built into WIFIA to prevent lobbying or political influence from swaying the outcome of the process.

"I'd be skeptical that [lobbying] would make any difference from the sense I've gotten from EPA staff," Hartnett told Bloomberg BNA. "It seems that Congress wrote the law not to make it pork."

Infrastructure Funding Gap

But should it be?

Timothy Quinn, head of the Association of California Water Agencies, said lawmakers should be using their clout to advocate for infrastructure projects in their districts. Weighing in on a WIFIA loan application is one way they can do that now that earmark funding has been banned in Congress.

"In the old rules, you got an earmark and that's how you helped your district," Quinn told Bloomberg BNA. "Now you get a low-cost loan. I don't see anything wrong with that at all."

And it's not as though upgrading water infrastructure is a frivolous pursuit, he said. The EPA estimated in 2011 that the country's drinking water systems needed more than $380 billion in upgrades, an estimate that didn't include wastewater needs. Meanwhile, other than WIFIA's $1.5 billion in loans, the only other significant sources of federal funding for water infrastructure comes from the EPA's State Revolving Fund program, which the president is proposing to fund at just over $2 billion for the next fiscal year.

The gap between federal funds and infrastructure needs ultimately falls on states, cities and, in the end, water bill payers.

Quinn said that, with the needs so high and the federal funding so scarce, water systems have a right to do all they can to bring home any dollars that are available. This is especially the case in California, where demand for water is rising while its supply is falling.

"We've been pursuing expensive local resources to make ends meet," Quinn said. "WIFIA fit with what we've been doing in California like a glove. It's a new tool and a good tool."

—With assistance from Rachel Leven

Germany Prepares Fund to Encourage Pension-Pot Climate Spending

Posted June 27, 2017, 8:46 A.M. ET

By Mathew Carr and Brian Parkin

Germany's environment ministry is to start its first fund aimed at reducing the risk of financing clean-energy projects in emerging nations.

The facility will link institutional investors such as pension funds with "bankable" climate-friendly ventures, according to Norbert Gorissen, the ministry's head of international climate finance. The fund, which may be ready by year-end, will offer a range of services from investment in ready-packaged projects to consultancy and currency hedging.

"Institutional investors are not interested in the highest returns," Gorissen said last month in an interview. "They're interested in long-term, stable conditions, which require investing in a green energy and infrastructure system."

The world needs to spend almost $7 trillion a year through 2030 on basic infrastructure that could include "smart," energy-efficient projects to meet the emission-reduction targets in 2015's Paris climate deal, the Organization for Economic Cooperation and Development said in May. The Group of 20 nations meets next month with policies to boost spending on environmentally-friendly projects set to be one of the key topics at the summit in Hamburg.

Encouraging private-sector financing for climate programs can be difficult as institutional investors don't want to work with the "nitty gritty" of many small deals, Gorissen said. Germany's fund would bring those together into one package.

"It's a facility that will help a whole pipeline of projects to be better prepared," he said. "So it provides consultancy and due diligence so project developers can get across the barriers from an infant stage to the stage where you can start talking to the banks."

Germany won't be the first country to do this. Denmark established the $200 million Danish Climate Investment Fund in 2014, which received about 58 percent of its money from the private sector. It provides advisory services from the initial idea through to when the project is economically viable.

"Public-private partnerships are the way forward if you want to mobilize private capital on a large scale," said Torben Moeger Pedersen, chief executive officer of PensionDanmark A/S, which invested in DCIF.

Gorissen, who will oversee climate spending of about 386 million euros ($432 million) this year, declined to comment on the potential size of the new facility.

"We're just talking about millions at the moment, but I'm hoping I can make the case that this is possible."

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/14/2017 2:14:58 PM
Subject: Michigan health official indicted in Flint water crisis

By Annie Snider

06/14/2017 10:12 AM EDT

The head of Michigan's Department of Health has been charged with involuntary manslaughter related to the city of Flint's drinking water crisis, according to the Associated Press.

Charges were read in court this morning against health chief Nick Lyon, the highest-ranking member of GOP Gov. Rick Snyder's administration to be caught in the criminal probe of the impoverished city's lead contamination crisis.

Lyon is accused of failing to alert the public about an outbreak of Legionnaire's disease that some experts have linked to the switch in the city's water supply and resulting poor water quality.

Emergency managers appointed by Snyder switched Flint's water supply in 2014 from treated water supplied by Detroit to water from the Flint River that the city treated itself. However, officials failed to include corrosion controls in that treatment, causing dangerous lead to leach from service lines into tap water.

Michigan Attorney General Bill Schuette, who is widely expected to run for the GOP nomination in the 2018 governor's race, is leading the criminal probe, which has previously filed charges against 11 lower level state and local officials and two former emergency managers.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/michigan-health-official-indicted-in-flint-water-crisis-089063

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From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/15/2017 5:53:46 PM
Subject: SEIA: Suniva trade case threatens 88K U.S. solar jobs

By Esther Whieldon

06/15/2017 01:49 PM EDT

The Solar Energy Industries Association says the U.S. solar sector would lose 88,000 jobs, or about one-third of the workforce, if President Donald Trump grants Suniva's request to impose trade tariffs on solar equipment imports.

The U.S. International Trade Commission is investigating a complaint by Suniva and SolarWorld Americas that an influx of cheap solar cells and modules largely from Asian countries is harming the U.S. manufacturing market and putting the companies out of business.

SEIA, which has opposed the petition, said the utility-scale market would be hit the hardest and see employment shrink by 60 percent, while residential solar jobs would decline by about 44 percent and commercial sector positions would drop about 46 percent.

California would be hurt the most, SEIA said, with about 15,800 jobs lost. South Carolina would lose about 7,000 jobs and Texas would see about 6,300 jobs vanish, SEIA said.

"Rather than help the industry, the action would kill many thousands of American jobs and put a stop to billions of dollars in private investment," Abigail Ross Hopper, SEIA president and CEO, said in a statement.

WHAT'S NEXT: The commission expects to determine the extent to which the cheaper solar panels are causing injury by Sept. 22. If it finds there is injury, would send its recommendations to Trump by Nov. 13.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/seia-suniva-trade-case-threatens-88k-us-solar-jobs-089173

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Mon 6/12/2017 4:02:56 PM
Subject: Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

WHAT THEY ARE SAYING

Bipartisan Environmental Leaders Praise Susan Bodine's EPA Nomination

WASHINGTON – (June 12, 2017) Prior to Susan Bodine's confirmation hearing in the Senate Environment and Public Works Committee tomorrow, environmental leaders, including former DOJ and EPA officials who served in both Republican and Democrat administrations, are offering praise for Bodine's nomination to serve as EPA's Assistant Administrator for Enforcement and Compliance Assurance. Bodine currently serves as Chief Counsel for the Senate Environment and Public Works (EPW) committee. She previously served as EPA's Assistant Administrator of the Office of Solid Waste and Emergency Response in the George W. Bush Administration, and possesses nearly 29 years of environmental law experience.

What They're Saying About Susan Bodine's Nomination ...

Senate EPW Chairman John Barrasso: "She has extensive experience working both on Capitol Hill and previously in leadership at the EPA. Susan is committed to finding commonsense ways to protect America's land, air, and water. In this new role, I know that she will work to help communities and small businesses comply with the law, while holding polluters accountable."

John Cruden, President-Elect of the American College of Environmental Lawyers and Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice (12/2014-1/2017): "I have worked with Susan over a number of years as she has had significant leadership positions in environmental law and practice. Susan is dedicated to the rule of law, a lawyer with great integrity, and she understands the critical importance of effective and timely enforcement."

Marcus Peacock, EPA Deputy Administrator (08/2005 – 01/2009): "I have known Susan for over 20 years. I can think of no better person to lead the enforcement office at EPA. She understands the mission of the agency and the office and how important it is to protecting human health and the environment. A perfect pick."

Scott Fulton, President of The Environmental Law Institute and EPA General Counsel (08/2009-01/2013): "During the Obama Administration, when I served as EPA's General Counsel, Susan and I worked collaboratively on matters of shared concern to the Administration and the Congress. … Through these various intersections, I have found Susan to be fair minded, clear thinking, and strategic in her approach, as well as effective in her leadership. She has a deep understanding of EPA and the EPA-State relationship, which will equip her well to lead OECA."

Avi Garbow, EPA General Counsel (08/2013-01/2017) and Deputy General Counsel, EPA (09/2014-08/2013): "Based on my experience, Ms. Bodine possesses a strong intellect, a keen understanding of environmental law and policy, and is respectful and responsive. She is a seasoned environmental lawyer and a skilled advocate. It is also my view that Ms. Bodine's prior service at EPA is an important – though not indispensable – factor to be considered in her nomination. Her familiarity with the Agency and its talented staff would be of service to OECA and Administrator Pruitt, should she be confirmed."

Roger Martella, EPA General Counsel (08/2006-04/2008): "Susan epitomizes all the best character and traits we can ask of public servants: tireless and unflappable commitment to the mission of environmental protection and promoting human health, protective of transparency and process in her decision making, objective and apolitical approach to leadership, and empowerment of career decision makers in government."

Granta Nakayama, EPA Assistant Administrator, Office of Enforcement and Compliance Assurance (07/2005-01/2009): [Bodine is a] "fine environmental attorney" who "reads the statutes and parses the words and does the hard work. She's . . . rigorous in that sense." "[She is also] "an experienced hand in Washington and knows how to get things done. She is very practical and looks for solutions that are going to be workable for everybody."

Mathy Stanislaus, EPA Assistant Administrator, Office of Land and Emergency Management (06/2009-01/2017): "[Susan] understands both the internal side of the agency and the proper balance of enforcement."

Marianne Horinko, EPA Acting Administrator (07/2013-11/2013) and EPA Assistant Administrator, Office of Solid Waste and Emergency Response (10/2001-06/2004): "Susan Bodine is extremely qualified to run EPA's enforcement office. As a dedicated public servant with years of experience in environmental policy, she brings a vast understanding of both the agency and the community it regulates. Susan is well suited to carry out the mission of the Administration, and to protect clean air, land and water for the American people."

Elliot Laws, EPA Assistant Administrator, Office of Solid Waste and Emergency Response (1993-1997): "While I don't envy her challenge, I think bringing Susan back to the agency is an excellent idea." "Having a familiar face back at EPA in a senior role is a plus for staff morale. Bringing in someone with her knowledge of the agency and the issues facing it can only be a positive."

Ben Grumbles, Secretary, Maryland Department of the Environment (03/2016-present), EPA Assistant Administrator, Office of Water (11/2004-01/2009): "She's tough and fair and committed to public service. [Bodine] embodies a compliance-first approach, but also will bring enforcement actions when needed."

G. Tracy Mehan, III, EPA Assistant Administrator, Office of Water (08/2001-12/2003) "Susan Bodine brings a commanding intellect and a vast reservoir of experience in environmental policy to the job of running EPA's enforcement office. The Agency and the American people will benefit tremendously from her legislative, executive and legal expertise across the spectrum of air, land and water. The Administration has made an outstanding selection."

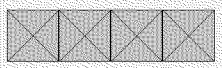
Cliff Rothenstein, EPA Deputy Assistant Administrator, Office of Solid Waste and Emergency Response (04/1997-06/2000): "I have known Ms. Bodine for almost 20 years where she served as committee counsel to the House Transportation and Infrastructure and the Senate Environment and Public Works committees, and as Assistant administrator for the EPA's Office of Solid Waste and Emergency Response. She is a dedicated public servant and is well-qualified to lead EPA's office of

Enforcement and Compliance Assistance. Ms. Bodine has proved herself time and again to be fair, competent, professional and well respected by those who have had the pleasure to work with her. As an added benefit, Ms. Bodine knows EPA well and is known and respected by EPA employees."

Tom Cochran, CEO and Executive Director, U.S. Conference of Mayors" "Many Mayors, as well as my senior staff, have worked with Ms. Susan Bodine over the past 20 plus years. … Throughout these years, working with Ms. Bodine has been a real pleasure and she has been an asset in every job she has done. She is extremely thoughtful, knowledgeable and professional and has an understanding of the importance of protecting the environment and public health and to do so in an economically responsible way. Her common sense approach to environmental protection and infrastructure investment is widely respected among her peers and my Mayors. While we are sorry to lose her in her current role, she would be a welcome asset at the EPA."

Zippy Duvall, President, American Farm Bureau Federation: "Susan Bodine's breadth and depth of experience in environmental protection make her an outstanding nominee to lead OECA. … In her decades of experience in private practice, for Congress and EPA, Susan Bodine has proven her leadership skills and her deep understanding of our nation's environmental laws and how they affect ordinary citizens and small businesses. She has shown leadership in working toward solutions with groups on all sides of the many controversies that entangle environmental protection. We believe she will strictly enforce our nation's environmental laws, using the hammer when necessary. We also believe she will bring back an effective yet underutilized tool in EPA's toolbox – compliance assistance. Farmers and ranchers across the nation look forward to a new era of firm, but fair enforcement."

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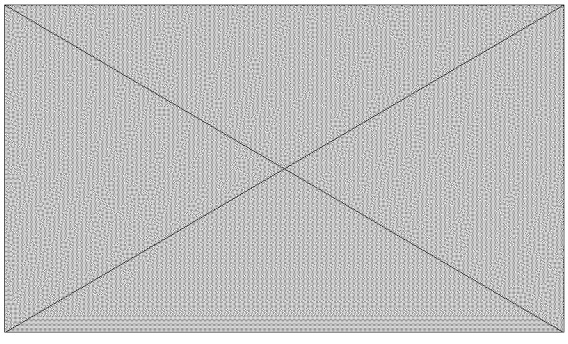
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From: American Enterprise Institute
Sent: Mon 8/28/2017 10:02:28 AM
Subject: AEI Today: Mr. President, it really is time to touch Social Security

For years, headlines have blared that Americans are facing a "retirement crisis." During last year's presidential campaign, the candidates promised not to cut Social Security benefits (Donald Trump) and even to increase them.

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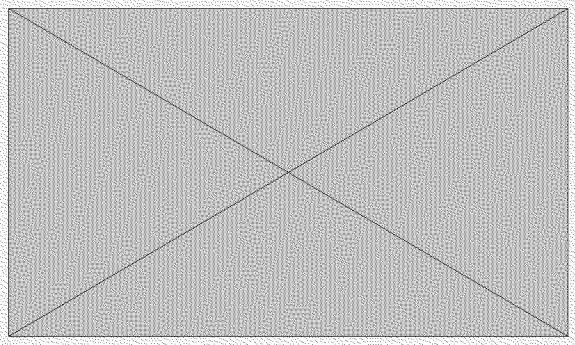
Reuters

Mr. President, it really is time to touch Social Security

Andrew G. Biggs | The Wall Street Journal

During last year's campaign, Donald Trump promised not to cut Social Security benefits, while Hillary Clinton pledged to increase them. But despite panicky rhetoric to the contrary, retirees have become less dependent on Social Security, not more. The program should be protected for the poor — even expanded to reduce the number of

retirees in poverty. But providing adequate retirement incomes does not require Scandinavian-level tax rates or multitrillion-dollar, unfunded entitlement liabilities.



Twenty20

Why a temporary tax cut could make things worse for companies

Alan D. Viard | The Hill

Republicans are eager to cut the 35 percent corporate tax rate. Permanently cutting the rate — one of the highest in the world — would be a good way to grow the economy. Regrettably, some Republicans are talking about making the rate cut temporary. A temporary rate cut would be worse than no rate cut at all. Not only would a temporary cut do nothing to lower long-run tax burdens, but it would actually raise taxes on some investments while it is in effect. The GOP must go permanent or go home.

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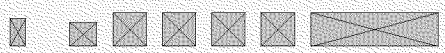
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From: Bloomberg BNA
Sent: Wed 6/7/2017 8:15:01 PM
Subject: June 7 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

House Panel Approves Energy Bills as Pallone Urges Climate Action

Posted June 07, 2017, 01:31 P.M. ET

By Brian Dabbs

A House panel unanimously approved a slew of energy bills June 7, including a measure to increase workforce education and training for energy and manufacturing-related fields.

That bill (H.R. 338), which authorizes no additional spending, directs the Energy Department to prioritize skill strengthening for minority and displaced workers in the fossil fuel, nuclear, utility, pipeline, renewable, petrochemical, manufacturing and electrical construction sectors.

The legislation approved the House Energy and Commerce Committee alongside 10 other energy bills, including a mandate (H.R. 627) for the Energy Department to create a clearinghouse for information on energy efficiency underwriting programs and another measure (H.R. 1109) to increase the size of a public utility merger or sale that necessitates prior Federal Energy Regulatory Commission approval. That threshold would be raised from $50,000 to $10 million.

The hearing marked the committee's first approval of energy bills this Congress, despite exploratory hearings on hydropower approval revamps, funding for the proposed Yucca Mountain nuclear waste repository and brownfields reauthorization.

'Think Bigger'

The committee's ranking member, Rep. Frank Pallone (D-N.J.), lauded those bills but urged more significant action.

Clean energy policy is now the responsibility of Capitol Hill following President Donald Trump's withdrawal from the Paris climate accord, and Congress needs to "think bigger," Pallone said at the hearing.

"We can't just recycle energy proposals from the last Congress which were proposed with the Paris

Agreement in place," he said. "This committee should be focusing on modernizing our infrastructure by reducing vulnerabilities to climate change."

Pallone called on Republican leadership to take up a sweeping infrastructure bill that Democrats proposed in mid-May. That legislation (H.R. 2479) would provide more than $17 billion for school and home retrofitting, solar installations, methane pipeline replacement and other energy initiatives.

Senators Troubled by Proposed Cuts to Forest Service Budget

Posted June 07, 2017, 02:45 P.M. ET

By Alan Kovski

U.S. Forest Service Chief Tom Tidwell is pinning some of his budget hopes on the prospect of a wide-ranging federal infrastructure spending plan that could address many issues—including some shortfalls in the Trump administration's budget request for his agency.

Both Republicans and Democrats on the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies were skeptical June 7 about elements of the administration's fiscal 2018 budget request, including the proposal to cut Forest Service spending on roads, trails and facilities by 84 percent to $99.7 million.

Tidwell told the committee he hoped a federal package of infrastructure spending would include roads on Forest Service land. Sen. Jeff Merkley (D-Ore.) expressed doubt about using a one-time special spending plan to plug holes in an annual budget request.

"I believe this budget is dead on arrival," said Sen. Tom Udall (D-N.M.), ranking member of the subcommittee, while Sen. Jon Tester (D-Mont.) called the budget request "a wreck."

Sen. Lisa Murkowski (R-Alaska), chairman of the subcommittee, noted that road maintenance is essential to basic activities in national forests, including timber harvesting, recreation and wildfire fighting.

Worries Over Wildfires

Murkowski contrasted the Obama and Trump administration requests. The last administration was offering wish lists, she said, while the new administration is offering proposed cuts that in some cases are troubling and in many ways contradicted other elements of the spending proposal.

The overall request for the Forest Service was nearly $5.2 billion, including both discretionary and mandatory funding. The total was a sharp drop from $6.17 billion estimated for fiscal 2017.

Senators were skeptical that the $1.057 billion requested for suppression would be enough, but said they were glad to hear Tidwell say the administration wanted to work with Congress on some sort of legislative change to allow disaster funding for the largest wildfires.

Murkowski, noting several consecutive years of repeated discussion without resolution of the wildfire funding problem, said, "This is Groundhog Day on this issue."

Murkowski, Udall and Sen. Maria Cantwell (D-Wash.) met with Agriculture Secretary Sonny Perdue earlier in the morning to discuss the Forest Service, a part of the Agriculture Department. Udall said

Murkowski and Cantwell were educating Perdue on the wildfire funding problem.

Spending on wildfire suppression has swallowed up more than half of the Forest Service budget. Toward the end of a fiscal year, the service often must borrow money from other programs to help with firefighting, a process that disrupts the work of the other programs.

Preparations for Timber Sales

Tidwell said the Forest Service is making progress on improving the appraisal process it uses to prepare for timber sales. The process is essential for determining whether a sale will be profitable, a requirement for a sale to go forward.

The appraisal process is driving people "nutso," Murkowski said.

Tidwell said he thought improvements in the appraisal process would allow more sales. The service is not only reviewing its own process, but working with states to learn from how they do it, he said.

Timber sales often are opposed by environmental activists, who have had some notable successes in court. Tidwell said the Forest Service also hopes to see Congress go through with some form of legislation to reduce the litigation.

The Obama administration, too, wanted to work with Congress on efforts to reduce litigation, Sen. Steve Daines (R-Mont.) said. Daines and Tester have teamed up for one such bill, in response to a 2015 decision by the U.S. Court of Appeals for the Ninth Circuit that put the Forest Service in the position of having to consult with the U.S. Fish and Wildlife Service when new information comes along on endangered species (Cottonwood Envtl. Law Ctr. v. U.S. Forest Serv., 789 F.3d 1075, 9th Cir. 2015).

The ruling means the Forest Service can never be done with such consultations, because new information is always coming along, Tidwell said. Tidwell said the Forest Service supported Daines and Tester's effort.

Bathtub Refinishers' Deaths Renew Debate: Label Products or Ban?

Posted June 07, 2017, 11:27 A.M. ET

By Pat Rizzuto

Federal and state agencies have attributed the deaths of at least 17 bathtub refinishers since 2000 to the workers' exposure to the paint stripper methylene chloride, prompting government actions.

The recent death of yet another bathtub refinisher is being investigated by a Tennessee labor agency.

"Investigators from the Tennessee Occupational Safety and Health Administration continue to look into the events surrounding the workplace fatality of Kevin Hartley in April of this year," Chris Cannon, communications director for the agency, told Bloomberg BNA June 6.

Cannon referred to the April 28 death of 21-year-old Kevin Hartley of Ashland City, Tenn. His family attributed his death to his exposure to chemicals used during his bathtub refinishing work.

The most recent worker's death—and additional details Bloomberg BNA uncovered on the deaths in 2012 and 2015 of other refinishers—comes as two federal agencies work to protect consumers and workers exposed to methylene chloride in paint and coating stripping products.

Labels Versus Ban

The Consumer Product Safety Commission voted June 2 to include stronger language on household products containing methylene chloride (CAS No. 75–09–2), so consumers would know the products can be deadly and shouldn't be used in small, unventilated spaces.

And the Environmental Protection Agency has proposed a ban of paint and coating strippers containing methylene chloride along with restrictions on n-methylpyrrolidone (NMP; CAS No. 872-50 4), which can substitute for methylene chloride.

But, industry representatives say they are concerned about government overreach in regulating the chemicals.

The EPA's proposed ban is a "blatant and raw power grab" of consumer protection authority that Congress gave the commission, W. Caffey Norman, a partner in the Washington office of Squire Patton Boggs, said. Norman represents the Halogenated Solvents Industry Alliance, Inc., which includes companies that have made products federal and state health agencies have associated with bathtub refinishers' deaths.

Section 9 in the 2016 overhaul of the Toxic Substances Control Act bars the EPA from regulating a chemical already sufficiently managed by another agency, he said.

But the Environmental Defense Fund says the most recent and previous workers' deaths are further proof the EPA must use its chemical authorities to ban the paint and coating removal uses of the solvent.

Life and Death?

"In our view, a ban on methylene chloride in paint stripping products is long overdue," Lindsay McCormick, chemicals and health project manager for EDF told Bloomberg BNA. "It is literally a matter of life and death. Dozens of workers have died on the job from exposure to this extremely toxic chemical over the past few decades."

"EPA should take swift action to finalize its proposed ban to meet the agency's mission of protecting public health," she said. The EPA issued its proposed rule Jan. 19 (RIN:2070-AK07; 82 Fed. Reg. 7464).

Meanwhile companies, such as Benco Sales, Inc., Besway Systems, Inc., the Savogran Co., and the W.M. Barr & Co., Inc., which make methylene chloride-containing strippers for aircraft, furniture, and other products and materials, and the Halogenated Solvents Industry Alliance had already asked the Consumer Product Safety Commission to support stronger label warnings.

Explicit warnings, label language directing users not to work with products in bathrooms or other small enclosed spaces, and increased customer outreach is a better approach than the EPA's proposed ban, they say.

W.M. Barr's comments on the EPA's proposal "implore" the agency not to proceed with its proposed

rule "that would require formulators to discontinue products that have been in use for generations in favor of alternative formulations that are less safe, or less effective and more expensive than the high-quality products we offer today."

Industry Sought Stronger Label

The new label language the alliance asked the commission to approve would warn consumers about methylene chloride's acute hazards. Since 1987, labels must warn consumers about the potential for longer-term chronic exposure to cause cancer.

Technically, the commission's June 2 vote directs its staff to develop the final language in guidance.

Commission staff already told the alliance, however, that they would make very few revisions to the industry-proposed language. The staff's recommendations are included in a May 26 briefing package prepared prior to the commission's vote. The label language the staff supported would say the solvent's vapors are extremely harmful and may be fatal in enclosed, unventilated spaces.

Product labels also should say "do not use in areas where vapors can accumulate and concentrate, such as basements, bathrooms, bathtubs, closets or other small enclosed areas," commission staff said.

Substitute for EPA Ban?

W.M. Barr, which makes products such as Klean-Strip® Premium Stripper, which federal and state agencies have associated with bathtub refinishers' deaths, told the Office of Management and Budget last December that new labels with the recommended language would be on all products by the end of 2016.

A W.M. Barr attorney and a product compliance director could not be reached for comment. Bloomberg BNA reviewed several product labels posted June 6 and found variations in the precise language, but those labels were consistent with the company's pledge.

Some of its labels include a small HSIA-recommended pictogram showing a bathtub with a red slash and a warning "Do Not Use to Strip Bathtubs."

Norman, the attorney representing the alliance, told Bloomberg BNA: "The labeling approved by CPSC staff is sufficient to address the safety concerns."

"The commission's action should replace the EPA's proposed ban, because it addresses the problem the EPA initially was concerned about," Norman said.

CPSC Staff: Not a Substitute

However, the briefing package the commission staff prepared did not support that conclusion.

"Any action taken by the CPSC would not replace the EPA's rulemaking and instead, would be an interim measure until the EPA may issue a regulation," the staff paper said.

TSCA gives the EPA the ability to address both occupational and consumer uses of methylene chloride, CPSC staff said. Thus, the EPA may address risks associated with the solvent and products containing it "in a more cohesive and coordinated manner," it said.

The EPA's proposed ban is the right approach, according to the Environmental Defense Fund. The agency can prevent tragic deaths from happening again, it said in a June 5 blog.

Details on 15 Deaths

The EPA's proposed rule referenced information the Centers for Disease Control and Prevention published in 2012 summarizing details on 13 bathtub refinishers' deaths. Bloomberg BNA obtained additional details on two more deaths from the National Institute of Occupational Safety and Health and federal OSHA. A 2016 OSHA FatalFacts notice said the agency knew of 17 bathtub refinishers' deaths, but Bloomberg BNA was unable to immediately obtain details on the additional two individuals.

Any action short of a full prohibition on these paint and coating stripper uses of methylene chloride and NMP "would be insufficient to mitigate the clearly unreasonable risks identified by EPA," the Environmental Defense Fund said in May 19 comments to the agency. The organization urged the agency to implement its ban and other proposed restrictions "as expeditiously as possible in order to safeguard human health."

Washington state's Local Hazardous Waste Management Program in King County "strongly supported" the EPA's proposed ban on methylene chloride-based paint and coating strippers.

"Washington Poison Center's 2015 data shows multiple cases of exposure to methylene chloride. In our state, serious illness and death have been associated with using methylene chloride to strip paint and refinish bathtubs," the waste management program wrote in comments to EPA.

Small Businesses

As the EPA prepares its final rule, the agency should "please consider providing financial assistance for small businesses that would need to transition away from methylene chloride," the King County agency wrote.

"Many small business owners, often in underserved communities, continue to use known hazardous materials simply because they lack the financial ability to invest in upgrades to new machines, processes, and chemicals. A ban without assistance for small businesses could pose a severe burden, potentially resulting in business closure and job losses, especially in less wealthy communities."

The U.S. Small Business Administration's Office of Advocacy opposes the EPA's proposal.

The EPA's exposure estimates were unrealistic, the advocacy office said in comments to the agency.For example, the EPA's estimates were based on exposures before federal OSHA lowered its eight-hour time weighted average permissible exposure limit for methylene chloride from 500 parts per million (ppm) to 25 ppm. OSHA issued that rule Jan. 10, 1997 (62 Fed. Reg. 1494).

—With assistance from Marissa Horn and Andrew Ballard

PODCAST: What Happens When Empty Desks Run the Government

Posted June 07, 2017, 6:01 A.M. ET

By Marissa Horn

President Donald Trump blamed Democrats June 5 for "taking forever" to approve his administration's appointees in a tweet, saying that "They are nothing but OBSTRUCTIONISTS!" But, Trump hasn't moved the quickest of the last few presidents on vetting and getting appointees through the confirmation process—in fact, he is the slowest of the last four presidents, according to data collected by the Partnership for Public Service. Of the 559 key positions requiring Senate confirmation, Trump has pushed 40 through the Senate to full confirmation, formally nominated 63 and name dropped another 25—however, without a formal nomination.

As of June 6, there are still 431 key positions that haven't been filled throughout his administration. So, how can agencies answer Trump's calls for deregulation when they have little to no authority or manpower to do so?

In the latest episode of Parts Per Billion, we sit down with Mallory Barg Bulman, an expert on government efficiency at the Partnership for Public Service in Washington, and ask what agencies expecting major overhaul, such as the Environmental Protection Agency and Department of Energy, can expect when few political appointees are in office to implement the president's policies.

Cancer Study Finds No Link to PFOA Exposure in N.Y. Town

Posted June 07, 2017, 03:51 P.M. ET

By Gerald B. Silverman

A study of Hoosick Falls, N.Y. residents by the New York State Health Department found no statistically significant incidents of cancers normally associated with exposure to perfluorooctanoic acid (PFOA).

The study, which was released June 6, looked at the incidence of 21 cancers in residents from 1995 to 2014. The only incidents of cancer that were significantly higher were for lung cancer and that's not associated with PFOA exposure, the study said.

Hoosick Falls became ground zero for the PFOA story when it was discovered in drinking water last year. Liz Moran, water and natural resources associate for Environmental Advocates of New York, said the study was misleading and inadequate because exposure to PFOA started long before 1995.

Butter Flavoring, Solvent Hazards Mulled in Draft Reports

Posted June 07, 2017, 02:16 P.M. ET

By Pat Rizzuto

A butter-flavoring agent blamed for causing lung disease in workers and a solvent are summarized in draft technical reports the National Toxicology Program released for public comment and peer review.

The butter-flavoring agent, 2,3-butanedione (CAS NO. 431-03-8) is commonly used by the flavor manufacturing industry in cake mixes, flour, beer, wine, bakery products, and other foods and beverages, the National Toxicology Program's (NTP) draft report said.

The United Food and Commercial Workers Union asked the NTP to study carcinogenic and other health effects of the chemical in laboratory animals that inhaled it, because of workers that have inhaled the chemical's vapors have contracted a lung disease called bronchiolitis obliterans. At least one worker died.

The solvent, p-chloro-α-α-α-trifluorotoluene (CAS NO. 98-56-6), is used in paints and coatings. It also is used by chemical, pesticide and pharmaceutical manufacturers to make other chemicals such as dyes, herbicides, and medicines, NTP's draft report says. The National Cancer Institute and Kowa American Corp., which inports chemicals from Japan, China, India and Southeast Asia, asked the NTP to study the solvent because of its high import volume and lack of occupational exposure limits.

Public comments on NTP's draft reports are invited through July 6. The reports will be peer reviewed on July 13. Details are available in the NTP's Federal Register notice.

If Trump Gets His Way, World May Not Know If U.S. Emissions Rise

Posted June 07, 2017, 10:43 A.M. ET

By Christopher Flavelle

President Donald Trump's critics argue that pulling the U.S. out of the Paris climate accord will lead to an increase in greenhouse gas emissions.

If Trump has his way, the world may never know.

The president's budget request to Congress would eliminate or gut core programs across the federal government that track the heat-trapping gases. If those cuts go ahead, the government may not be able to tell if emissions are rising or falling.

"The first step in any decent regulatory program is a requirement for monitoring," David Doniger, director of the climate and clean air program at the Natural Resources Defense Council, said in an interview. "If you don't know what's there, it's harder for the public or the regulators to do anything about it."

Stephen Cole, a spokesman for NASA, which is slated under the president's proposed budget to lose money for a satellite-based carbon-measuring system, said the cut reflects budget constraints. "NASA remains committed to studying our home planet and the universe, but we are reshaping our focus within the resources available to us," he said in an email.

Whether the cuts happen will depend on Congress, and the degree to which Republicans share Trump's priorities.

Critics of government climate efforts, meanwhile, support the administration's cuts, calling emissions monitoring programs a waste of taxpayers' money. "This doesn't necessarily need to be housed within the federal government," said Nick Loris, a research fellow for the Heritage Foundation. "If the private sector wants to continue to pursue greenhouse gas monitoring, that's fine."

Tools for Tracking

The government has two basic tools for tracking emissions. The Trump administration is proposing to cut or wind down both of them.

The first approach is to measure gases at their source. Every factory or other installation that emits the equivalent of 25,000 tons or more of carbon dioxide, the primary contributor to global warming, must track and report those emissions to the Environmental Protection Agency. The agency makes those emissions public through its annual Greenhouse Gas Inventory.

That inventory makes it possible for the federal government to measure total emissions, and also to see changes in emissions by industry and by region. It also fulfills the U.S. commitment under a 1992 United Nations climate treaty, signed by President George H. W. Bush and ratified by the Senate, to publish "national inventories of anthropogenic emissions by sources."

Trump's budget request would reduce funding for the EPA's greenhouse-gas reporting program by 86 percent, to $14 million in 2018 from $95 million this year. It is not clear how the EPA would be able to continue the inventory with that cut, according to Janet McCabe, who was responsible for it as head of the EPA's Office of Air and Radiation under President Barack Obama.

"Sometimes we find out that certain activities emit LESS than we thought, sometimes more," McCabe said in an email. "As they say, you can't manage what you don't measure."

And rolling back the program would give tacit permission to other countries to make similar changes, according to Bob Perciasepe, deputy EPA administrator from 2009 to 2014.

"Weakening U.S. capacity to report accurately will undermine our ability to push the rest of the world to be transparent," Perciasepe said in an email. "One of the core strengths of the Paris agreement is extending similar requirements to China and other developing countries so they're more accountable to the international community."

The EPA said it can do more with less. "While many in Washington insist on greater spending, EPA is focused on greater value and results," the agency said in an emailed statement.

Satellite Measurement

The second way to measure greenhouse gas emissions is in the atmosphere.

In 2010, NASA created the Global Carbon Monitoring program, which uses satellites to detect the concentration of those gases. Trump's budget request would eliminate that program entirely.

The NASA program provides "long-term, reliable, continuous data series" that can't be matched by other countries, said Gretchen Goldman, research director for the Center for Science and Democracy at the Union of Concerned Scientists. "Without such vital monitoring efforts, we can't understand and prepare for climate change as well."

Democrats say they will try to maintain funding for the programs.

"We know that the Earth is warming, sea ice is disappearing, the glaciers are receding, the oceans are acidifying, and sea levels are rising," Representative Eddie Bernice Johnson, the top Democrat on the House Committee on Science, Space and Technology, said in an email. "We know all of this from climate research and monitoring."

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Electric Car Market Goes Zero to 2 Million in Five Years

Posted June 07, 2017, 8:41 A.M. ET

By Jessica Shankleman

The number of electric vehicles on the road rocketed to 2 million in 2016 after being virtually non-existent just five years ago, according to the International Energy Agency.

Registered plug-in and battery-powered vehicles on roads worldwide rose 60 percent from the year before, according to the Global EV Outlook 2017 report from the Paris-based IEA. Despite the rapid growth, electric vehicles still represent just 0.2 percent of total light-duty vehicles.

"China was by far the largest electric car market, accounting for more than 40 percent of the electric cars sold in the world and more than double the amount sold in the United States," the IEA wrote in the report published June 7. "It is undeniable that the current electric car market uptake is largely influenced by the policy environment."

A multi government program called the Electric Vehicle Initiative on June 8 will set a goal for 30 percent market share for battery power cars, buses, trucks and vans by 2030, according to IEA. The 10 governments in the initiative include China, France, Germany, the U.K. and U.S.

India, which isn't part of the group, said last month that it plans to sell only electric cars by the end of the next decade. Countries and cities are looking to electric vehicles to help tackle their air pollution problems.

In order to limit global warming to below 2 degrees Celsius (3.6 degrees Fahrenheit), the target set by the landmark Paris Agreement on climate change, the world will need 600 million electric vehicles by 2040, according to the IEA.

After struggling for consumer acceptance, Tesla Inc. has made electric vehicles cool and trendy, and is pushing into the mass market with the new Model 3 sedan.

Consumer interest and charging infrastructure, as well as declining demand for diesel cars in the wake of Volkswagen AG's emissions scandal, has spurred massive investments in plug-in cars. An electrical vehicle "cool factor" could spur sales to 450 million by 2035, according to BP Chief Economist Spencer Dale.

Volkswagen, the world's largest automaker, plans to roll out four affordable electric vehicles in the coming years as part of a goal to sell more than 2 million battery-powered vehicles a year by 2025. Mercedes-Benz accelerated the introduction of 10 new electric vehicles by three years to 2022 to take on Tesla as the dominance of the combustion engine gradually fades.

--With assistance from Chris Reiter.

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How Australia Survived a Climate Policy Reversal

Posted June 07, 2017, 11:40 A.M. ET

By Murray Griffin

Australian businesses and organizations say they know firsthand the damage that can be done if a national government retreats from climate commitments—and they have some suggestions for U.S. companies on how to respond.

The Liberal-National Party, led by Tony Abbott, swept into office in 2013 and famously repealed a national carbon tax, becoming the first nation to both adopt and then revoke a price on carbon dioxide emissions.

Abbott's government also abolished a climate-change commission, drastically weakened the former government's 2020 greenhouse gas emissions targets, and tried to abolish several agencies. Less than two years later, with his poll numbers plunging, Abbott's own party dumped him as its leader. His replacement is current Prime Minister Malcolm Turnbull, who accepts climate change science.

Abbott portrayed his policies with a message that was similar to what President Donald Trump said last week when he announced that the U.S. would withdraw from the international Paris Agreement on climate change: These policies will hurt our businesses and our economy.

Some industry groups applauded Abbott's efforts, including the Minerals Council of Australia, which represents major mining companies and continues to express concern about subsidies for renewable energy.

But others in Australia involved in climate-related matters contend the Abbott-era repeal of climate change policies "did no favors for business," said Peter Castellas, head of the Carbon Market Institute, which helps Australian companies take advantage of opportunities in carbon markets. It counts large greenhouse gas emitters and carbon offset providers among its members.

"When you have inward-looking, divisive political approach to addressing climate change, it doesn't help business position and navigate the transition to a low- or net-zero carbon economy," Castellas told Bloomberg BNA.

That's a big problem, Castellas said, "because that transition is on."

Quantifying Risk

Under Abbott, clean energy jobs were lost in Australia, renewable energy investment stalled, and large emitters could discharge greenhouse gases without meaningful penalty or restraint. Many governments and organizations outside Australia appeared to watch in disbelief and made it clear that climate change was a crucial concern.

In a 2014 speech in Brisbane coinciding with an Australia-hosted G-20 summit, then-U.S. President Barack Obama said climate change threatened "the incredible natural glory" of the Great Barrier Reef.

The remark irked the Abbott government, with one minister saying that others shouldn't be "coming and lecturing us on climate change." But Obama's assertion also proved prescient, with the world's largest coral reef suffering unprecedented back-to-back major coral bleaching events over the past two years.

According to Castellas, the toxic political environment and policy uncertainty in Australia made it near-impossible for businesses to quantify their long-term carbon risk and "make the appropriate future-proofing decisions."

As a result, Australian businesses have become much louder in demanding a mature approach to climate policy as something that is "in the economic interest of the nation," he said.

Major associations such the Australian Industry Group and the Business Council—the latter representing the country's largest companies—are now "back out of the climate closet to articulate the need for long-term certainty and argue against divisive policies," Castellas said.

For example, the Australian Industry Group has been blunt in its appraisal of existing federal policies, telling the government there is "no likelihood" that they will allow Australia to meet its commitment to cut emissions 5 percent below 2000 levels by 2020.

Business Alliances

Businesses have also formed alliances with other parts of society, most notably through the Australian Climate Roundtable. Its members include the Australian Industry Group, the Business Council, environment group WWF, the Australian Council of Trade Unions, and industry associations representing the aluminum industry and energy companies.

The Climate Roundtable has criticized politicians for failing to implement effective climate and energy policies. After Trump announced he would withdraw the U.S. from the Paris Agreement, the roundtable issued an endorsement of the accord, describing it as "firmly in Australia's interests."

When it comes to climate policy chaos and disappointment, "Australia has been there," said carbon consultant Erwin Jackson, former deputy chief executive of the Climate Institute.

The policy uncertainty has unnecessarily cost the Australian economy "billions of dollars," Jackson told Bloomberg BNA, because the disruption to energy investment decision-making has triggered large rises in electricity prices. However, he noted the energy sectors in the U.S. and Australia operate very differently.

State Activities

Sensible, stable federal policy action on energy and climate is essential, but in its absence Australian states have stepped up their activities, Jackson added. Several states either already have or are in the midst of introducing or strengthening schemes that encourage new renewable energy generation or result in energy efficiency improvements.

They have also teamed up with mayors of cities including Sydney, Melbourne, and Adelaide to form their own climate action roundtable, while South Australia, Victoria state, and the Australian Capital Territory are also members of the international Under2 Coalition, which includes 170 jurisdictions representing 33 countries and six continents seeking to reduce carbon emissions.

Australia's experience was that attempts to undo climate policy don't succeed and don't last, said Emma Herd, chief executive of the Investor Group on Climate Change.

Many had expected the abrupt policy reversal of 2012 would lead to a five- or 10-year delay in

action, but that has not proved to be the case, she told Bloomberg BNA. Instead, within 18 months the pendulum started to swing back the other way, she said.

Herd added that the Abbott government's attempted "frenzy of undoing" climate policy had proved only partially successful.

"The first thing that happened was that you began to see organizations strategically rename themselves to carry on," she said, with strategies referring to issues such as energy efficiency or disaster resilience instead of climate change.

"There was a lot of hiding things in plain sight," she said.

In addition, there was a growing recognition that some forms of regulation had become quite important for other reasons, and that organizations such as the Clean Energy Finance Corporation "were doing quite a decent job," she said.

Herd added that she had often quoted former U.N. Framework Convention on Climate Change Executive Secretary Christiana Figueres, when she was asked during a visit to Australia how organizations and businesses should respond to policy chaos. The response from Figueres was "not to look at how high the waves are, but at which way the current is flowing," Herd said.

Abbott's Actions

The first public act of Abbott's environment minister Greg Hunt was to abolish the Climate Commission, which provided expert advice to the public on climate change.

Abbott dumped the former government's target of a 5 percent to 25 percent emissions cut below 2000 levels, depending on international developments, instead aiming only for a 5 percent reduction. His government repealed a national carbon price scheme that applied to facilities emitting more than 25,000 metric tons of greenhouse gases annually, which had been introduced by the former Labor government.

Abbott's government weakened a national Renewable Energy Target regime that provided incentives for the installation of new clean energy generation. And it tried to abolish several agencies, including Australia's equivalent of the UK Green Bank (known as the Clean Energy Finance Corporation), although its efforts were stymied in the Senate.

The Minerals Council, which spearheaded a business campaign against the former national carbon price scheme, argues that the solution to Australia's energy problems lies largely in new more efficient coal-fired power plants, possibly coupled with carbon capture and storage.

The Minerals Council is not a participant in the Australian Climate Roundtable, and has not put its support behind the roundtable's statements that the country must aim for net-zero emissions.

Abbott remains in Parliament. along with a small but influential group of politicians within Turnbull's ruling Liberal-National Party Coalition, and he continues to criticize climate change policies, particularly anything that would involve a carbon price.

Clean Energy Boom

In Australia, the era of dismantling policy is now over, though the task of reestablishing a full suite of

effective climate policies is far from complete.

Australia's clean energy industry is experienced an unprecedented boom thanks to falling renewable technology prices, state action, and support from the funding bodies that Abbott tried and failed to abolish.

The country has retained and developed a thriving carbon offsets industry, thanks largely to the efforts of Hunt, even though he was Abbott's key tactician in the campaign to demolish carbon pricing and all climate agencies.

And there is a growing view that the federal government must soon, in some way, bow to the widespread calls for a lasting energy and climate policy that can put the country on track towards net-zero emissions.

Australia Bills Would Overhaul Chemical Assessments, Ban Animal Testing

Posted June 07, 2017, 01:51 P.M. ET

By Murray Griffin

Six bills introduced to Australia's Parliament would recast the country's assessment regime for industrial chemicals and ban animal testing for cosmetics.

The Industrial Chemicals Bill 2017, the main bill of the six, would establish the Australian Industrial Chemicals Introduction Scheme (AICIS). The AICIS would replace the existing National Industrial Chemicals Notification and Assessment Scheme (NICNAS).

Under the bill, most new chemicals not already listed for use in Australia would be classified into one of three introduction categories—exempted, reported, or assessed—based on the level of risk they are likely to present.

There also would be a commercial evaluation category for chemicals undergoing appraisal and an exceptional circumstances category that would allow government to quickly approve a new chemical to deal with significant risks to human health or the environment.

Chemical importers and manufacturers would decide for themselves whether a chemical falls into the exempted, reported, or assessed category, based on a procedure specified in the regulations, which would then determine whether the substance is very low risk, low risk, or medium to high risk.

Very low-risk chemicals would fall into the exempted category and could be imported or manufactured without any pre-introduction contact with AICIS, although there would be record-keeping requirements.

Low-risk new chemicals would be under the reported category and would require only that AICIS be notified before they are imported or manufactured.

Medium- to high-risk chemicals would likely require assessment. They could be imported or manufactured via the international pathway, however, if they have undergone assessment by agencies in the European Union, Canada, or the U.S.

The international pathway would allow the import or manufacture of medium- to high-risk chemicals

on the basis of notification to AICIS, without requiring further assessment.

Assistant Health Minister David Gillespie introduced the bills June 1 into the House of Representatives, where their passage is assured, as members of the ruling Liberal-National Party Coalition led by Malcolm Turnbull have the majority and will support them.

The Coalition does not have a majority in the Senate, however, and the Labor opposition party and minor parties could refuse to pass the bills.

The bills already have been referred to the Senate Community Affairs Legislation Committee for a brief inquiry, which is a standard procedure for most bills. Submissions to the inquiry close June 12 and the committee will publicly release its report by June 13, ahead of the Senate's debate and vote on the bills.

Chemistry Australia, which represents the Australian chemicals industry, welcomed the introduction of the bills, but declined to comment further until parliamentary processes are completed.

Cancer Council Director of Advocacy Paul Grogan told Bloomberg BNA by phone June 7 that his organization was still studying the bills and would be making a submission to the Senate committee inquiry.

The council is keen to ensure that efforts to improve efficiency don't "come at the risk of health outcomes," he said.

News on Nanomaterials

The government simultaneously released a consultation paper on supporting regulations on matters including nanomaterials and the use of assessments conducted by trusted foreign agencies.

Nanomaterials are used in a range of products, including paints, dyes, surface coatings, plastics, cosmetics, and consumer goods.

The paper says nanomaterials should usually be treated as medium- to high-risk chemicals that require assessment.

Assessment or notification would not be required for nanomaterials introduced in amounts of less than 10 kilograms a year for research and development,however, or if they are imported into Australia and subsequently exported without any opening of packaging or treatment or processing.

Nanomaterials introduced in amounts of between 10 kilograms and 100 kilograms a year for the purposes of research and development would fall into the reported category.

Banning Animal Testing

The discussion paper also explains that animal test data produced after July 1, 2018, cannot be used to categorize or assess new chemicals for cosmetics, except in limited circumstances.

The ban on animal testing will fulfill a commitment that the Turnbull-led Coalition supported in the July 2016 federal election.

Besides the ban proposed in the bills introduced in Parliament, the Coalition government together

with states and territories will incorporate a testing ban through their respective legislation, triggered by changes to the National Health and Medical Research Council Australian code for the care and use of animals for scientific purposes.

Together with the cosmetics industry, and in consultation with key animal welfare stakeholders, it also will develop a voluntary code of practice on the sale of cosmetic products.

Based on historical data, the government estimates that the ban will prohibit the use of animal testing for more than 99 percent of the cosmetics introduced into Australia.

The less than 1 percent that remains will involve circumstances where the chemicals are also used in other industries and the information is critical to ensure the protection of consumers, the public, and the environment.

Key Shale-Boom Booster Threatened by Trump's Spending-Cut Plans

Posted June 07, 2017, 10:40 A.M. ET

By Catherine Traywick

An agency instrumental to America's surge in energy production would lose half its funding in President Donald Trump's proposed federal budget.

The Energy Department's Office of Fossil Energy, whose research helped push the U.S. closer to self-sufficiency, is slated for a 58 percent cut for next year, to $280 million. The shale innovations the office develops are available to any company that can use them, including industry giants that keep results of their own studies, but they're most beneficial to independent drillers that might otherwise find it tough to compete with behemoths such as Exxon Mobil Corp. and its $1.06 billion annual research-and-development budget.

"What the federal government, at times, has done very well is they help get experiments run that many companies may not be able to afford on their own, or wouldn't have the moxie to pull off," said Greg Leveille, chief technology officer for ConocoPhillips, one of the country's biggest producers.

Many in Congress, even Republicans who favor cutting programs, have balked at the cuts. Senate appropriators defended the Energy Department's research program, citing the agency's work on shale gas development.

The U.S. government has had a hand in virtually every major energy innovation in the past half century, from nuclear power to carbon capture. The shale revolution is a descendant of federal research, and agency dollars have supported the development of biofuels, flying wind turbines and the lithium ion batteries that power electric cars. Most of the research budget today is dedicated to nuclear and renewable energies. The share that focuses on oil and gas aims to reduce the environmental harm of fossil-fuel production, which can have the added benefit of boosting a company's bottom line.

Directional Wells

In 1975, in the Appalachian Basin, the federal agency drilled the first directional wells to tap shale gas. Over the next two decades the agency invested $137 million to help demonstrate and commercialize many of the shale-drilling technologies used today.

"Small producers were able to take some of that data and say, 'Hey, there's something here, we can start risking private capital,'" said Chris Smith, former chief of the Fossil Energy office. "The shale gas revolution certainly wouldn't have occurred on the timescale it had if it weren't for the Department of Energy." U.S. natural gas output has increased 30 percent since 2008.

Among other projects, the Fossil Energy office is funding a study that's already improving the efficiency of hydraulic fracturing. Laredo Petroleum Inc., a Tulsa, Oklahoma-based explorer with market capitalization of $3 billion, said it's already benefiting from the research, which cost $7 million.

"Without the seed funding, it probably couldn't get done," Laredo Chief Executive Officer Randy Foutch said in an interview. This way, "it becomes part of the public database, and will help the entire industry. Instead of one company keeping it proprietary, this is public."

Young Tech

Given the far-reaching impact of hydraulic fracturing, it's easy to forget how young the technology is. The fractures, tucked thousands of feet below ground, remain a mystery, their dimensions only inferred through seismic measures and mathematical modeling. Explorers still don't know how many fracture stages are optimal, or why some stages are more productive than others. The process has gotten better, but is far from efficient.

The Laredo study aims to answer some of those questions. In the Wolfcamp shale in West Texas, the company partnered with the Gas Technology Institute to drill 11 horizontal wells running 10,000 feet long. Then they fracked those wells -- pumping each with a slurry of sand, water and chemicals that creates fissures in the surrounding rock. The cracks unlock the trapped resource by allowing oil and gas to flow into the well. Researchers tested the wells to determine which produced more oil and gas, and why.

They then drilled a 600-foot core through the fractured shale. That core enables the researchers to study actual physical fractures for the first time, giving them new insights into how they form and which are most productive.

Game Changer

Laredo said it's reluctant to detail its findings before the official release date late next year. But based on the core sample, the Energy Department predicts that "the fundamental understanding of hydraulic fracture propagation, modeling and effectiveness is about to undergo a game-changing alteration." Laredo is building more efficient wells without having spent a dollar on R&D.

Under Trump's budget proposal, released last month, the Fossil Energy office's carbon sequestration and clean-coal programs would be cut even more deeply than its oil and gas programs.

The shale research has environmental benefits, too, said Jordan Ciezobka, a principal investigator on the Laredo project and a research manager at the Gas Technology Institute. By increasing productivity and efficiency, explorers can squeeze more oil out of fewer wells, with less water and a smaller footprint.

"Big companies have internal resources at their disposal," said Hugh Daigle, an assistant professor of petroleum engineering at The University of Texas at Austin. "For the smaller producers, the small

independent companies, this is a really important way for them to do research and development, or just basic stuff that they don't have the resources to do in-house."

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Top German Court Blocks Nuclear Fuel Tax

Posted June 07, 2017, 02:45 P.M. ET

By Tino Andresen and Karin Matussek

Germany's Constitutional Court said June 7 the federal government overstepped its powers when introducing the national nuclear-fuel tax in 2011.

The judges rejected arguments from lawmakers that the levy was a consumption tax, for which the government would have had legislative powers. Reactor operators had to pay 145 euros per gram of nuclear fuel when they exchanged a fuel rod, cutting their profit.

Germany's biggest power producers are set to recover about 6 billion euros ($6.7 billion) after the ruling.

The verdict means RWE AG shareholders could be in line for a special dividend, while EON SE may be able to forgo a sale of hybrid bonds, according to analysts at RBC Europe Ltd. and Independent Research GmbH.

EON expects that it will get 2.85 billion euros plus about 450 million euros in interest, which the company will use to strengthen its balance sheet, the Essen-based utility said after the ruling. RWE had paid about 1.7 billion euros toward the tax, the company said in a statement. The utility hasn't yet decided how it will use the funds.

"RWE has no need for the cash so any payment received may be given back to shareholders in some form of special dividend on enhanced regular dividend," John Musk, an analyst at RBC Europe Ltd., said June 7 in a note to clients.

Hybrid Bonds

The reimbursement would help EON repair a balance sheet hurt by a deal with Chancellor Angela Merkel's government on funding the nation's exit from nuclear power by 2022 as well as the billions of euros it wrote down related to the spinoff of its fossil-fuel generation business Uniper SE. The utility was considering as recently as last month a sale of hybrid bonds, securities that combine elements of equity and debt.

Christian Drepper, a spokesman at EON, declined to comment on the utility's bond plans.

The windfall may reduce how much of the hybrid debt EON sells, according to Sven Diermeier, an analyst at Independent Research.

The fuel-tax rebate would also ease EON's need for asset disposals and capital expenditure cuts in its plans to reduce net debt by about 24 percent to 20 billion euros, said RBC's Musk. "More importantly, it may allow EON to move to a more appropriate payout ratio on dividends" from 40 percent to 60 percent of adjusted net income, he said.

The constitutional court issued its ruling as guidance in a case in Hamburg. As the ruling is "clear cut," finance authorities will most likely reimburse the funds, ending the case, said Matthias Tiemann, spokesman for the lower court. The tax had expired in 2016.

"We have taken note of the judgment of the Federal Constitutional Court on the nuclear fuel tax," Finance Ministry spokesman Juerg Weissgerber told reporters at a regular government press conference in Berlin. "We would have expected the Federal Constitutional Court to endorse our argument that the nuclear fuel tax is constitutional."

Germany's switch to renewables forced traditional utilities to reinvent themselves through reorganizations as power prices slid to a decade-low. The ruling is the second time in six months, however, that the companies have won some relief from the top court as judges in December said they should be compensated for power-production rights lost related to nuclear power.

--With assistance from Rainer Buergin and Rob Verdonck.

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Dark Clouds Hang Over Nuclear Town Torpedoed by Green Energy

Posted June 07, 2017, 10:45 A.M. ET

By Jesper Starn

In an eerily quiet nuclear reactor hall in southern Sweden, new copper and steel machinery stretching 50 meters and weighing hundreds of tons is just sitting idle.

Bought from France and Germany as part of a $450 million upgrade at the now defunct Oskarshamn-2 facility, the turbines, steam pipes and feed-water pumps were supposed to help supply cheap electricity to the Nordic market for decades to come. Instead, they will probably be sold as scrap metal. The junk pile may grow even bigger as another reactor at the site will produce its last megawatt by the end of June.

The plant is yet another victim of an unprecedented surge in renewable energy that has sent margins at traditional power stations plunging, leaving thousands of old-school energy workers across Europe unemployed. Oskarshamn also houses a third reactor and its fate will be decided later this year by owners Uniper SE and Fortum Oyj, a decision seen as a bellwether for future investment in other Swedish atomic stations.

For the town of Oskarshamn, the utilities' decision later this year on whether to pour another one-billion kronor ($114 million) into the region's biggest reactor to keep it humming until 2045 couldn't be more significant.

With job cuts also looming at other local factories from a nuclear subcontractor to truck maker Scania AB, halting power production permanently would be another big knock to the town after the shipyard closed in the 1970s, its largest employer at the time.

"It's a scenario I do not even dare to fully consider," Peter Wretlund, Oskarshamn's mayor, said in his office overlooking the town's port on the Baltic Sea. "It would have grave consequences for the population."

While governments in Germany, France and Switzerland are deciding on when to shut down reactors, Sweden will let market conditions be the judge on the life of its remaining six units. Even after a nuclear tax was abolished, conditions remain harsh for operators as they compete with subsidized renewable energy flowing across the European grids.

Local politicians are worried about the town's future. One of the main obstacles for growth is its remote location on the southeast coast, far from any of Sweden's major cities. The closest large international airport is in Copenhagen, another flight or a 4.5-hour train ride away.

"So many highly skilled workers are leaving the city," Eva-Marie Hansson, a local politician for the opposition Moderate Party, said in an interview. "People here do not have the opportunity to stay and easily commute to other big cities."

To combat the brain drain, Oskarshamn bid to host a 4 billion-euro ($4.5 billion) large-scale battery factory earlier this year for Northvolt AB. The plan was to build the factory on the nuclear site, with existing security and access to high-voltage grid connections as main selling points.

The project didn't make the short-list, said Wretlund. Northvolt listed good transport links as one of the main criteria for its location.

For now, the nuclear plant's biggest challenge is to cut its operating costs. It plans to cut staff by 32 percent to 600 by 2019 compared with last year.

Uniper had sold half of its 2019 Swedish production in advance at between 19 euros and 23 euros per megawatt-hour in May, a level that also includes the company's hydro power production. That compares with plant costs of 40 euros before tax cuts in 2014, the latest available figure.

Attracting new tenants in the mode of Northvolt seem logical and others have done it before. Google Inc. bought the Summa paper mill in Finland from Stora Enso Oyj in 2009 and converted it to a data center using existing grid connections. The project employed 2,000 people during construction.

"Our assessment is that we can reach long-term profitability," Johan Svenningsson, Uniper's chief executive officer, said in a phone interview. "But we still need to see that costs can be brought down to the levels we require before making a decision."

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Thur 6/22/2017 7:10:00 PM
Subject: EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act

EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act

Agency Meeting Statutory Responsibilities and Deadlines

WASHINGTON – (June 22, 2017) Today, on the one-year anniversary of the *Frank R. Lautenberg Chemical Safety for the 21st Century Act*, Administrator Scott Pruitt announced that EPA has met its first-year statutory responsibilities under the law. This includes issuing three new rules, providing a guidance document for external parties, and releasing the scoping documents for the first 10 risk evaluations that will be conducted.

"The activities we are announcing today demonstrate this Administration's commitment to providing regulatory certainty to American businesses, while protecting human health and the environment," said Administrator Pruitt. **"The new process for evaluating existing chemicals outlined in these rules will increase public confidence in chemical safety without stifling innovation."**

EPA Administrator Scott Pruitt signs new TSCA rules surrounded by staff from EPA's Office of Chemical Safety and Pollution Prevention.

The *Act* amends the nation's primary chemicals management law known as the *Toxic Substances Control Act (TSCA)*. The legislation received bipartisan support in the U.S. House of Representatives and the Senate, and provides significant new responsibilities and authorities to EPA to advance chemical safety.

EPA has completed the following implementation activities at this one-year anniversary:

- Finalized a rule to establish EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals for which risk evaluation is not needed. In response to public comments, this final rule affirms EPA's commitment to following the best available science, engaging stakeholders in the prioritization process, and recognizing the value of designating chemicals as low priority when appropriate. Read more: http://www.epa.gov/assessing-and-managing-chemicals-under-tsca/prioritizing-existing-chemicals-risk-evaluation

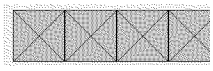
- Finalized a rule to establish EPA's process for evaluating high priority chemicals to determine whether or not they present an unreasonable risk to health or the environment. In response to public comments, this final rule clearly defines important scientific terms to ensure transparency and confidence in the risk evaluation process while retaining flexibility to allow for new scientific approaches to be incorporated as they are developed. Additionally, the final rule clarifies EPA's authority to determine what uses of a chemical are appropriate for risk evaluation, ensuring that the Agency's resources are focused on those uses that may pose the greatest risk. Read more: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-chemicals-under-tsca

- **Finalized a rule to require industry reporting of chemicals manufactured or processed in the U.S. over the past 10 years. This reporting will be used to identify which chemical substances on the TSCA Inventory are active in U.S. commerce and will help inform the chemicals EPA prioritizes for risk evaluation. In response to public comments, EPA streamlined the reporting requirements for manufacturers and processors in the final rule to help reduce regulatory burden. Read more: https://www.epa.gov/tsca-inventory/tsca-inventory-notification-active-inactive-rule**

- **Released scope documents for the initial ten chemicals for risk evaluation under the amended law. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted. Read more: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-chemicals-under-tsca#ten**

- **Released guidance for external parties interested in submitting draft risk evaluations to the EPA for consideration. Read more: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/guidance-assist-interested-persons-developing-and**

This past year has been marked by many EPA accomplishments to implement the amended law. More information on EPA's progress to date and a full list of all the TSCA implementation activities can be found here*:* https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5

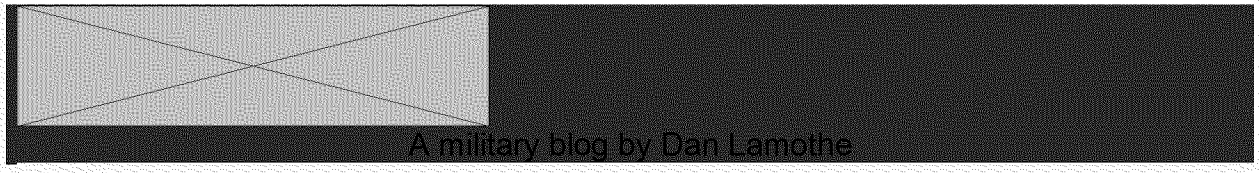


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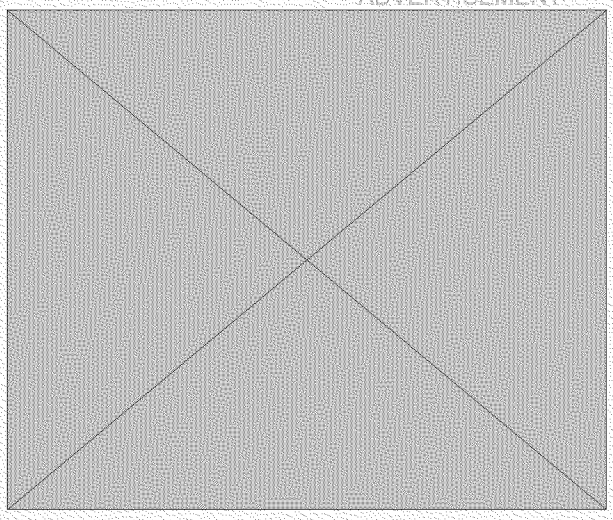
To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Wed 7/5/2017 4:00:18 PM
Subject: [SPAM] Checkpoint: Heather Wilson left a troubled home for the Air Force. Now she leads the branch — and wants a culture change.



U.S. Army and South Korean military respond to North Korea's launch with missile exercise

The U.S. military and South Korea responded to North Korea's latest test.
By Dan Lamothe • Read more »

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Marine unit in Syria using highly advanced artillery ammunition, video shows

It's the first time the guidance kit has been spotted outside of Afghanistan.
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Heather Wilson left a troubled home for the Air Force. Now she leads the branch — and wants a culture change.

Her approach is informed by her close relationship with her grandfather, a World War I veteran.

By Dan Lamothe • Read more »

U.S. destroyer sails near disputed island in South China Sea

This is the second time the Navy has conducted such an operation since President Trump took office.

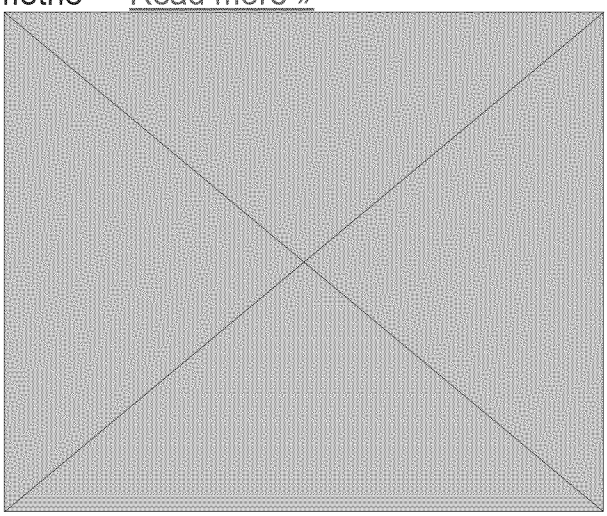
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On eve of deadline, Pentagon delays plan to allow transgender recruits by 6 months

The decision was made on the eve of a deadline set a year ago by then-Defense Secretary Ash Carter.

By Dan Lamothe • Read more »

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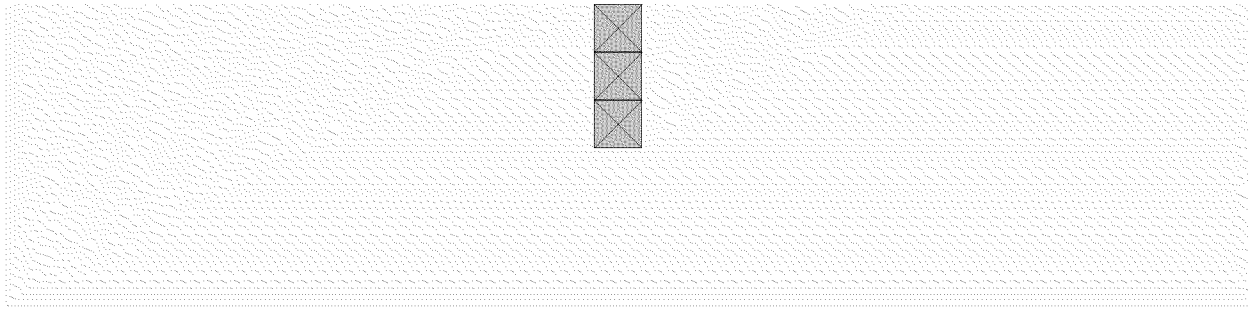
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Thur 10/5/2017 10:31:37 AM
Subject: Death Penalty, Adding Triage to 9-1-1, Section 702, New DEA Leader, CBP in PR





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/2/2017 8:19:40 PM
Subject: June 2 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

EPA Stuck in Neutral on Car Emissions, Official Says

Posted June 02, 2017, 11:31 A.M. ET

By David Schultz

The EPA has made little to no progress on determining whether to relax greenhouse gas standards for cars, according to one of its senior career staffers, raising doubts that it will be able to act before a deadline next year locks in the current standards through 2025.

Additionally, the agency has made little effort to reach out to environmental regulators in California, which has the authority to set its own state vehicle standards. A California air regulator told Bloomberg BNA that the state has little desire to roll back its standards, potentially setting up a scenario in which car makers will need to manufacture different models for different states.

President Donald Trump announced at a March 15 rally in Detroit that his administration would reopen an Obama administration decision that maintained current automobile standards at a companywide average of 54.5 miles per gallon, or its equivalent, through 2025. The auto industry is seeking relaxed standards, arguing that the miles per gallon target is too difficult to achieve and would ultimately inflate the prices of their vehicles.

But in the nearly three months since then, the Environmental Protection Agency has taken few if any actions to begin formally reconsidering the decision, according to Chris Grundler, director of the EPA's Office of Transportation and Air Quality. Grundler told reporters at a May 31 EPA advisory council meeting that he hasn't briefed his agency's administrator, Scott Pruitt, on the issue and that his office has had no interaction with California officials or with the Department of Transportation, which has authority to regulate fuel efficiency.

April Deadline

The Obama administration surprised many when it announced in January, weeks before Trump's inauguration, that the EPA would not alter its current greenhouse gas standards. The regulations on vehicle emissions only required a decision on that by April 2018.

After the Trump administration took office, the auto industry began lobbying the EPA to revisit its decision before the April 2018 deadline, which would lock the standards in place. The Alliance of Automobile Manufacturers, which counts Ford Motor Corp., General Motors Corp. and Volkswagen of America among its members, in February formally asked Pruitt to rescind the Obama-era determination to leave the standards in place.

With Trump's announcement in Detroit, the industry got its wish. And Gloria Bergquist, head of public affairs with the Alliance of Automobile Manufacturers, said she's still optimistic the EPA can meet its deadline.

"There is surely time to complete a robust evaluation by April 2018, which is important to automakers because of their long lead time in developing products," she told Bloomberg BNA.

The EPA's press office did not respond to a request for comment on how its effort to reconsider the standards is progressing.

Complex Process

But there is much to be done before then if the agency does plan on relaxing the automobile standards.

Janet McCabe, head of the EPA's air office during the Obama administration, said that when her team was making its decision to maintain the current standards it compiled voluminous data showing that car makers could achieve the target. If the current EPA wants to change the standards, it will need to compile equally compelling data that contradicts that determination, she told Bloomberg BNA.

"These are very detailed documents and reports and studies," McCabe said. "Technical staff at EPA would need to look at them. ... It's not a quick matter."

Additionally, the agency will need to budget time to allow the public to comment on its decision and then process and respond to those comments, all before the April 2018 deadline.

California

Then there's the matter of California.

Because the state began regulating air pollution before the EPA was even created, its authority to set fuel efficiency standards for cars was grandfathered in to the Clean Air Act. The auto industry had asked federal authorities to work with the state to set a single, harmonized standard—something they accomplished back in 2012 when the current standards were first agreed to.

However, with the Trump administration now indicating it may want to diverge from that 2012 agreement, California has drawn a line in the sand. Alberto Ayala, deputy executive officer of the California Air Resources Board, said California would be happy to sit down with the EPA and DOT to discuss setting standards for 2026 and beyond.

"We're more than interested in that," he told Bloomberg BNA. "[But] if it's all about rolling back the current standards, we're not interested in that."

Ayala said, aside from a letter Pruitt sent responding to the concerns of Gov. Jerry Brown (D), the EPA's political leadership has not reached out to his state on this issue in any way.

Grundler said that it wouldn't be in anyone's interest for the EPA, DOT and California to each go their own way on the vehicle standards.

"Chaos is not an option," Grundler said. "It's not good for business, not good for breathers."

CEOs, Politicians Unite on Paris Accord, Climate Change

Posted June 02, 2017, 10:36 A.M. ET

By Jessica Shankleman and Joe Ryan

Donald Trump's plan to scrap U.S. involvement in the world's broadest deal on global warming may actually have the opposite effect, galvanizing countries, businesses and even U.S. states, to double down on stopping pollution.

The U.S. president June 1 sided with the interests of coal miners, who dig up the dirtiest fossil fuel, as he sought to make good on his election campaign promise to quit the landmark Paris Agreement on climate change.

That put him at odds both with world leaders and chief executive officers of almost every industry on the planet, including oil majors Exxon Mobil Corp. and Total SA; airline owner Sir Richard Branson; and financiers led by BlackRock Inc.'s Laurence D. Fink and Goldman Sachs Group Inc.'s Lloyd Blankfein. With Trump working to boost fossil fuels, the rest said they're determined to keep investing in clean energy regardless of U.S. policies.

"The anger and concern over Trump's withdrawal could soon give way to global resolve," said Jonathan Pershing, a veteran climate negotiator who served as special envoy for climate change at the U.S. Department of State until Trump's election last November. "The goad of disagreement sometimes can drive coalitions more strongly."

Even as Trump branded the Paris deal "unfair," state governors took to social media to confirm their support for the accord. The mayor of Pittsburgh—a Pennsylvania city Trump highlighted as a beneficiary of his decision to turn his back on the global pact—vowed to abide by the Paris Agreement.

California Opposition

California Gov. Jerry Brown departs June 2 for China, where he will urge the world's most populous country and largest car market to take environmental cues from Sacramento instead of Washington. While the Trump administration is seeking to relax fuel-mileage standards for 2022–2025, California is maintaining stricter rules.

"California will resist," Brown said on a call with reporters. "This is an insane move by this president."

Even Russia's Energy Minister said he was confident Trump couldn't topple the Paris deal, which seeks to limit global warming well below 2 degrees Celsius (3.6 degrees Fahrenheit). Russia hasn't

yet ratified the Paris Agreement, and many in the government in Moscow view the deal as a threat to their oil and natural gas exports.

"Many countries have confirmed their commitment to the accord," Alexander Novak, Russia's energy minister, said June 2 at the St. Petersburg International Economic Forum. "Six G-7 countries maintain the commitment, and so does China. So I think in this case we don't see significant risks of other countries dropping their commitment in a domino effect."

Solar vs. Coal

While the Paris climate deal was seen as crucial to stopping catastrophic climate change, market forces play a key role in what technologies get new investment. Solar power is already cheaper than coal in some parts of the world. In less than a decade, it's likely to be the lowest cost option almost everywhere, according to Bloomberg New Energy Finance.

European oil majors BP and Total said the transition to lower carbon fuel is inevitable regardless of Trump's decision. Both called for a global carbon price to shift the world away from the dirtiest energy sources and are pursuing more investments in natural gas, which has lower carbon emissions than oil or coal.

"In 20 years, we will not be known as oil and gas companies, but as gas and oil companies," Total Chief Executive Officer Patrick Pouyanne said at the St. Petersburg forum June 2. "If we want to have the gas, despite the position of president Trump, we need to go to carbon pricing one way or another."

—With assistance from Jack Farchy, John Lippert, Ryan Beene and Anna Hirtenstein.

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EU, China Show Common Climate Front After U.S. Shuns Global Pact

Posted June 02, 2017, 11:10 A.M. ET

By Jonathan Stearns

The European Union and China displayed a united front over the need to fight climate change while revealing nagging differences over the path to deeper trade and investment ties.

Jean-Claude Juncker, president of the European Commission, the EU's executive arm, said Europe and China must lead the global transition to clean-energy technologies after the U.S. decided to withdraw from the landmark climate-protection accord reached by almost 200 countries in Paris two years ago.

"There is no backsliding on the Paris agreement," Juncker told an EU-China business conference June 2 in Brussels. Chinese Premier Li Keqiang told the same audience that EU-China ties help to counter "the growing uncertainties in the world."

The two leaders spoke less than 24 hours after U.S. President Donald Trump provoked worldwide disappointment and anger by announcing plans to withdraw from the Paris pact, which curbs fossil-fuel production. Juncker said fighting climate change is "more important today than yesterday."

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Second Chemicals Rule at White House Keeping EPA on Track

Posted June 02, 2017, 03:06 P.M. ET

By Pat Rizzuto

A final rule describing how the EPA will evaluate chemical risks is being reviewed by a White House office, positioning the agency to show it has done due diligence in trying to meet its statutory deadline.

The Environmental Protection Agency submitted its final rule to the Office of Management and Budget June 1.

The 2016 Toxic Substances Control Act amendments require the EPA to publish the chemical risk evaluation and two other implementation rules by June 22.

OMB has been reviewing a final rule describing the procedures the agency would use to select which chemicals would be high or low priorities for risk assessment since May 23.

The third rule would establish the process by which the EPA and chemical manufacturers would update the TSCA inventory. The amended law requires the agency to update that inventory so it distinguishes between chemicals that are active in commerce and those that used to be.

Keith Matthews, chairman of the American Bar Association's Pesticides, Chemical Regulation, and Right-to-Know Committee, previously told Bloomberg BNA that the EPA's efforts may enable it to meet the law's June 22 deadline or at least allow it to publish the rules so close to the deadline that it could demonstrate it has made a good-faith effort.

Rules for 37 New Chemicals Aim to Protect Workers, Environment

Posted June 02, 2017, 02:32 P.M. ET

By Pat Rizzuto

The Environmental Protection Agency will be issuing direct final new use rules for 37 chemicals with workplace controls imposed on at least four, and environmental protection provisions in others.

The agency posted online an advance copy of the 37 significant new use rules, also called SNURs, with a notice saying they will be published in the Federal Register.

This is the third package of new use rules the agency has published since the Toxic Substances Control Act was amended on June 22, 2016. As in the previous two packages, the agency had completed its reviews of all the chemicals prior to the statute's revision.

The agency issues new use rules for new chemicals it already has determined can enter commerce if manufactured or imported under conditions—workers' use of respirators, for example—with which the original manufacture agreed to comply. The original manufacturer or importer agreed to those conditions either through its new chemical notice, called a premanufacture notice (PMN), or through its PMN combined with a consent order it signed.

The new use rules impose those same conditions on any other company making or processing the same chemical. Any company wanting to make, import or process the new chemical in a different way must ask the agency whether it can do that at least 90 days before it intends to do so.

Exxon Citizen Suit With Record Penalty Difficult to Repeat

Posted June 02, 2017, 7:01 A.M. ET

By Renee Schoof

The $20 million fine recently levied against ExxonMobil Corp. is a record penalty for an air pollution lawsuit brought by a citizens' group, but attorneys say bringing other big cases like it will be difficult.

There are few targets as large as Exxon's Baytown Complex in Texas, one of the largest integrated refining and petrochemical facilities in the world. And environmental groups opposed to the Trump administration's policies are preparing to devote more of their time to defending Environmental Protection Agency regulations, sapping resources they might have used to sue industrial polluters.

While citizen suits in general are expected to increase, Clean Air Act cases like the Exxon suit are so complex that they stretch the bounds of what the groups can do, attorneys told Bloomberg BNA.

"We're not the federal government," Joshua Kratka, a senior attorney at the non-profit National Environmental Law Center who argued the case against the Baytown refinery, said. "There's no way we have those resources. There's really no substitute for a strong and effective EPA."

A U.S. District Court for the Southern District of Texas judge in April assessed penalties of more than $21 million for violations of Exxon's Clean Air Act permits based on self-reported "emissions events," or unauthorized pollution caused by equipment malfunctions or startup and shutdown. Since the company already had paid more than $1.4 million in state and local penalties, the net penalty was about $19.9 million. It appeared to be by far the largest citizen suit penalty based on records going back about 10 years, according to the Justice Department.

Exxon on May 24 filed a motion to alter the judgment, challenging the basis for the penalty and arguing that it should be eliminated. Kratka said plaintiffs would file a response arguing that Exxon's case was without merit.

Resource-Intensive Cases

The Clean Air Act allows citizens groups, such as environmental advocates, to bring enforcement challenges to industrial facilities believed to be violating federal air pollution standards. But the cases are expensive and time-consuming, attorneys said.

"There aren't that many Clean Air Act citizen suits in any given year," Eric Schaeffer, executive director of the Environmental Integrity Project and a former director of EPA's Office of Civil Enforcement, said. "They're difficult to bring."

Environmental groups will increasingly use their resources for suits against the federal government over rollbacks of environmental regulations on the fossil fuel industry, Kratka said. And "the more times citizen and environmental groups have to sue the government, the less capacity they have to sue the violators."

The Baytown lawsuit succeeded because the environmental attorneys did a careful job of researching the facts of the violations, attorneys said. They had a boost because air emissions reports must be made available online in Texas, and the groups used those reports as evidence that Exxon had violated federal pollution limits. They also got four people who lived near the complex to testify.

Environment Texas Citizen Lobby Inc. and the Sierra Club sued Exxon in 2010. The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P. Bloomberg BNA is an affiliate of Bloomberg L.P.

The suit claimed there were unauthorized air emissions of benzene, sulfur dioxide and other pollutants from Exxon's Baytown refining and petrochemical complex between October 2005 and September 2013. It cited State of Texas Environmental Electronic Reporting System (STEERS) reports to the Texas Commission on Environmental Quality documenting emissions of pollutants.

'Too Big to Comply'

Despite the hefty fine, Seth D. Jaffe, a partner at Foley Hoag LLP in Boston and coordinator of the firm's environmental practice group, who was not involved in the case, said the decision could be viewed as a victory for Exxon because the penalty covered years of violations and was small in comparison to the roughly $500 million the company spends on maintenance every year.

The maximum penalty could have reached $500 million, Jaffe wrote in a blog. Moreover, the federal judge denied the plaintiffs' request for injunctive relief.

"I think it's a win for Exxon because the law does not make any exceptions for facilities that are too big to comply," Jaffe told Bloomberg BNA. "The fact that it's impossible to comply doesn't mean you don't have to pay something if you're in violation."

Exxon Already Fined by Texas Regulator

An ExxonMobil spokesman said Texas regulators handled the case when the Texas Commission on Environmental Quality imposed the $1.4 million penalty on the basis of an agreed upon order. The state regulator also ordered Exxon to take corrective actions to reduce emissions. Exxon and the TCEQ agreed on the enforcement order in February 2012, two years after the environmental groups sued.

The spokesman, Todd Spitler, told Bloomberg BNA that aggregating volumes from emissions events over time, as the environmental groups did, "does not appropriately or accurately reflect the nature of the events or indicate an underlying issue at our integrated Baytown complex."

That's because the company reports emissions to federal and state regulators in a timely and consistent manner, complies with "all laws, regulations and permits, and has a robust compliance assurance system that enables workers to identify and report potential deviations from the company's Clean Air Act permit requirements, Spitler said.

"Baytown personnel dedicate thousands of hours every year monitoring, validating and documenting our compliance to these regulations and our permits," he said.

Spitler also said the Baytown complex had spent more than $1.3 billion since 2003 on

environmental projects aimed at improving air quality and energy efficiency. Since 2005, the Baytown complex has reduced emissions from malfunctions and maintenance reported to the TCEQ by 90 percent, he said. Court records showed Exxon spent between $464 million and $685 million per year on maintenance of equipment at the complex.

Successful But Rare

The Baytown case is the third successful Clean Air Act citizen lawsuit filed by advocates against facilities in the Houston area over the past decade. During the trial, the Texas Oil & Gas Association raised fears that if the court validated the advocates' approach, it could lead to a "a cascade of citizen suits, seeking to relitigate years of past administrative enforcement."

But Environment Texas, one of the advocacy organizations involved in the Baytown litigation, can only handle one citizen lawsuit at a time, Luke Metzger, founding director of the group, told Bloomberg BNA.

Environment Texas is already involved in another Clean Air Act suit, this one against Pasadena Refining System Inc., which is owned by Petroleo Brasileiro S.A. (Petrobras). The lawsuit, filed in March, alleged the Houston-area refinery violated emissions limits thousands of times over the past five years.

Environment Texas and the Sierra Club filed two others since 2008—one against Chevron Phillips Chemical Co. and another against Shell Oil Co. Both were resolved with consent agreements. The groups said that the companies reduced emissions from their Gulf Coast plants by about 95 percent, or more than was required by their settlements.

Those cases, like the Exxon citizen suit, involved mainly "upset events," such as equipment breakdowns and malfunctions.

"The goal is to get plants to put money into maintenance and better design and training, so they don't break down and flare pollution into the community," Kratka said.

Texas has an affirmative defense for such upset emissions, meaning that if a company can prove that it satisfied conditions such as the events being unavoidable or not recurring, it has a defense against penalty.

Kratka, who argued the appeal before the Fifth Circuit, said that ExxonMobil said all the violations met those criteria.

"We challenged every one, and the judge this time said it was the defendant's burden to come up with proof," Kratka said.

N.Y. Says Exxon's Climate Change Proxy Costs May Be 'Sham'

Posted June 02, 2017, 12:27 P.M. ET

By Erik Larson

New York's top cop told a judge that his probe into Exxon Mobil Corp. uncovered "significant evidence" the oil giant may have misled investors about how it calculates the impact of climate change on assets and project decisions.

New York Attorney General Eric Schneiderman said in a court filing June 2 that the investigation into Exxon's public statements about climate change revealed that for the last decade it may not have been pricing in the future impact of greenhouse gas emissions as it claimed.

"That evidence suggests not only that Exxon's public statements about its risk management practices were false and misleading, but also that Exxon may still be in the midst of perpetrating an ongoing fraudulent scheme on investors and the public," Schneiderman said.

If true, the allegations risk inflaming investors who this week backed a non-binding resolution urging the Irving, Texas-based company to consider whether it can prosper under strict greenhouse gas limits. While Exxon opposed the vote, it has accepted climate-change science and opposed President Donald Trump's decision to pull the U.S. out of the 2015 Paris Climate Accord.

Alan Jeffers, an Exxon spokesman, didn't immediately return a call for comment before regular business hours June 2. A message left with the company's media line wasn't immediately returned.

Proxy Costs

The allegations center on Exxon's claim that it applies so-called proxy costs to greenhouse gas emissions, which the company says "reasonably approximates the range of potential future government actions with respect to climate change," according to the filing. The attorney general said Exxon regularly cites the proxy costs to "assure investors that none of Exxon's projects or assets will be materially affected by future climate change-related regulations."

That claim may be vastly exaggerated, Schneiderman said in his filing in state court in New York.

"Exxon has identified only a single, anomalous instance in which a proxy cost was actually applied," the attorney general said. "Exxon's documents reveal a widespread lack of awareness among employees of the proxy cost policy, or how it should be applied."

The use of proxy costs "may be a sham," and Exxon also has "secret internal versions of proxy costs," Schneiderman alleged. The company told an employee from its majority-owned Imperial Oil Ltd. not to apply it to its Canadian oil sands projects, according to the filing.

Exxon has refused to make the employee available to testify, "contending for the first time that it lacks control over its majority-owned subsidiary from which it has been producing documents for months," he said.

Exxon has repeatedly denied wrongdoing and claims the state probe was started in "bad faith" because the outcome had been predetermined based on ideological coordination with environmental groups and even former Vice President Al Gore, an outspoken opponent of climate change.

Schneiderman and his Massachusetts counterpart, Maura Healey, have been investigating since 2015 whether Exxon misled the public and investors by withholding information about how climate change could impact the company's finances. Exxon sued to block their subpoenas for millions of pages of documents, while Republicans in Washington have sought to derail the investigations from Capitol Hill.

Schneiderman also referenced for the first time the existence of a second alias email account that

was discovered in the course of the investigation, months after he accused Exxon of failing to disclose former Chief Executive Officer Rex Tillerson's secondary email account. He used the alias Wayne Tracker to discuss sensitive topics with the board.

The identity of the owner of the new alias account, which has the name "J.E. Gray," wasn't disclosed in the June 2 filing.

Sworn testimony of Exxon's lawyers suggested the company may have withheld the existence of the alias accounts as a "test of whether the Attorney General's office is reading the documents," according to Schneiderman.

Schneiderman filed the additional material in support of his May 8 subpoena to Exxon. The case was transferred to Manhattan by a federal judge in Dallas who said it belonged in New York, effectively restarting the litigation from scratch. Schneiderman has used the opportunity to make fresh allegations.

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Trump's Paris Exit Leaves Him Isolated From C-Suites to Capitals

Posted June 02, 2017, 9:49 A.M. ET

By Jennifer A. Dlouhy

The response to President Donald Trump's announcement he was exiting the Paris climate accord and wanted to renegotiate on his terms was immediate: The leaders of France, Germany and Italy said no.

On Wall Street, corporate executives pilloried the businessman president. Goldman Sachs' CEO tweeted for the first time, calling the move a setback for the environment and U.S. leadership. Tesla Inc.'s Elon Musk and Bob Iger of Walt Disney Co. quit a White House advisory council in protest.

Even the mayor of Pittsburgh, Pennsylvania -- a city Trump highlighted as a beneficiary of his decision to turn his back on the global pact -- vowed to abide by the Paris agreement.

Trump's decision leaves him more alienated than ever, isolated on the world stage and increasingly embattled at home.

Coming against the backdrop of sprawling probes into ties between Russia and Trump's campaign, the backlash threatens to sap the president's power when he needs it most to advance domestic priorities such as tax reform and a health care overhaul while confronting an increasingly bellicose North Korea.

It's a dramatic change in fortunes for the president after just 133 days in office. Business leaders no longer seem to fear Trump's tweets; foreign leaders have moved from attempts to find rapport to direct confrontation.

Consider that in earlier days, a tweet about Ford Motor Co. shipping U.S. jobs to Mexico prompted the automaker to announce it was abandoning plans to build a $1.6 billion plant there.

Days after his election, Trump called the top executive of United Technologies Corp. and told him

not to move jobs from a Carrier factory in Indianapolis to Mexico. Carrier partially relented, agreeing to keep 1,100 jobs in the U.S. in exchange for $7 million in tax breaks and incentives from the state. Even so, 1,300 jobs are still going to Mexico.

And in her first visit with Trump in Washington, German Chancellor Angela Merkel gamely tried to shake Trump's hand during a photo opportunity, offering an optimistic assessment of the meeting despite the president's persistent criticisms of her country.

"I've always said it's much, much better to talk to one another and not about one another, and I think our conversation proved this," she said afterwards.

There is none of that fear and trembling now.

After Trump's announcement on Paris, Ford issued a statement asserting that "we believe climate change is real and remain deeply committed to reducing greenhouse gas emissions." Company chairman Bill Ford, the man Trump once described as "my friend," broke with the president over his executive order on immigration. And Ford still employs more than 7,000 workers in Mexico.

Although Carrier hasn't announced a change to its plans, other companies are moving production south. And foreign leaders now game out how to try to one-up the president.

In his first meeting with Trump, French President Emmanuel Macron squeezed Trump's hand so hard that the American's knuckles turned white. And when the two chatted before cameras, Macron spoke only French. He switched to English for his remarks with U.K. Prime Minister Theresa May.

After Trump's announcement on Paris, Macron tweeted, "Make our planet great again," and assured American scientists, engineers, entrepreneurs and "responsible citizens" they could find "a second homeland" in France.

Trump's first foreign trip as president left fellow members of the North Atlantic Treaty Organization unsettled and wary, as well. Trump omitted any clear commitment to the alliance's pledge of collective defense, leaving allies uncertain whether the U.S. would come to their aid if attacked.

Afterwards, unlike her White House visit, Merkel didn't extol the benefits of discussion.

She told a beer-hall rally in Munich that Europe "really must take our fate into our own hands," adding "this is what I have experienced in the last few days."

Former Defense Secretary Leon Panetta said the combined weight of Trump's NATO speech and his decision to leave the Paris agreement mark "the sad demise of a 70-year era of American global leadership."

"'America First' policies are threatening our strategic interests and eroding our moral standing in the world," Panetta said in a statement.

To be sure, the Republican voters that elected Trump to the White House have not turned away from the president. Among Republicans, 87 percent say they approve of the job Trump is doing, according to Gallup's most recent weekly poll. Trump's job approval has fallen just slightly, from 45 percent just after his inauguration to 41 percent.

And congressional leaders upon whom Trump depends to advance his agenda endorsed his action.

House Speaker Paul Ryan (R-Wis.) called the Paris agreement "a raw deal for America" and commended the decision. And Senate Majority Leader Mitch McConnell (R-Ky.) was more blunt: "I applaud President Trump and his administration for dealing yet another significant blow to the Obama administration's assault on domestic energy production and jobs."

The tone of Trump's Rose Garden speech Thursday was unapologetic, evoking the inaugural address in which the president angrily lashed out at other countries playing the U.S. for a fool and vowed that "from this day forward, it's going to be only America first."

"The Paris agreement handicaps the United States economy in order to win praise from the very foreign capitals and global activists that have long sought to gain wealth at our country's expense," Trump said. "We don't want other leaders and other countries laughing at us anymore."

Trump did make an offer to renegotiate the Paris accord, but that was quickly rejected. Merkel, Macron and Italian President Sergio Mattarella issued a statement insisting that the agreement was "irreversible" and "cannot be renegotiated."

And after the president said he was taking action to put the interests of Youngstown, Ohio; Detroit, Michigan; and Pittsburgh above those of Paris, Bill Peduto, Pittsburgh's mayor, shot back that the city needed no such help: "I can assure you that we will follow the guidelines of the Paris agreement for our people, our economy and future."

—With assistance from Shannon Pettypiece

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Japan Voices Paris Climate Pact Support Despite U.S. Stance

Posted June 02, 2017, 11:00 A.M. ET

By Chisaki Watanabe

Japan, one of the world's biggest polluters, resolved June 2 to remain committed to efforts to tackle global warming despite President Donald Trump's decision to pull the U.S. from the Paris Agreement on climate change.

"Japan believes the leadership of the developed countries to be of great importance, and the steady implementation of the Paris Agreement is critical in this regard," the Ministry of Foreign Affairs said in an emailed statement.

The nation's engagement with the rest of the world on climate change is critical, given Japan's contribution to carbon emissions. While China is the world's biggest polluter in terms of how much carbon dioxide it produces in absolute terms, Japan is the third-largest emitter on a per capita basis behind the U.S. and Russia.

"Climate change requires a concerted effort by the whole of the international community," the foreign ministry statement said.

Japan's environment minister, Koichi Yamamoto, extended support for the Paris accord even further, telling reporters at a morning briefing that the nation is "greatly disappointed" in Trump's decision and as the the world's third-biggest economy, it remains committed to Paris.

Trump's decision to leave Paris "is equal to turning our back on human wisdom after we have made so much progress," Yamamoto said. "On top of being disappointed, I am outraged."

Strong words from Yamamoto aside, environmental groups said Japan must still do its share to convince the world of its seriousness about climate change.

Though Japan is a signatory to the Paris accord, environmental groups and lobbyists said the country's commitments are weak. Japan also has come under criticism for its continued funding of coal projects, especially abroad in places like Indonesia and at home where a slew of new coal-fired power projects are being planned.

Coal Projects

"Japan is contradicting itself," Hisayo Takada, Greenpeace Japan's energy project leader, said by phone. "While the country tells the outside world it will work hard to reduce greenhouse gas emissions, the Japanese government is tolerating new coal projects."

The Paris Agreement, reached in December 2015, is broader than any previous climate accord. It calls for reducing carbon dioxide emissions in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above pre-industrial temperatures.

"Climate change measures taken by the U.S., the world's second-largest emitter, are very important," Sadayuki Sakakibara, chairman of business lobby Keidanren, said in a statement. "We would like the U.S. to keep fulfilling its responsibility in the international community. Japan should continue calling on the U.S. while keeping close cooperation with international society." ©2017 Bloomberg L.P. All rights reserved. Used with permission

Brazil Plots Steady Clean-Energy Course Amid Political Turmoil

Posted June 02, 2017, 11:24 A.M. ET

By Vanessa Dezem

Brazil is taking steps to promote new renewable-energy projects as the government seeks to reassure the industry that political turmoil won't threaten current power policies.

The country will organize at least one power auction for clean-energy projects this year, according to Eduardo Azevedo, secretary of energy planning and development at the Ministry of Mines and Energy. A second auction is also being considered that would be open to all energy sources.

The move reflects growing interest in clean energy as the country seeks to meet its commitments under the global Paris climate agreement signed in 2015. The plans also show that Brazil is seeking to move forward with its energy plans and assuage concerns that an expanding political crisis would crimp efforts to boost wind and solar energy.

"There is room for energy auctions this year," Azevedo said at an event in Sao Paulo June 1. Brazil's carbon emissions targets "make it clear the necessity of expanding renewables, which will represent two-thirds of the country's investments in the power sector over the next 10 years."

Brazilian stocks, bonds and currency all slumped last month after President Michel Temer was

accused of helping obstruct the ongoing Carwash corruption probe. Amid the turmoil, Minister for Energy and Mines Fernando Coelho said he has no plans to revisit his energy strategy and would not be stepping down, despite calls to do so from his party.

"We're moving forward with reforms and our policy like nothing else is happening," Azevedo said.

Canceled Auction

The ministry canceled in December what would have been 2016's only auction for wind and solar power, as the worst recession in decades drags down electricity demand. Some companies are exiting contracts they won in previous auctions.

That may clear the way for the next auction, which is expected by September. While there's little need for new power plants now, there may be in a few years when demand growth resumes, Azevedo said.

Wind and solar developers have signed no long-term supply contracts since November 2015. The lack of new projects is threatening the supply chain and has the potential to leave wind-turbine factories empty and drag down the country's nascent photovoltaic industry.

"It is important to have auctions planned and it is a good start," said Jean Claude Robert, wind power director for Latin America at General Electric Co. "But we need volume. Today, GE is executing four projects, but 2018 will be a hard year as the industry doesn't have more contracts."

Political Turmoil

Brazil's energy agencies have not been untouched by the political upheaval. Maria Silvia Bastos, president of the country's development bank BNDES, stepped down last week citing personal reasons, which was seen as a setback to Temer.

Banco Nacional de Desenvolvimento Economico & Social, as the development bank is formally known, is the world's biggest provider of funding for renewable energy. The agency is reviewing its lending strategy and negotiating with multilateral banks like International Finance Corp. and Inter-American Development Bank to take on some of the risk for financing renewable projects, according to Carla Primavera, BNDES's head of energy.

BNDES is seeking to scale back financing for some technologies while encouraging more borrowing from banks, an effort aimed at reducing developers' reliance on its low-cost financing. For others, such as renewables, it will continue to offer cheap loans, said Primavera.

"We have supported the expansion of wind energy in Brazil since the beginning," said Primavera. "We are figuring out new financing structures with multilateral banks and capital markets, and that demonstrates that the confidence in the sector has grown."

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Germany Promises to Press Ahead on Climate Pact Despite U.S. Pullout

Posted June 02, 2017, 11:18 A.M. ET

By Arne Delfs and Rainer Buergin

German Chancellor Angela Merkel said she will rally Europe and the world behind the Paris climate accord, calling it "irreversible" even after President Donald Trump's pullout.

Merkel, who has signaled that she's losing faith in the U.S. as a dependable ally, vowed to press ahead "more decisively than ever" with combating climate change and praised Americans who support her cause.

"We need this Paris Agreement to protect creation," she told reporters June 2 in Berlin in her first public comments on Trump's decision. "Nothing can or will stop us."

The announcement by Trump, who said the climate pact favors other nations at the expense of American workers, is prompting dismay among European governments and prominent U.S. business leaders. For Merkel, a Lutheran pastor's daughter who holds a Ph.D. in physics, it also offers a chance to burnish her environmental credentials as she seeks a fourth term as chancellor in September.

Trump's suggestion that the almost 200-nation agreement could be renegotiated was rejected by the chancellor's chief of staff, Peter Altmaier.

"We were not just sad but disappointed that a very important partner on climate change would drop out with the stroke of a pen," Altmaier told German broadcaster ARD. "Personally, I believe that renegotiation is the wrong approach."

Merkel, who presided over an early United Nations global-warming conference in Berlin in 1995 when she was Helmut Kohl's environment minister, said she will keep fighting.

"There's no doubt that the road will be rocky—I've experienced that again and again since I entered politics," she said June 2. "But when I look back at the last 20 years, I'm also convinced that the path is irreversible."

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Top Russian Oil Boss Scorns Tesla, Electric Cars as Overrated

Posted June 02, 2017, 11:28 A.M. ET

By Ksenia Galouchko and Stephen Bierman

The day after President Donald Trump said the U.S. will exit from the Paris climate deal, the Russian chief of the world's largest listed oil producer by output is taking on electric cars.

Igor Sechin, chief executive officer of Rosneft PJSC, called manufacturers including Elon Musk's Tesla Inc. overvalued and said electric cars are "not as popular as had been expected" in Europe's biggest economies. He challenged Tesla's valuation and business model in particular, citing "extremely aggressive" sales growth plans and criticizing the car maker's capital expenditures.

"The market's assessment of the prospects of electric car producers, in our view, is significantly overestimated," Sechin said in a June 2 speech at the St. Petersburg International Economic Forum. "The unconditional truth remains in the fact that the hydrocarbon power industry has been and will be in demand."

Major oil companies have been trimming their long-term forecasts for oil demand as electric cars start to compete with gasoline models on both price and performance.

Musk, a tech industry icon whose ventures also include space travel, said June 1 that he'd leave White House advisory councils after the U.S. president's decision to withdraw from the climate accord.

"Until the electric transport industry becomes as user-friendly and attractive for consumers as the cars with internal combustion engines, the prospects for electric vehicles remain largely uncertain," Sechin said.

—With assistance from Srinivasan Sivabalan.

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Trump's Plan to Renegotiate Climate Deal Unlikely to Succeed

Posted June 02, 2017, 9:24 A.M. ET

By Eric J. Lyman

President Donald Trump's offer to renegotiate the U.S. re-entry into the Paris Agreement or to produce a "new transaction on terms fair to the United States" is probably a non-starter, according to key observers and parties to the Paris deal.

Major supporters of the Paris Agreement quickly indicated that they are not open to revisiting the landmark 2015 agreement reached by nearly 200 countries.

In an unusual move, the three largest continental European economies—France, Germany, and Italy—issued a joint statement in the wake of Trump's remarks saying, "We firmly believe that the Paris Agreement cannot be renegotiated since it is a vital instrument for our planet, societies, and economies."

According to a senior United Nations source, who asked not to be further identified, it makes little sense for the U.S. to withdraw from the Paris deal if its goal was simply to renegotiate U.S. obligations under the agreement.

"Each country's NDC [nationally determined contribution, or pledge for climate action that is part of the Paris Agreement] is established by that country, and a country has the right to adjust its emissions reduction target or its financial commitments," the U.N. source told Bloomberg BNA. "There is no need to withdraw from the Paris deal and then try to re-enter if that is the goal."

The source admitted that other countries would have been critical of any party looking to "backslide" on its Paris Agreement targets, "but that is nothing compared to how critical countries are now."

Formally, the secretariat for the U.N. Framework Convention on Climate Change said it is open to U.S. renegotiations, according to a statement issued following Trump's remarks.

"The secretariat notes the announced intention to renegotiate the modalities for the U.S. participation in the agreement," it said. "In this regard, it stands ready to engage in dialogue with the

United States government regarding the implications of this announcement."

But as a pact "signed by 194 countries and ratified by 147 countries," the Paris Agreement "cannot be renegotiated based on the request of a single party," the UNFCCC said.

Kyoto Comparison

"This idea that the U.S. will renegotiate some kind of alternative is really dead before it gets started," said Niklas Hohne, a founding partner of the NewClimate Institute, a group that scientifically analyzes climate data. "The Paris Agreement was a culmination of 20 years of negotiation and I doubt countries will be willing to undo that, and even if they did, I don't think Donald Trump is someone who could lead such a charge."

In 2001, when the U.S. announced that it would withdraw from the Kyoto Protocol—the smaller scale predecessor to the Paris Agreement—President George W. Bush also vowed to produce an alternative to the Kyoto document.

That plan never gained traction, and ultimately, it was reduced to a 2002 proposal, which was never implemented, for the U.S. to reduce greenhouse gas emissions per unit of gross domestic product. The U.S. remained the only party to the Kyoto Protocol not to ratify it.

"I think the same thing will happen with the Trump idea of creating a something new or renegotiating the Paris deal," Hohne said.

The senior U.N. source agreed: "I suspect the talk about renegotiating the Paris deal or creating a new alternative is probably a small concession to the White House figures who had been pushing Trump to stay in" the Paris Agreement, the source said.

Trump's June 1 remarks about renegotiating what he called "a deal that is fair" illustrated that his own commitment to that strategy might be limited. "If we can, that's great," the president said. "And if we can't, that's fine."

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 11/17/2017 5:07:53 PM
Subject: Pruitt: Advance notice for Clean Power Plan replacement coming 'very soon'

By Alex Guillén

11/17/2017 12:06 PM EDT

EPA Administrator Scott Pruitt said today that the advance rulemaking to create a replacement for the Clean Power Plan will be released "very, very soon."

Pruitt, speaking at a gathering of the conservative Federalist Society, did not elaborate further on that timeline. EPA is currently taking comment on its separate proposal to repeal the Clean Power Plan.

Two protesters interrupted Pruitt at the beginning of his appearance, although they were immediately drowned out by the booing crowd and escorted from the room by security. It was unclear what specific issues they were protesting.

"This is a little bit of an example of what we deal with here," Pruitt said in response, drawing laughter and clapping from the audience.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/pruitt-advance-notice-for-clean-power-plan-replacement-coming-very-soon-109003

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Subject: BREAKING NEWS: Senate rejects Obamacare repeal-and-replace measure

The Senate decisively voted down the Republican proposal to repeal and replace Obamacare, a bill that has been under development in the Senate for two months but was set aside last week when it became clear there wouldn't be 50 GOP votes.

Nine Republicans - a handful of conservatives and moderates - joined Democrats to oppose the procedural measure on the bill Tuesday evening. The vote is one of what is expected to be several amendments in the Obamacare repeal effort.

See http://www.politico.com/story/2017/07/25/obamacare-repeal-vote-senate-republicans-240926 for complete coverage.

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Subject: POLITICO's Morning Energy, presented by Growth Energy: EPA alters how information's gathered — Slew of energy bills hit the House floor — EDF Action launches push against EPA cuts

By Anthony Adragna | 07/17/2017 10:00 AM EDT

With help from Darius Dixon

EPA WANTS TO ENFORCE SMARTER, NOT HARDER: In a move that former EPA officials worry could hamper enforcement of environmental rules, the agency's regional offices must now get approval from EPA headquarters before sending many types of requests for information to a company, Pro's Eric Wolff reports . Regions have traditionally had autonomy in requesting information, but now many of those, especially ones applying to companies and facilities with no history of violations, will have to be reviewed in EPA's Washington headquarters under the policy established in the spring. "EPA is working to ... eliminating overly broad and unduly burdensome requests for information," EPA spokeswoman Amy Graham told Eric in a statement. "These changes will enable the agency to efficiently and consistently gather the information it needs to assure compliance with environmental laws."

It's a move long-sought by Sen. Jim Inhofe, the former chair of the Environment and Public Works Committee whose past staffers are sprinkled throughout the agency. Inhofe has said he thinks the agency engages in too many "fishing expeditions."

Critics fear the policy is designed to curb enforcement of environmental laws. "A policy to aggregate all information requests for headquarters approval is more likely to diminish enforcement because you're going to end up with bottlenecks," said Doug Parker, EPA's former head of criminal enforcement and a 27-year veteran of the the agency. Headquarters staff will track information requests in a new database.

HEADED TO A HOUSE FLOOR NEAR YOU! House lawmakers are poised to take up a slew of energy-related measures this week after they clear the Rules Committee. First up is the Ozone Standards Implementation Act H.R. 806 (115), which would delay implementation of the stricter 2015 ozone standard through 2025 and lengthen the period of time between EPA's normal review of the standard from five years to 10. Rep. Pete Olson's bill gets its day before the Rules Committee today at 5 p.m.

Also on the agenda is a bill H.R. 218 (115) that would authorize the transfer of federal land to Alaska to build the state's long-sought (and contentious) road between the isolated southwestern Alaska village of King Cove and a neighboring community with an all-weather airport. There's also legislation H.R. 2883 (115) overhauling the presidential permitting process for electric, natural gas and oil projects that would shift the authority to review cross-border oil pipelines to FERC from the State Department. And there's a separate measure H.R. 2910 (115) aimed at streamlining approvals for interstate natural gas pipelines. The Rules Committee considers the bills Tuesday at 3 p.m.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and State's Jennifer Schaming was first up to identify Holtsville, N.Y. as the holder of the nation's lowest zip code (00501). For today: What's the highest zip code in the U.S. and where is it? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro .

GOTTA LOOK AT THE DATE: A draft version of the grid study sought by Energy Secretary Rick Perry says that renewable power doesn't threaten the power network's reliability, Bloomberg reported Friday evening. Perry called for the study in April, and has said he wanted to see if Washington's policies or federal tax policy were pushing baseload power generation - like coal-fired plants - in retirement prematurely. Renewable power advocates have feared that Perry would slant the report and use it to justify efforts to support coal plants. "The power system is more reliable today due to better planning, market discipline, and better operating rules and standards," the July draft says.

But a DOE spokeswoman said a draft of the study is outdated, and none of the phrases that Bloomberg cited were in the current version. Those draft findings are now under review by DOE leadership and the final product may come out as soon as this week.

MOVING MORE SPENDING PACKAGES: Congress takes another crack at advancing spending measures this week with the full House Appropriations Committee marking up its Interior and EPA package Tuesday at 10:30 a.m. Across the way, a Senate Appropriations subpanel inks up its Energy and Water package Tuesday at 2:30 p.m. ahead of full committee consideration Thursday at 10:30 a.m.

CAP AND TRADE'S CRUCIAL DAY IN CALI: Lawmakers in California are slated today to cast their votes on whether to extend California's cap and trade program through 2030. The Business Council for Sustainable Energy sent a letter Friday endorsing the extension and urging the legislature to "swiftly act" on the measure. But a number of major environmental advocates voiced opposition, arguing the measure gave too many concessions to the oil industry. "California can do better," Masada Disenhouse with 350.org said in a statement. "This plan has Big Oil's fingerprints all over it and doesn't do enough to protect vulnerable communities or to achieve California's ambitious targets for reducing carbon pollution." The Los Angeles Times has a good look at the state-of-play on the bill here.

FORMER SUZUKI EMPLOYEE GUILTY OF MISLEADING EPA: Wayne Powell, a former Suzuki analyst, pled guilty to submitting false reports on vehicle emissions to EPA and therefore enabling thousands of violations of the Clean Air Act on model year 2012 motorcycles, DOJ announced. He faces up to two years in prison and a maximum fine of $250,000.

ZINKE VISITS ANOTHER MONUMENT: After taking two monuments off his review list, Interior Secretary Ryan Zinke headed to Oregon on a beautiful Saturday to look at the Cascade Siskiyou National Monument. He hiked with BLM employees and met with advocates of keeping the monument, huddled with snowmobile industry peeps and talked with timber industry representatives. Energy and Commerce Committee Chairman Greg Walden hosted. Both of the state's Democratic senators - Ron Wyden and Jeff Merkley - have staunchly opposed altering the

monument. On Sunday, Zinke's Twitter feed included posts about meeting with Oregon Gov. Kate Brown and references to his "delish burrito" for lunch.

EDF ADS HIT PRUITT! EDF Action is launching a million dollar ad campaign targeting House GOP lawmakers for not combating deep cuts to EPA's budget. Targets include: Martha McSally, Mike Coffman, Jason Lewis, Barbara Comstock, David Valadao, Mark Amodei, Ann Wagner, Mario Diaz-Balart, Tom Rooney and Ken Calvert. Watch the ads here and here.

WHO KNOWS! French President Emmanuel Macron told a French newspaper Sunday he thinks he may have swayed Trump into returning to the Paris accord in the months ahead, according to Reuters . "(Trump) told me that he would try to find a solution in the coming months," Macron told Le Journal du Dimanche. "We spoke in detail about the things that could make him come back to the Paris accord." But Trump's Homeland Security Adviser Tom Bossert said the topic of climate change was not a major topic of conversation or awkward subject. "We didn't discuss any climate issues in the extended bilateral conversation that I attended," Bossert told reporters on Air Force One. "And the topic didn't chill or affect or any way come up verbally or through nonverbal cues in our conversations."

ILLINOIS JUDGE SIDES WITH NUCLEAR: The nuclear power industry racked up a legal win on Friday when a district court judge in Illinois agreed to dismiss a lawsuit against the state's zero-emissions credit program lawmakers passed last year. The program - estimated to cost consumers $235 million a year over ten years - was created to prop up two money-losing nuclear plants Exelon Corp. threatened to close, which drew multifaceted challenges from consumers and non-nuclear electricity generators in the region. But District Judge Manish Shah said that it wasn't the judiciary's role to instruct state regulators how to tailor their program for state-federal balance, and left the matter in the hands of FERC, despite its lack of a leadership quorum. Shah noted that complaints about the program were filed with FERC several months ago but, in a footnote, stated "FERC's current paralysis does not change the structural limitations on judicial power." Given how big a threat other power generators view the program, expect this to go up to the 7th Circuit Court of Appeals.

** **A message from Growth Energy:** Americans deserve cleaner, more consistent fuel choices at the pump, and Growth Energy is leading efforts to make that a reality. The Consumer and Fuel Retailer Choice Act is a simple fix that will improve air quality, lower prices at the pump, and spur innovations in biofuels. Learn more. **

WHAT'S NEXT FOR METHANE RULE? After federal appeals judges placed a stay of EPA's methane rule back on for two weeks, the agency has a couple of options, Pro's Alex Guillén reports in Energy Regulation Watch. It could seek a rehearing before the original three judges, though at least one judge would have to change their mind, or the agency could try for an en banc review, but that process takes a while.

Arguably more important is what the court's decision signals for other efforts to roll back Obama-era rules. Each case has slightly different legal arguments depending on the statute and how exactly the agency is going about a delay, but the D.C. Circuit's ruling is warning sign to Pruitt that he won't coast by in court challenges to their actions.

MAIL CALL! GROUP OUTLINE TAX REFORM PRIORITIES: The Hearth, Patio & Barbecue Association released Friday a brief letter to the Senate Finance Committee outlining their priorities as tax reform advances. Link here.

REPORT: HOW TO ADJUST TO A BRAVE NEW GRID: Former FERC Commissioner Tony Clark is out with a white paper this morning with how suggestions for states in various electricity markets can adjust to new goals many states have including fuel diversity, security, green energy and job creation. "To the degree policy makers and elected officials have moved the goal posts, it is time to consider the rational pathways forward," the paper notes.

COMING TO TOWN! Members of the American Public Power Association's Policy Makers Council are in town today through Wednesday for meetings on Capitol Hill. Among the topics they'll discuss is maintaining access for public power companies to bonds, building partnerships for grid resiliency and upcoming changes to environmental regulations.

MOVER, SHAKER! William Murray joins R Street Institute as federal energy policy manager; he comes from RealClearPolitics, where he was editor of the site's energy page for two years.

LOOKING GOOD: The Senate Environment and Public Works Committee unveiled a snazzy new, website befitting the 21st century late last week. Take a glance here.

QUICK HITS

- In Chile, Many Regard Climate Change As The Greatest External Threat. NPR.

- How to Invest in Oil Without Taking a Risk. Bloomberg.

- France must define possible scenarios to reduce nuclear: minister. Reuters.

- From $2 Billion to Zero: A Private-Equity Fund Goes Bust in the Oil Patch. Wall Street Journal.

- In Montana, federal BLM drilling permit mandate sparks debate. Billings Gazette.

- Is the most powerful lobbyist in Washington losing its grip? Washington Post.

THAT'S ALL FOR ME!

** **A message from Growth Energy:** The Consumer and Fuel Retailer Choice Act is a simple fix to existing, outdated Reid Vapor Pressure (RVP) limits that will improve air quality, lower prices at the pump, and spur innovation and investment in new biofuel technologies while decreasing dependence on oil. Congress can fix this outdated regulation - helping consumers, retailers & the environment - and build a better future for clean energy by supporting S. 517. Learn more about how Growth Energy is protecting fuel choices. **

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Subject: Morning Energy: Sizing up Trump's options as Paris decision looms — Former Trump official heads new carbon tax push — Fossil giants face shareholder climate challenges

By Anthony Adragna | 05/31/2017 05:43 AM EDT

With help from Mary Lee, Esther Whieldon and Alex Guillén

CONFUSION AS TRUMP NEARS PARIS VERDICT: Advisers to President Donald Trump have sent wildly diverging messages about whether the U.S. is open to remaining part of the international Paris climate change agreement, Pro's Andrew Restuccia reports . Before last week's G-7 summit in Italy, U.S. officials seemed to suggest in private conversations with foreign diplomats that Trump would be willing to stick around, before backing away in the end and declining to endorse a joint statement backing the deal, two sources told Andrew. But the president has just a few real options. The issue has divided Trump's advisers, but administration officials on both sides are increasingly convinced that Trump will withdraw, though they stressed late Tuesday that the decision is not yet final. "I've stopped trying to figure it out," said one longtime climate negotiator.

Options include: remaining in the pact, even as Trump reverses most Obama-era climate policies; using the threat of leaving to extract concessions benefiting fossil fuel interests; attempting to renegotiate the agreement (though that's exceptionally unlikely to work) or doing nothing.

U.N. chief: Forge ahead if U.S. leaves: United Nations Secretary-General Antonio Guterres urged Trump to stick with the climate agreement but said the rest of the world must continue its implementation even if the planet's second-largest greenhouse gas emitter leaves. "The message is simple: The sustainability train has left the station. Get on board or get left behind," Guterres said, adding he would hold a 2019 meeting to look at the deal's implementation. "Climate action is gathering momentum not just because it is a necessity but also because it presents an opportunity — to forge a peaceful and sustainable future on a healthy planet," he said.

The White House is trying to sell Trump's approach on issues like Paris — which has aggravated close European allies — as an attempt to strengthen close relationships further by holding frank conversations, POLITICO's Nahal Toosi reports. And there are signs European officials are already preparing for what it considers a worst-case climate scenario, looking increasingly to Canada and China as partners on the issue.

Last-minute push: Citizens for Responsible Energy Solutions Forum released a TV ad today urging Trump to stick with the Paris agreement but renegotiate a "better deal" for the U.S. It cites the support of ten major CEOs, including JP Morgan's Jamie Dimon, Disney's Bob Iger, GE's Jeffrey Immelt and CitiGroup's Michael Corbat.

EYEBROWS UP: EPA Administrator Scott Pruitt will no longer be traveling to the 2017 Kentucky Association of Manufacturers Conference & Trade Show today as originally planned,

a spokeswoman for the conference tells ME. That comes on the heels of his highly-publicized meeting with Trump Tuesday on the future of the Paris accord.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and Optony's Jonathan Whelan was first to pick out "Pork Barrel John" Langley as the congressman who resigned for illegally selling alcohol during Prohibition. For today: How many non-voting members are there in the House? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

SCOOP — FORMER TRUMP 'SHERPA' LEADS NEW CARBON TAX COALITION: A former member of Trump's transition team is pushing a carbon tax as a conservative solution to climate change. The Alliance for Market Solutions launched today with the goal of reshaping how Republicans approach the issue, says Alex Flint, the group's new executive director. Flint previously served as a "Sherpa " to help smooth the confirmation of Trump's Interior Department nominee, and before that he was senior vice president of governmental affairs at Nuclear Energy Institute. The mission of the Alliance for Market Solutions is "to see carbon regulations repealed, a carbon tax implemented that offsets other taxes ... and policies that appeal to the next generation of Republican voters — that's our goal," he told ME. The new alliance — armed with an Ernst & Young study written by AEI economist Alex Brill — says a revenue-neutral carbon tax would boost the economy. The E&Y study finds the tax - when using its revenues to finance a reduction in the corporate income tax rate — could increase GDP in the long-run by as much as 2.1 percent.

The players: The board of directors includes Chairman Jeffrey Williams, former investment banker at Morgan Stanley. And advisers include former FERC Commissioner Vicky Bailey, Former Florida Sen. Mel Martinez and John Rowe, chairman emeritus of Exelon.

GOVS CAUTION ZINKE ON SAGE GROUSE PLANS: A bipartisan pair of governors are warning Interior Secretary Ryan Zinke about some major changes he is considering to managing sage grouse populations in the West. Govs. Matthew Mead (R-Wyo.) and John Hickenlooper (D-Colo.) said they are "concerned" that replacing the Obama administration's approach, which was based on protecting habitat, with one based on hitting population targets for the birds "is not the right decision." When Zinke previewed some of his sage grouse plans in March, he said he was confident states would be able to hit a population target. The governors also cautioned against major changes to BLM land-use plans that were amended to address sage grouse. "Wholesale changes to the land use plans are likely not necessary at this time," wrote the governors, who co-chair the state-led Sage Grouse Task Force, in a Friday letter obtained by ME. Mead and Hickenlooper urged Zinke to work with them before making any changes.

Zinke could issue a secretarial order on sage grouse management as early as this week, directing BLM to review existing plans to identify burdens they place on resource development, among other steps, a source tracking the process tells ME. Interior spokeswoman Heather Swift in a text message said that was "not accurate" but declined to elaborate further.

CLIMATE SHOWDOWN TODAY IN TEXAS: Shareholders descend on Texas today for the annual meetings of Exxon Mobil and Chevron, and activist investors intend to force votes on a

host of climate change-related proposals. Perhaps the most-watched resolution would force Exxon to publish annual reports examining how its business would be affected by global efforts to address climate change, including the scenario limiting temperature increases to 2 degrees Celsius. A similar resolution received backing from more than 38 percent of Exxon shareholders last year — at the time a record — but it's thought to be close to securing majority support despite opposition from the company itself, which argues it already releases sufficient information in that area. Another proposal, from As You Sow, calls for the company to publish an annual report on "actions beyond regulatory requirements" to minimize methane emissions, especially leakage, from its operations. It's the first meeting since Darren Woods took over as Exxon CEO from now-Secretary of State Rex Tillerson. A full list of items under consideration is available here.

While most attention (and protests) are being directed Exxon, Chevron is expected to have its own climate confrontations at its annual meeting today. Investors opted to withdraw a climate "stress test" resolution similar to the one Exxon faces earlier this month, but are expected to vote on another calling for a report on "the feasibility of altering the company's energy mix by separating or selling off its highest carbon-risk assets." A full itinerary for their meeting is available here.

The votes are part of a broader trend of fossil fuel companies facing increased pressure over whether they are prepared to deal with climate change. Earlier in May, 67 percent of investors in Occidental Petroleum backed a resolution calling for the company to annually analyze and disclose its risks associated with climate change, a first for a U.S. oil and gas company. That move came despite the company's board opposing the measure.

TRUMP EPA 'MAY' SOON TAKE ACTION ON CLEAN POWER PLAN: EPA played coy Tuesday in a court filing about its ongoing review of the Clean Power Plan, saying in the brief status report to the D.C. Circuit Court of Appeals that it "may" soon propose something. "EPA continues to review the Rule, as required under the Executive Order, and may be prepared to begin the interagency review process of a resulting proposed regulatory action in the near future," the filing said. "We will update the Court as EPA takes further steps." The D.C. Circuit's 60-day hold is up in about a month, and the court is currently weighing whether to extend that hold indefinitely or simply send the CPP back to EPA. In a separate filing, EPA said basically the same thing about its review of the 111(b) rule for future power plants, which unlike the CPP remains in effect.

INTERIOR OFFICIAL KEPT AGRICULTURE STOCKS: Aurelia Skipwith, Zinke's hire for deputy assistant secretary for fish, wildlife and parks, has kept between $50,001 and $100,000 in stocks in the agricultural consulting firm she founded, AVC Global, according to a public financial disclosure report obtained by ME. She also has between $1,001 and $15,000 in stocks with agriculture company Monsanto.

ZINKE'S ALASKA TOUR ROLLS ON: Zinke is in Anchorage, Alaska again today where he'll deliver remarks at the Alaska Oil and Gas Association annual conference at the Dena'ina Convention Center around 12:15 p.m. He'll then tour the Arctic Valley Nike Site Summit, a Cold War-era missile site.

In conjunction with his trip, the Wilderness Society is releasing a short, two-page chapter of a broader forthcoming report highlighting what it says are the unacceptable risks posed by drilling in the Arctic Refuge.

CLIMATE HAWK McCAIN REEMERGES? Sen. John McCain delivered his strongest comments on climate change in years during an appearance Tuesday in Australia, urging Trump to stick with the Paris agreement. "I would like to see us ... either accept the agreements as were made by the Obama administration or suggest modifications which would make it palatable for us and acceptable to us to join," McCain said, according to The Guardian . "If we don't address this issue, I am very much afraid about what the world is going to look like for our children and grandchildren." The former presidential candidate added that "one of the great tragedies of our lives is the Great Barrier Reef dying [and] the environmental consequences of that."

MAIL CALL! REPS: TREAD CAREFULLY WITH NAFTA RENEGOTIATION: Nearly 60 House members are urging U.S. Trade Representative Robert Lighthizer to be aware of potentially disruptive energy sector impacts while renegotiating NAFTA. "We ask that you consider the importance of maintaining and where feasible upgrading, policies regarding the free flow of raw and refined products from oil and natural gas, the absence of tariffs on energy products, protections for U.S. intellectual property, as well as access to Canadian and Mexican markets," the lawmakers, led by Tom Reed (R-N.Y.) and Terri Sewell (D-Ala.), wrote in a letter Tuesday. ME notes it's pretty darn unusual to have Bobby Rush (D-Ill.) and Louie Gohmert (R-Texas) on the same letter.

HERE'S AN IDEA: Rep. Tom Graves (R-Ga.) proposed throwing all the appropriations bills together this year and passing the massive omnibus before August recess during a closed-door GOP meeting last week, Pro's Budget & Appropriations Brief's Sarah Ferris and Jennifer Scholtes report. "It's a Herculean task," Graves said, adding that fellow appropriators have promised to work weekends. But a reality check: House lawmakers haven't passed all 12 bills on time in more than a decade — let alone a month early.

HOUSE ENERGY COALITION OUTLINES TAX REFORM WISH LIST: The 50-Democrat House Sustainable Energy and Environment Coalition, in a recent letter , urged House Ways and Means leadership to curb tax breaks for the oil and gas industry but extend or expand a myriad of clean energy tax incentives as part of the committee's overall tax reform efforts. In addition to wanting a carbon tax, the coalition asks for extended tax credits for a number of small technologies left out of a 2015 deal, expansion of the investment tax credit to include stand-alone energy storage and an exception for offshore wind to the planned phase out of the ITC.

MOVERS, SHAKERS: Jenner & Block has formed an energy practice with the addition of three former top FERC officials. Suedeen Kelly, a former commissioner, will co-chair the practice as a partner along with Randy Mehrberg. Max J. Minzner, former general counsel with the agency, also joins as partner. And Jeffery S. Dennis, former director of FERC Division of Policy Development, joins as special counsel.

Steve Wackowski has been named as Zinke's senior advisor for Alaska affairs. Wackowski

managed Sen. Lisa Murkowski's latest reelection campaign, was press secretary for Sen. Ted Stevens and has experience tracking and mapping polar bear den locations for oil and gas companies on Alaska's North Slope. Wackowski is a Major in the Air Force Reserve and his new position will be based in Anchorage.

Jeff Kerridge has been appointed senior vice president of business development for AECOM within its nuclear and environment division; he has 31 years of experience within the nuclear energy industry, including stints with the Department of Energy and the United Kingdom's Ministry of Defense.

Frank Benenati is starting a new job in Chicago at United Airlines as director of corporate communications. He previously served as the director of public affairs for the EPA and also was as a White House spokesperson and assistant press secretary (h/t Playbook).

INSANE VIDEO: CBS News posted crazy video of an underground water main exploding in Kiev, Ukraine. Watch it here.

QUICK HITS

— Head of Pueblo County commissioners says Lamborn should "stay out" of EPA's Colorado Springs stormwater lawsuit. Denver Post.

— Climate change could make cities 8C hotter - scientists. The Guardian.

— PSEG shuts down its last coal plants: `It's just economics'. Philly.com.

— British Columbia political alliance vows to block pipeline expansion. Reuters.

— Why higher oil prices might not mean more U.S. drilling. Bloomberg.

— Lawsuit alleges EPA failed to protect Shenandoah River. WHSV.

— Energy Dept. Faces Resistance in Effort to Recover Money From Spain's Abengoa. Wall Street Journal.

HAPPENING TODAY

3:30 p.m. — NAFTA Conversation with Secretary Wilbur Ross and Jack Gerard, Bipartisan Policy Center, 1225 Eye Street NW, Suite 1000

5:30 p.m. — Women's Council on Energy and the Environment May Happy Hour, Penn Commons, 700 6th Street, NW

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To view online:

https://www.politicopro.com/tipsheets/morning-energy/2017/05/few-clear-options-as-trumps-paris-decision-looms-023067

Stories from POLITICO Pro

Trump's climate conundrum nears a verdict Back

By Andrew Restuccia | 05/30/2017 07:24 PM EDT

Donald Trump's advisers have sent wildly different messages to U.S. allies about the president's willingness to remain in the Paris climate agreement — adding to the confusion as he appears set to render a verdict this week.

Shortly before the G-7 summit in Italy last week, U.S. officials had private conversations with foreign diplomats that seemed to suggest Trump was open to staying in the landmark 2015 pact, two people briefed on the discussions told POLITICO. But then, to their frustration, the U.S. backed away, instead becoming the lone holdout from a declaration expressing "strong commitment" to the agreement.

The administration's public statements have been no less mixed. National Economic Council Director Gary Cohn, who supports staying in the agreement, told reporters last week that Trump's "views are evolving." But allies of EPA chief Scott Pruitt, who wants the U.S. to leave, made it known that Trump privately agrees with them. Administration officials on both sides of the issue are increasingly convinced that he will withdraw, though they stressed late Tuesday that the decision is not yet final.

For all the mystery, though, Trump has only a few main options for dealing with the non-binding climate deal, one of former President Barack Obama's proudest diplomatic achievements.

He can stick with the deal, while unwinding most of Obama's climate policies and pledges for reducing greenhouse gas pollution. He can use the threat of leaving to push other countries for concessions that benefit U.S. fossil fuels. He can even try to renegotiate the agreement — highly implausible, given that nearly 200 governments took part in crafting it.

Or he can do nothing.

This is POLITICO's breakdown of the possibilities:

Withdraw

Trump vowed during the presidential campaign to "cancel" the Paris agreement, portraying it as a threat to U.S. jobs and energy production, and conservatives are convinced he'll make good on that promise.

Pruitt and White House chief strategist Steve Bannon have emerged in recent months as the administration's biggest opponents of the Paris agreement, and both men have made their case

for withdrawal directly to Trump.

Pruitt and Trump discussed the issue again on Tuesday, a possible indication that he's preparing to withdraw. Sources confirmed that Trump indicated in recent conversations with Pruitt that he was leaning toward pulling out of the agreement, as Axios reported last weekend.

But the climate discussions at the G-7, paired with a lobbying campaign from Pope Francis and other leaders, could have changed Trump's mind. Other U.S. officials were convinced as recently as last week that Trump would remain in Paris.

Others are just uncertain. "I've stopped trying to figure it out," said one longtime climate negotiator.

A withdrawal would strain U.S. relations with countries in Europe and elsewhere, and it could destabilize the foundation of the Paris deal. Such considerations have helped persuade even Trump's secretary of state, Rex Tillerson, to support staying — as well as GOP lawmakers like North Dakota Rep. Kevin Cramer, an energy adviser to the the president.

If Trump decides to pull out, though, the text of the deal would prevent a U.S. exit from formally taking effect until at least Nov. 4, 2020 — a little over two months before the end of his first term. But Trump's public disavowal of the pact would certainly have an immediate impact on the global effort to tackle climate change.

In addition, Trump would have one speedier option for pulling out: He could withdraw the U.S. from the 1992 United Nations Framework Convention on Climate Change, the treaty that undergirds the entire regime of international climate negotiations. According to the Paris text: "Any party that withdraws from the convention shall be considered as also having withdrawn from this agreement."

Remain, but win concessions

Administration officials who support remaining in the agreement have been working for months to try to flesh out a middle ground.

One option that has won support from some the White House aides: weakening Obama's pledges for cutting U.S. carbon emissions, and persuading world leaders to offer greater support for technologies to reduce pollution from fossil fuels like coal.

The first part is entirely within Trump's power: Obama's pledges were nonbinding, and the current administration would be free to substitute its own, less-ambitious promises if it chooses to — even as Trump seeks to undo Obama's domestic climate regulations and slash EPA's budget. Winning concessions from other countries would require some high-stakes dealmaking, however.

Before the summit in Italy, U.S. officials discussed those options with representatives from other G-7 countries, in conversations that gave diplomats hope that the Trump was open to staying in

the agreement if he could be reassured the U.S. has flexibility, according to two people briefed on the issue. But the U.S. ultimately backed away from pro-Paris language in the G-7's closing joint communique, breaking with the six other countries that participated in the meeting.

Energy Secretary Rick Perry attempted a similar gambit during an April meeting of G-7 energy ministers in April. But the other countries rebuffed his attempt to place stronger pro-coal, pro-nuclear language into a proposed joint statement on energy policy, which wound up being scuttled.

If Trump decides to remain in the agreement, he'd probably cast the decision as a sign of his dealmaking prowess, and a wholesale repudiation of Obama's climate pledge.

But it comes with political risks: Conservative groups would probably bash Trump if he decides to stay in the Paris deal, even if many people who voted for him probably don't view the issue as a top priority.

Renegotiate the agreement — but that's unlikely

Some in Trump's orbit have urged the president to renegotiate the agreement, an option that is seen as all but impossible among international climate negotiators.

The 2015 Paris talks were the culmination of years of preparations, and it's unlikely that Trump could convince negotiators from nearly 200 nations to reopen the underlying text.

Some closely tracking the issue suspect that "renegotiate" is just shorthand for ensuring that the U.S. gets a better deal in future discussions arising from Paris. That could be accomplished through bilateral and multilateral negotiations with individual countries, or by influencing the discussions at subsequent climate conferences over how to implement the agreement.

Do nothing

Trump could also delay a decision for months or even years, avoiding the political fallout of withdrawing or remaining.

Instead of issuing a firm verdict this week, the president could announce he'll tentatively remain in the agreement, but continue to review his options and reserve the right to withdraw at a future date.

Some who follow the issue think that could be his most politically savvy option.

"What good does it do to announce your intention to leave 2½ years early?" asked one longtime climate negotiator. "You've given up all your leverage."

To view online click here.

Back

White House to Europe: Trump picks on you because he likes you Back

By Nahal Toosi | 05/30/2017 06:37 PM EDT

President Donald Trump may be aggravating Germany, France and other U.S. allies in Europe with his tirades and qualms about trade imbalances, NATO spending and the Paris climate change deal.

But the White House is casting Trump's approach as one designed to strengthen the U.S.-European relationship — not kill it.

After all, Trump aides insist, real friends tell each other hard truths.

Trump "views not just Germany but the rest of Europe as an important American ally," White House press secretary Sean Spicer said Tuesday, adding that the Republican president's demands during his first official visit to Europe last week that other NATO countries spend more on defense were "getting results."

"That is a good thing for them, it's a good thing for NATO, and it's a good thing for America," Spicer said.

To others, however, the Europe-U.S. tensions over defense spending, trade deals and climate change are real, growing and could ultimately lead to shifts in alliances if Trump does not temper his tone. European leaders, some of whom face elections at home, do not want voters to see them as weak next to Trump.

While it's unlikely the United States and Europe would flat-out abandon each other, smaller rifts could be exploited by rivals such as Russia, lead to new partnerships with emerging forces such as China, or threaten cooperation on joint endeavors such as stabilizing Afghanistan.

"Europeans really are asking themselves, 'How can we try and proceed and construct a positive way forward with someone who won't even meet us halfway?'" said Julianne Smith, who advised former Vice President Joe Biden on national security. "Sure, there's not going to be a total break in the relationship. But it could really inhibit cooperation at the highest levels, and that's where the toughest problems get solved."

During meetings in Europe last week, Trump devoted much of his public remarks to chiding NATO members he insists are freeloading on the United States by not meeting their commitment to spend at least 2 percent of their GDP on defense. Trump did not directly endorse Article 5, the principle at the heart of NATO that says members will treat an attack on one as an attack on all. He also would not sign on to a statement committing the United States to honoring the Paris climate change agreement.

German Chancellor Angela Merkel, at a campaign event over the weekend ahead of elections

this fall, indicated that she no longer considered the United States a reliable ally.

"The times in which we could rely fully on others — they are somewhat over," said Merkel, strong comments from the highly influential but usually measured leader. On Tuesday, she told a closed-door meeting of her parliamentary group that while she remained committed to the trans-Atlantic alliance, she would not pretend there weren't substantive differences with Trump, especially on climate change.

German Foreign Minister Sigmar Gabriel was blunter. "The short-sighted policies of the American government stand against the interests of the European Union," Gabriel said Monday. "The West has become smaller; at least, it has become weaker."

Trump and his team were in no mood to walk anything back.

The president shot back Tuesday on Twitter: "We have a MASSIVE trade deficit with Germany, plus they pay FAR LESS than they should on NATO & military. Very bad for U.S. This will change."

In the past, Trump's aides have engaged in clean-up efforts after he clashed with foreign allies, but there was no confirmation of such behind-the-scenes work this time. A Pentagon spokesman said he was unaware of any outreach by Defense Secretary James Mattis to European counterparts, while the State Department refused to say whether Secretary of State Rex Tillerson had had any conversations.

Spicer used Tuesday's daily White House press briefing to insist that the Trump administration is fully committed to NATO and other European alliances but that it would not back down on its demands.

"During his conversations at NATO and at the G-7, the president reaffirmed the need to deepen and improve our trans-Atlantic relationship," Spicer insisted.

Another administration spokesman, Michael Short, put it this way: "The good thing about strong alliances, like the one we have with Germany, is that you can have frank discussions."

Trump's predecessors, Republican and Democratic, also voiced frustration that so few NATO members meet the commitment to spend at least 2 percent of GDP on defense. But those presidents couched their criticisms in reassurances of America's commitment to NATO, including promises that it would aid any NATO member that was attacked.

Trump's failure to take that two-pronged approach is why so many Europeans are alarmed, said Charles Kupchan, who served as senior director for European affairs on the staff of the National Security Council in the Obama administration.

"This is the real Trump, this is where he's landed, and I think that's the message that Europeans have come away with," Kupchan said.

A State Department official said that Trump's departure from past administrations' approaches deeply concerned U.S. diplomats but that, so far, they are taking comfort in the fact that it's not much more than rhetoric.

However, if Trump decides to abandon the Paris climate agreement or to reverse the U.S. diplomatic opening to Cuba brought about by former President Barack Obama, many European officials would be furious, the State Department official said. Both decisions could come in the next few days.

On climate, there are signs that Europe is preparing for what it considers a worst-case scenario. European officials have for months looked to Canada and China as partners on climate change, increasingly aware that the United States is no longer fully in their corner on the issue, EU sources told POLITICO.

Trump's critics have already accused him of emboldening China, saying his decision to yank the United States out of the massive trade deal known as the Trans-Pacific Partnership will allow China to take the lead on trade in the Asia-Pacific region.

The political climate in Europe is playing into how closely leaders align with or distance themselves from Trump.

British Prime Minister Theresa May, who is overseeing her country's plans to leave the European Union, has tried to get close to Trump, to the point where she's been accused of not doing enough to push him to stick to the Paris climate deal.

In Germany, where Merkel is running for re-election, no party wants to be seen as soft on Trump, who is widely disliked by Germans. The Merkel-Trump divide isn't unprecedented. The relationship between Merkel's predecessor, Gerhard Schröder, and then-President George W. Bush essentially broke down over Berlin's refusal to back the 2003 U.S. invasion of Iraq.

Newly minted French President Emmanuel Macron, free of the burdens of campaigning, has made several moves that indicate he won't kowtow to Trump. In Brussels, Belgium, last week, he shook Trump's hand with such a strong grip that the U.S. president's knuckles turned white. Macron later declared the handshake was "not innocent" and symbolized his unwillingness to make concessions.

During another encounter, Macron walked toward Trump but swerved at the last minute to greet Merkel first; later he published a photo of the mingling G-7 leaders that noticeably did not include Trump.

But Macron aides say their new leader's ultimate goal is to draw the American president in, not push him away. "The greater the distance is, the more you have to go toward the other ... sulkers don't win," a senior aide to Macron said, adding that the French president wants "to remind Trump that he is part of the future of Europe."

Andrew Restuccia, Matthew Nussbaum, Jacqueline Klimas, Nicolas Vinocur and Matthew

Karnitschnig contributed to this story.

To view online click here.

Back

Trump's 'sherpas' lay confirmation groundwork Back

By Andrew Restuccia and Nancy Cook | 12/09/2016 10:00 AM EDT

Donald Trump's transition operation has assembled a team of advisers to help his Cabinet nominees get confirmed — a signal the president-elect is taking no chances even though most of his picks are expected to easily clear the Republican-controlled Senate.

Often called "sherpas" after the expert Himalayan climbers that help tourists scale Mount Everest, the guides are part advance team, part coaches, part crisis managers, working closely with nominees to set up meetings with senators, answer questions from key committees and prepare for confirmation hearings.

The previously unreported team of sherpas underscores Trump's emphasis on personnel, which is the primary focus for his top advisers even as transition staff in Washington warn their policy proposals are being largely ignored.

The sherpas must have strong relationships on Capitol Hill, said Kenneth Duberstein, Ronald Reagan's former chief of staff and a sherpa to several past Supreme Court and Cabinet nominees.

"You need to have knowledge of the confirmation process, knowledge of the hot-button issues of the various senators involved in the committees of jurisdiction and you have to make sure that you have good connections with the staff," he said.

He added that they shouldn't focus simply on winning over Republicans.

"You need certainly to understand that while you have the majority in the Senate, you need to figure out where the other votes are," he said. "If you can come out of the committee not just on a partisan vote, that buttresses the nominee significantly."

The sherpas who are already working with Trump's Cabinet picks, according to interviews with people close to the transition, include:

Townsend McNitt, a former George W. Bush Education Department official, is advising Betsy DeVos, Trump's pick for Education secretary;

Alex Flint, the former staff director of the Senate Energy and Natural Resources Committee and a former executive at the Nuclear Energy Institute, is advising Trump's yet-to-be-named Interior secretary pick. Flint has been spotted holding meetings with energy committee staff in recent

days, sources said;

Drew Maloney, vice president of global government affairs and public policy at the oil company Hess, is the sherpa for Andrew Puzder, who Trump is expected to tap as Labor secretary;

Mary Waters, who was an assistant secretary for congressional relations in George W. Bush's Agriculture Department is the sherpa for Steven Mnuchin, Trump's pick for Treasury secretary. Waters was spotted with Mnuchin in the Capitol this week;

Earl Comstock, a long-time former Senate Commerce Committee staffer, is the guide for Trump's choice for Commerce secretary, Wilbur Ross;

Keith Appell, a long-time conservative public relations executive, is leading the nomination process for Sen. Jeff Sessions, the pick for attorney general. Appell is a senior vice president at CRC Public Relations and also led the communication efforts for the coalition to confirm Supreme Court justices John Roberts and Samuel Alito;

DJ Nordquist, a well-known chief-of-staff and communications director in the economic studies program at the Brookings Institution, is helping Ben Carson through the confirmation process for secretary of Housing and Urban Development. She previously served as the assistant secretary for public affairs at HUD and as the deputy chief of staff at the FDIC;

Cynthia Berry —managing director at the Association Management Group, former staffer to former Sen. Jon Kyl of Arizona and Washington counsel for the American Medical Association — is acting as the guide for Rep. Tom Price (R-Ga.), Trump's choice to lead HHS.

A former Price staffer thought he would have little problem with his confirmation. "I imagine he'll experience an intense grilling from the other side on his policy positions, but I would not expect any issues to pop up in his vetting," the ex-staffer said. "He's a 'by-the-book' person."

The Trump transition team did not respond to a request for comment. The sherpas declined to comment or did not respond to requests for comment.

Former sherpas said one of the most important parts of the job is preparing for Senate confirmation hearings by setting up mock question-and-answer sessions, often called "murder boards."

"Lots of these nominees don't know D.C., or the senators they'll be in front of, or conversely, feel like they know everything already and so don't need to kiss the rings, or do any serious prep," said Trudy Vincent, the sherpa for Ken Salazar, who went on to become Obama's first Interior secretary.

Another big part of the job is anticipating and trying to get out ahead of Democrats' potential talking points about nominees — and then batting them down quickly.

Appell, for instance, sends out frequent emails to reporters titled the "Sessions Brief" that

highlight bright spots from Sessions' record, like his support from past drug czars, law enforcement officials and past attorneys general.

The Trump transition team is also eager, in the case of Sessions, to highlight his support among some in the African-American community as a way to combat past allegations of racism, according to a transition team member. Back in 1986, Session's bid for a federal judgeship was upended when an African-American assistant U.S. attorney, who worked for Sessions, told the Senate Judiciary Committee that Sessions had called him "boy" and had joked about the Ku Klux Klan.

Trump's lobbying ban, which requires that people working on the transition deregister as lobbyists, has limited the pool of sherpa candidates since many former Senate committee staffers are registered lobbyists.

"When you get a Cabinet secretary, you want someone who knows that committee to be introducing them to members," one Republican lobbyist said of the lobbying restrictions. "Tell me a legislative affairs guy who's going to sign up for that."

Lorraine Woellert, Isaac Arnsdorf and Caitlin Emma contributed to this story.

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DOI to launch new sage grouse management plan Back

By Jenny Hopkinson | 03/28/2017 01:46 PM EDT

The Interior Department is preparing to soon release a new plan for managing sage grouse in Western states, Secretary Ryan Zinke told ranchers today, adding that the measure will be state-focused and friendly to farmers.

"You'll be happy with the decision that comes with sage grouse," Zinke told the Public Lands Council's Legislative Conference in Washington, D.C., this afternoon.

"I think if you are a rancher, a traditional Western guy, you are going to see a lot more power with the states. ... We are going to manage on number, not on habitat," Zinke said.

In September 2015, the Obama administration released a sage grouse management plan to protect the species across its 11-state range. The plan came as part of a deal with ranchers, energy developers and other land owners to avoid the strict land-use restrictions that would have resulted from putting the bird on the Endangered Species List.

However, the plan is unpopular among ranchers and other Western interests because it gives a lot of power to the federal government to tell states how to manage the bird's habitat and measures

success on the maintenance of designated habitat zones as opposed to the size of the sage grouse population.

Zinke's plan will tell states how large the sage grouse population in their jurisdictions should be. He added that those numbers would take into account weather conditions, predators and other natural factors.

"I think the state is very capable of coming up with a plan that can meet those numbers," the secretary said.

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Trump EPA urges court to keep climate rule lawsuit on hold Back

By Alex Guillén | 05/15/2017 05:02 PM EDT

The Trump administration and the states and companies seeking to quash the Obama EPA's Clean Power Plan told a federal court Monday they want to keep the lawsuit over that landmark climate rule on hold indefinitely.

They argue a freeze would be preferable to a court decision to send the rule back to EPA without deciding on the whether the power plant carbon regulations violated the Clean Air Act. And they say that remanding the rule to the agency to review would just lead to headache-inducing quagmires for EPA and the court.

If the court remands the rule, its opponents might file new lawsuits to preserve their legal claims, while environmentalists could challenge any EPA attempt to set new compliance deadlines.

Keeping the case on hold would also allow EPA to finish its review of the rule more quickly because it would not have to divert resources to addressing those new legal issues, the administration added.

"These consequences can be — and manifestly should be — avoided by continuing to hold this litigation in abeyance," EPA wrote in its brief.

EPA received back-up from the Clean Power Plan's opponents, who made similar arguments in their own brief.

When the D.C. Circuit Court of Appeals issued its 60-day stay last month, the judges asked all sides to weigh in on whether to keep the case on ice indefinitely — which could be a long time given the years that are likely needed to repeal the Clean Power Plan and resolve subsequent litigation — or send the rule back to EPA right now, without rendering a decision on its legality.

The rule's supporters, however, would prefer a third path.

Environmentalists, states that support the Clean Power Plan, clean energy groups and several utilities noted their first choice would actually be for the court to issue its ruling.

Those groups were likely buoyed by EPA's strong showing at oral arguments last year. After watching seven hours or arguments, many observers predicted EPA would prevail on most of the legal issues, though a win for the Clean Power Plan was not guaranteed.

Plus, green groups argue, there are several major legal questions the courts likely will need to answer at some point no matter what the Trump administration does now. That includes whether EPA can achieve emissions reductions through "fuel switching," also known as EPA's "beyond the fence line" approach. The court could also weigh in on the so-called 112 Exclusion, which the rule's challengers argued should prevent EPA from regulating in this manner, no matter the details.

But the court's order seeking opinions on remand versus abeyance indicate that the judges are no longer interested in issuing a ruling.

In that case, environmental groups argued, keeping the Supreme Court stay in place would "convert temporary enforcement relief pending judicial review into a long-term suspension of the Clean Power Plan, without any court having issued a decision on its legal merits and without following the administrative steps necessary to amend, suspend or withdraw a regulation."

Meanwhile, EPA and its challengers made similar arguments urging the court to maintain its hold on lawsuits over the Clean Power Plan's sister regulation that sets emissions limits for future power plants, also known as the 111(b) rule or the new source performance standard.

That case was on a slower judicial track than the CPP. All sides had completed briefing, but last month the Trump administration convinced the court to delay arguments.

Meanwhile, environmental groups, supportive states and pro-rule utilities said they would like to see this case continued through arguments and a decision by the court, but that in lieu of that they have no preference over remand versus abeyance.

Although the Clean Power Plan was stayed, the future plant rule has been in effect since it was released in 2015, and neither option would hurt its "effectiveness during any period of review by the new administration," environmentalists argued.

The court has no strict deadline to decide what to do. It has paused the lawsuits challenging both rules through June 27, but is under no obligation to act before then.

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Zinke taps two women for senior posts at Interior Back

By Esther Whieldon | 04/06/2017 12:16 PM EDT

Interior Secretary Ryan Zinke is appointing two women, including a President Donald Trump's beachhead team member, to official positions in his office.

Zinke will today name Katharine MacGregor as deputy assistant secretary for land and minerals management, an Interior spokesman told POLITICO. Zinke is also appointing Aurelia Skipwith, co-founder of agricultural consulting firm AVC Global, as deputy assistant secretary for fish, wildlife and parks.

MacGregor was a staffer on the House Natural Resources' Energy and Mineral Resources Subcommittee, where she worked on issues involving oil and gas development and royalties as well as offshore renewable energy development. She also previously served as a legislative director for former House Republican Majority Leader Eric Cantor and as a legislative assistant for former Republican Rep. Thelma Drake of Virginia.

Skipworth previously worked at the Bureau for Food Security at the United States Agency for International Development and is a former USDA research intern.

The White House has yet to nominate candidates for any of the top political positions at Interior or its nine bureaus, but Zinke appears to be moving ahead with appointing political staffers who do not require Senate confirmation.

Zinke in March appointed Mike Nedd as acting director of the Bureau of Land Management. Nedd had been assistant director for energy, minerals and realty management since 2007.

Ben Lefebvre contributed to this article.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Fri 7/7/2017 2:05:03 PM
Subject: POLITICO's Morning Score: EMILY's List endorses Rosen as Democrats try to head off Titus primary — Casey raises $2.6M, Bartos $1M in Pennsylvania — GOP challenger declares versus Bera in CA-07

By Elena Schneider | 07/07/2017 10:00 AM EDT

With Scott Bland, Kevin Robillard, Daniel Strauss and Maggie Severns

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

PRE-EMPTING THE PRIMARY - "Democrats try to head off Titus Senate bid," by Campaign Pro's Elena Schneider: "Democratic Rep. Dina Titus has defied Harry Reid before, and Democrats in Washington and Nevada spent Thursday trying to make sure it doesn't happen again. Within hours of Rep. Jacky Rosen launching her run for Senate, the biggest forces in Nevada and D.C. Democratic politics lined up behind her, hoping to avoid a contested primary before their opportunity next fall to face Republican Sen. Dean Heller - the only Senate Republican up for reelection in a state President Donald Trump lost last year. EMILY's List President Stephanie Schriock said in a statement, shared with POLITICO, that her group is "proud to endorse" Rosen 'right out of the gate.' The Democratic women's PAC has worked with Titus in the past, but it joined Sen. Catherine Cortez Masto, Rep. Ruben Kihuen and the Democratic Senatorial Campaign Committee, who endorsed Rosen in quick succession on Tuesday. ... It's a clear effort to discourage Titus, after she told Nevada Newsmakers that she still hadn't ruled out a bid against Heller. And the outpouring of support for Rosen has not dissuaded her yet." **Full story.**

Q2 FUNDRAISING - FIRST IN SCORE - Casey raises $2.6 million: Pennsylvania Sen. Bob Casey raised $2.6 million in the second quarter, essentially matching the $2.7 million he raised in the first three months of the year. He has $5.5 million on hand, an increase from $3.8 million at the end of March.

- Bartos raises $1 million: Pennsylvania Republican Senate candidate Jeff Bartos raised over $1,072,000 in the second quarter of 2017 and has over a million dollars on hand, according to figures obtained first by POLITICO.

- IN THE HOUSE - CA-39: Democrat Mai-Khanh Tran announced raising over $270,000 in the second quarter after jumping into the race for GOP Rep. Ed Royce's district in early June.

- CA-45: Democrat Katie Porter raised over $310,000 in the first three months of her campaign for Rep. Mimi Walters' seat.

- CA-49: Democrat Mike Levin raised approximately $333,000 in the second quarter, according

to a Thursday tweet touting his year-to-date fundraising in the race against GOP Rep. Darrell Issa.

- **CO-05:** Republican Owen Hill raised $225,000 for his primary challenge against GOP Rep. Doug Lamborn in the second quarter and has $195,000 on hand, Colorado Politics reported.

- **MI-11:** Democrat Haley Stevens raised $320,000. Stevens is running in the Democratic primary to unseat GOP Rep. David Trott.

- **PA-06:** Democrat Chrissy Houlahan raised over $432,000 and had over $383,000 on hand at the end of the second quarter, her campaign said. Houlahan is running against GOP Rep. Ryan Costello.

- **TX-32:** Democrat Ed Meier announced raising $345,000 for his campaign against GOP Rep. Pete Sessions, with $300,000 left on hand. Democrat Colin Allred announced raising $200,000 in the second quarter.

- **PACs: End Citizens United** raised $3.4 million in the second quarter, it announced Thursday. Its donors have also given $1.7 million to endorsed candidates, and the PAC announced 21 more endorsements, including: Democratic Sens. Bill Nelson of Florida and Joe Donnelly of Indiana, as well as Reps. Kyrsten Sinema (AZ-09), Ami Bera (CA-07) and Rick Nolan (MN-08).

- **Defending Main Street,** the moderate House Republican super PAC, took in its first big donation of 2017 in June - $100,000 from the LIUNA super PAC.

PITCH (NOT) PERFECT - "Senate GOP recruiting slow-going for 2018," by Campaign Pro's Kevin Robillard and Burgess Everett: "Republicans have a huge opportunity to gain seats in the Senate in 2018. They just need to find the candidates. Rep. Ann Wagner's decision not to challenge Democratic Sen. Claire McCaskill , a matchup Missouri political observers had anticipated for years, is the latest in a string of thanks-but-no-thanks moves from candidates Washington Republicans thought were locks to run for Senate next year. It's an unwelcome sign for the GOP despite staring down a tantalizing Senate map, with 10 Democrats up for reelection in states President Donald Trump carried last year and an opportunity to win eight states and a filibuster-proof majority." **Full story.**

CANDIDATE WATCH - "Republican business executive and Marine veteran challenges Rep. Ami Bera in Northern California race," by the Los Angeles Times' Phil Willon: "Business executive and Marine Corps veteran Andrew Grant is challenging Rep. Ami Bera (D-Elk Grove) for a Northern California congressional seat coveted by both parties. Grant, a Republican, is a newcomer to politics but has had a career steeped in defense, national security and foreign policy, including serving in the U.S. State Department after he left the military. ... Grant said he voted for President Trump last November and that while all the president's decisions have not been perfect, he has rightly focused on the concerns of working-class Americans. Grant said he still is formulating detailed positions on issues such as health care and immigration. But he said he generally supports a market-based approach for health care. He was skeptical about the need for a massive wall on the U.S.-Mexico border and expressed sympathy

for immigrants who seek a better life in the U.S." **Full story.**

Days until the 2017 election: 123.

Days until the 2018 election: 487.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

CORRECTION - Yesterday's Morning Score incorrectly listed Democratic House challenger Phil Janowicz's district. He is running in CA-39.

FROM THE COMMISSION - "FEC appears unlikely to take action on Russia," by Campaign Pro's Maggie Severns: "The FEC appears poised to steer clear of probing possible Russian interference in the 2016 elections, despite a publicized push earlier this year. The commission's jurisdiction includes overseeing illegal foreign spending in U.S. elections, and Democratic Commissioner Ellen Weintraub released six proposals outlining potential actions the FEC could take, from asking for briefings from the Justice Department on ongoing probes to launching a new rulemaking addressing election spending by foreign-owned corporations. But the commission appears headed for partisan deadlock at its next meeting, slated for July 13, with the panel's Republicans expected to view the FEC's role as more limited than what Weintraub drew up." **Full story.**

- FEC draft opinion rejects replacing ad disclosures with Twitter handles: Full story.

TECH MONEY - "Even some of the tech industry's most prominent critics of President Donald Trump are opening their checkbooks and donating to Republican lawmakers, as Silicon Valley sets its sights on the 2018 midterm election," Recode's Tony Romm reports. "... At the end of March, for example, [Elon] Musk chipped in $50,000 to an organization run by House Majority Leader Kevin McCarthy that's meant to boost his GOP allies. Musk also donated roughly $34,000 to the Republican Party's official arm for electing lawmakers to the chamber, federal records show. ... GOP lawmakers got a boost earlier this year from Google's Schmidt, who donated $33,900 - the maximum contribution - to the National Republican Senatorial Committee, according to FEC records. Google's chief executive, Sundar Pichai, also wrote a $33,900 to the NRSC, federal disclosures show, but he contributed the same amount to a similar fund designed to boost Senate Democrats. ... Meanwhile, some of the earliest and most active Democratic donors include Sheryl Sandberg, the chief operating officer of Facebook." **Full story.**

2020 WATCH - "Senator, (Un)Interrupted: Kamala Harris's Rise Among Democrats," by The New York Times' Matt Flegenheimer: " ... Less than eight months later, California's very junior senator has emerged as the latest iteration of a bipartisan archetype: the Great Freshman Hope, a telegenic object of daydreaming projection - justified or not - for a party adrift and

removed from executive power. ... Like the Senate newcomers Barack Obama or Marco Rubio before her, Ms. Harris - a 52-year-old former prosecutor with a profane streak, a lawyerly aversion to "false choices" and an affection for the rapper Too Short - has insisted that national aspirations are far from her mind. Like those men, she has not exactly ruled out the possibility, either. Unlike those men, she is not a man, a fact that has figured prominently in her introduction to mass audiences in a recurring (and highly rated) television series: Senate Intelligence Committee Hearing Into Possible Trump Ties to Russia." **Full story.**

STAFFING UP - Chris Bolling stays at Virginia Democratic Party: The Virginia Democratic Party announced that Chris Bolling, who served as the deputy executive director in 2016, will now return as the group's executive director, per a statement from the party.

CODA - QUOTE OF THE DAY: "I just love to sit in my office and make up ways so they'll write these stupid stories because they are just so stupid, it's awful." - Maine Gov. Paul LePage, suggesting he makes up stories to mislead the press, via POLITICO.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/07/emilys-list-endorses-rosen-as-democrats-try-to-head-off-titus-primary-221205

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Tue 6/27/2017 7:47:37 PM
Subject: EPA releases proposal to rescind 2015 WOTUS rule

By Alex Guillén

06/27/2017 03:44 PM EDT

EPA and the Army Corps of Engineers have released their proposal to rescind the 2015 Waters of the United States definition and "re-codify" the rules that existed prior to that definition.

Click here for a pre-publication copy of the joint proposed rule.

The agencies plan to issue a new version of WOTUS following a "substantive re-evaluation."

To view online:
https://www.politicopro.com/agriculture/whiteboard/2017/06/epa-releases-proposal-to-rescind-2015-wotus-rule-089787

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Tue 7/11/2017 10:01:27 PM
Subject: House bill would cut EPA budget, reduce state grants

By Alex Guillén and Annie Snider

07/11/2017 05:59 PM EDT

The House's EPA spending bill would shrink the embattled agency's fiscal 2018 funding by $528 million to the lowest level in a decade, but a far more modest cut than the one sought by the Trump administration.

The bill would provide EPA with $7.5 billion, according to the House Appropriations Committee, its lowest funding level since 2008.

The proposal would cut the State and Tribal Assistance Grants, which make up a major portion of EPA's budget and doles out money to states for implementing and enforcing environmental laws, as well as for specific projects.

STAG would get just under $3.3 billion, down from the $3.5 billion spent in 2017 but significantly more than the $2.9 billion requested by the White House. Many states, facing their own budget crunches, oppose serious cuts to those grants.

One category of STAG grants, however, would see funding held steady with current levels: the popular state revolving funds that support sewer and drinking water infrastructure projects level, which would receive a combined budget of $2 billion.

The bill would also raise funding for the new Water Infrastructure Finance and Innovation Act — a new funding mechanism that has yet to make its first awards — by $5 million to a total of $25 million.

The measure also offers a rebuke of the Trump administration's move to end funding for popular regional watershed programs across the country, providing $397 million for such cleanup efforts. Details on how the dollars are allocated, from the Great Lakes to the Chesapeake Bay, are included in the yet-to-be-released bill report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/house-bill-would-cut-epa-budget-reduce-state-grants-090321

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/15/2017 5:52:35 PM
Subject: NYT: Staff of DOE international climate office told to pack their bags

By Eric Wolff

06/15/2017 01:48 PM EDT

The Department of Energy will shutter its Office of International Climate and Technology, its staff was told this month, according to The New York Times, which cited current and former DOE employees.

The department has been in the cross-hairs since it was marked for elimination in President Donald Trump's budget request. Its workers played an essential role in planning Energy Secretary Rick Perry's visit to Beijing last week as part of the Clean Energy Ministerial.

The office is the only unit at DOE to have climate in its name.

The office last made headlines in February when a supervisor told staff not to use the term "climate change," "Paris Agreement" or "emissions reduction" in written communications, as POLITICO reported at the time.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/nyt-staff-of-doe-international-climate-office-told-to-pack-their-bags-089176

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This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/12/2017 3:59:54 PM
Subject: IG report largely clears EPA on Gold King spill response

By Alex Guillén

06/12/2017 11:57 AM EDT

EPA's inspector general today said the agency acted reasonably and lawfully before and after the 2015 Gold King mine spill that dumped 3 million gallons of polluted water into Colorado's Animas River.

The 40-page report, conducted following two congressional requests, concludes that on-site EPA officials and contractors were "qualified, experienced individuals with relevant expertise," and noted that while the release was harmful, that single mine already discharged the same amount of water every 10 days.

The report says that EPA's decision not to directly test the mine's water level was "reasonable" because of the safety risks and high costs, among other things. It said EPA properly assured the independence of the Bureau of Reclamation's technical review of the incident. And despite complaints from state and local agencies that it took too long for EPA to notify them of the spill, the IG concluded that EPA followed the legal requirements and that there were "no delays" in notifying other entities.

Investigators concluded that the Bureau's technical review, along with EPA's own internal investigation, had led to sufficient changes to limit the risk of such a spill happening again, and to boost response and notification plans.

WHAT'S NEXT: Various lawsuits over the spill are playing out in federal courts. The Gold King site and various other mines in the surrounding area were added last year to the Superfund priority list.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/ig-report-largely-clears-epa-on-gold-king-spill-response-088920

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Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Wed 7/5/2017 3:59:30 PM
Subject: Sources: EPA expected to trim biofuel levels for 2018

By Eric Wolff

07/05/2017 11:56 AM EDT

EPA will lower the amount of biofuel that must be used in the U.S. next year, marking the first ever reduction in volumes under the Renewable Fuel Standard, according to industry sources.

The proposal, which is expected to be released as soon as today, will call for 19.24 billion gallons of biofuel for 2018, slightly below the 19.28 billion gallons EPA had mandated for this year, ethanol and oil industry sources tell POLITICO.

The volume mandate of conventional biofuels like ethanol will remain at 15 billion gallons, equal to the level set by the Obama administration for 2017 and the maximum allowed under the law.

However, sources say EPA will submit a requirement for advanced biofuels that is less than the 4.28 billion gallons required in 2017. Advanced biofuels have lower life-cycle carbon emissions than corn ethanol, and the requirement is generally filled by biogas, advanced biodiesel, cellulosic ethanol, and imported Brazilian sugar ethanol.

Three weeks ago, when several industry sources had expected volumes to be released, advanced biofuel volumes were expected to increase to 4.38 billion gallons, up 100 million gallons from 2017. The reduction is an attempt to reduce the use of imports to meet RFS requirements and to boost U.S. producers, according to the sources.

WHAT'S NEXT: Once the rule is released, EPA will take comment on its volumes and calculations. It has a final deadline of Nov. 30 to issue a final rule.

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Tue 7/25/2017 11:14:27 AM
Subject: The Morning Headlines from InsideEPA.com -- July 25, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 25, 2017

Latest News

D.C. Circuit Ruling Spurs Debate Over Potential EPA Species Review Fixes

The appellate ruling rejecting EPA's plan to forgo interagency review of new pesticides' risks to endangered species is spurring debate over whether it could trigger revisions to the agency's review policies, with an environmentalist saying it boosts their push for more-efficient reviews but an industry source says the ruling's overall effect is limited.

Consumer Group Offers Early Look At Strategy To Defend Vehicle GHG Rules

A consumer group is offering a preview of some of the arguments supporters of vehicle fuel economy and greenhouse gas standards will use to resist planned rollbacks of combined EPA and Department of Transportation (DOT) rules, submitting formal comments to DOT's deregulatory "reform" docket that tout the rules' economic benefits and the ability of automakers to comply with them.

Farm's Suit Claims Corps Lacks Authority For CWA Enforcement Actions

A California farm whose suit over its alleged Clean Water Act (CWA) violations tests a host of legal questions on CWA jurisdiction and agriculture exemptions is mounting a new argument that the Army Corps of Engineers lacks the power to bring enforcement actions over CWA violations unless they involve a Corps-issued permit.

Novel Industry Cases Test Reach Of 'Judgment' Act To Preempt CWA Suits

A federal district court in Virginia is weighing two cases where coal mining and power companies sued environmentalists in order to preempt threats of litigation over whether coal leaks into groundwater violate the Clean Water Act (CWA), marking a new trend in the ongoing legal battle over CWA liability for coal pollution in groundwater.

RFS 'Reset' Offers Chance For Needed Reform Of Program, Experts Say

Producers of advanced and cellulosic biofuels, along with others, are looking to EPA's forthcoming "reset" of renewable fuel standard (RFS) statutory fuel volumes as

an opportunity to significantly improve the program, amid substantial uncertainty over the future of advanced biofuels.

Daily Feed

Democratic state attorneys general sue EPA over RMP delay

A coalition of 11 Democratic state attorneys general say a Trump EPA fact sheet bolsters their suit claiming the administration's delay of a facility safety rule is unlawful.

Our most read: House appropriators temper Trump's proposed EPA budget

Also: agency shifts state paradigm away from case-by-case reviews; toxics office nominee criticized for industry ties but confirmation expected.

Trump team looks to Heartland for climate 'red team'

From today's Ewire: The Trump administration is enlisting the help of the conservative Heartland Institute to assemble its climate science "red team." Plus: EPA enforcement slows.

Democratic group asks GAO to investigate Pruitt's anti-Paris comments

A Democratic-aligned group says the EPA chief broke a law that prohibits federal employees from lobbying the public to support or oppose legislation pending before Congress.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 10/5/2017 9:43:12 AM
Subject: Morning Energy, presented by Chevron: Zinke's mixing politics with business draws scrutiny — Report: Perry took charter flight last week — Federal judge reinstates parts of methane waste rule

By Anthony Adragna | 10/05/2017 05:41 AM EDT

With help from Ben Lefebvre and Darius Dixon

Morning Energy will not publish on Monday Oct. 9. Our next Morning Energy newsletter will publish on Tuesday Oct. 10. Please continue to follow PRO Energy issues here.

MIXING PUBLIC LANDS AND POLITICS: Over the course of his first months in office, Interior Secretary Ryan Zinke has met with big donors or political groups more than a half-dozen times while on official travel, raising questions about the appropriateness of those habits even if they don't cross any legal red lines, Pro's Ben Lefebvre and Esther Whieldon report . GOP donors shelled out up to $5,000 per couple for a photo with him during a nearly two-hour Virgin Islands Republican Party fundraiser during a stop on an official trip related to the Interior Department's role overseeing the U.S. territory. Tickets for the fundraiser, which was attended by local party members and elected officials, ranged from $75 per person to as much as $5,000 per couple.

Though ethics watchdogs said Zinke's appearance was legal, they said attending a fundraiser during his first month as secretary is not in line with past administrations' conduct. "It happens on occasion with other Cabinet secretaries, perhaps even a little more often as you get near the election, but it is not a very common practice for Cabinet members to be hopping around from campaign event to campaign event like we're seeing with Zinke," said Craig Holman, government affairs specialist for government watchdog Public Citizen. An Interior spokeswoman said Zinke always follows the law but declined to answer specific questions about his appearance at the Virgin Islands fundraiser, nor would say if he planned to continue raising funds.

Zinke's not alone: Obama administration officials had their own struggles mixing official business with politics. A watchdog group requested a probe of whether then-Secretary Ken Salazar had violated the Hatch Act while taking an Obama re-election campaign RV tour of Colorado. The Office of Special Counsel found HHS Secretary Kathleen Sebelius violated the Hatch Act in 2012, saying she had made "extemporaneous partisan remarks" in North Carolina. Former Interior chief Sally Jewell said she thought Zinke was within his rights, noting she once appeared at a fundraiser for Democratic Sen. Maria Cantwell that she paid her own way to. "If he had legitimate business while he's on the island, to do a political thing on the side I don't think that is that unusual," Jewell said.

But some see Zinke's activity as trying to maintain political contacts so can keep his options available for what to do after he leaves the Trump administration. "I think he's definitely got political aspirations, that that's one of the reasons why he is where he is at right now," said Land Tawney, executive director of Backcountry Hunters and Anglers. "You don't go from being a Montana legislator to a first-term congressman to [Interior] secretary without having ambition."

He's widely seen an attractive candidate for Montana's open-seat governor's race in 2020.

Quotes that keep coming back to ME: "Put another way, just because something is legal doesn't make it right," OMB director Mick Mulvaney wrote last week. "So much of what happens around here is based on appearances. If it just appears wrong, don't do it," Senate Energy Chairman Lisa Murkowski told reporters last week.

REPORT: PERRY TOOK CHARTER TOO — LAST WEEK: Energy Secretary Rick Perry took a chartered flight last week from Hazleton Regional Airport in Pennsylvania to the Greater Portsmouth Regional Airport in Ohio one day before HHS Secretary Tom Price resigned last week, Reuters reports, citing "PMH Aviation, the company that runs the Portsmouth airport." Information about the cost of the flight were not available and the agency did not respond to requests for comment. PMH declined to confirm the flight when contacted by ME Wednesday night. But FlightAware has details of a Sept. 28 trip that appears to match Perry's itinerary that day; his tour of a uranium facility started at 8:30 the following morning. After the tour, Perry tweeted that he was headed to the Cincinnati/Northern Kentucky International Airport.

SPEAKING OF TRAVEL: The Western Values Project told ME it plans to file a complaint in federal court today complaining Interior has not responded to FOIA requests it filed in June asking the extent that Zinke's wife has accompanied him on official work business. Lola Zinke has accompanied her husband on some official trips, either ceremonial events to which she had been officially invited or on trips on which she has paid her way, Interior spokeswoman Heather Swift told ME. And CNN reports Interior's inspector general expanded its existing probe on Zinke's non-commercial travel to also include a summer visit to the Vegas Golden Knights hockey team.

WELCOME TO THURSDAY EVERYBODY! I'm your host Anthony Adragna, and DOE's Diane Meck was first up to identify Rep. Sala Burton as the lawmaker Nancy Pelosi replaced in Congress. For today: How many — and which — members of Congress replaced their spouses in their seats? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

"I DID NOT SIGN UP TO GO BLOW UP THE MARKETS": Recently minted FERC Commissioner Robert Powelson didn't hold back Wednesday making it clear that he's not going to be a rubber stamp on the Energy Department's grid pricing proposal, and warned against politicizing FERC. According to SNL , the audience gathered for a meeting of the Organization of PJM States broke into a standing ovation when the former longtime Pennsylvania regulator declared, "We will not destroy the marketplace." Powelson, a Republican, reportedly said he wouldn't support a rule that undoes the power markets FERC oversees. "When that happens, we're done. I'm done; I don't need this job," he said, according to SNL. "FERC does not do politics. We don't do energy politics," he also said. "I did not sign up to go blow up the markets."

Something to keep in mind: Organization of PJM States includes state regulators spanning Illinois to New Jersey and down to North Carolina, and its meetings include not only officials from PJM, the nation's largest power market, but consumer counsels from those states and plenty of power companies. PJM is also the market that would be the most affected by DOE's proposed

rule. This is Powelson's crowd.

We need lots of information: Late Wednesday, FERC posted 53 questions and other requests for information as it dives into DOE controversial resiliency pricing proposal, Pro's Darius Dixon reports. The six-page document splits those questions into categories looking for feedback on rates, the 90-day on-site fuel requirement envisioned by DOE, and how pricing changes would be implemented, among other issues.

METHANE RULE LIVES — FOR NOW: A federal court in California ruled Wednesday that BLM unlawfully postponed key compliance dates for a methane waste rule in June, effectively putting the rule back on the books for now. Pro's Alex Guillén reports . Magistrate Judge Elizabeth Laporte said the agency was too late to delay components of the regulation because its effective date had already passed and therefore should have gone through a round of notice-and-comment rulemaking before suspending any part of the rule. Her decision came the same day Interior proposed an 18-month delay of the methane waste rule as it works to rewrite it. BLM will accept comments on that proposal for 30 days.

** **A message from Chevron**: When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat—buckwheat. Watch the video: http://politi.co/2fVfOTm **

EPA STRATEGIC PLAN DROPS CLIMATE FOCUS: EPA's priorities for the next four years would no longer make reference to climate change or rules to reduce carbon emissions under a draft strategic plan, Pro's Alex Guillén reports. The document, which went out to EPA employees Wednesday, instead defines the agency's "core mission" as ensuring clean air, water and land, calls for more "cooperative federalism" and touts the "rule of law and process." Accompanying graphic that went to employees here.

DEMOCRATS OFFERING CLIMATE METRIC BILL: Led by Sen. Michael Bennet, eight Senate Democrats today are introducing a bill — the Transparent Pollution Accounting Act — that would standardize the metric used across the federal government to quantify the cost of climate pollution. The Trump administration suspended use of the existing social cost of carbon earlier this year, prompting the need for a codified value, the Democrats argue.

WATCH THAT WRAP UP TODAY: Murkowski wants to have Kevin McIntyre, Trump's pick to chair FERC, and Rich Glick, who serves as general counsel to energy committee Democrats, onto the commission before the chamber adjourns for the Columbus Day recess, Pro's Darius Dixon reports.

Barrasso: Baran's renom needs a big offset: If Democrats want to secure a full five-year term for Nuclear Regulatory Commission member Jeff Baran, they're going to have to agree to "a fairly significant, robust [nomination] package for me to agree to allow him through," Sen. John Barrasso told ME. Democrats have insisted that Baran, a former aide to ex-Rep. Henry Waxman who has been on the commission since 2014, get a new term alongside the confirmations of GOP commission nominees Annie Caputo and David Wright, who were approved by EPW in July.

Barrasso's comments suggest that Democratic support for Caputo and Wright likely isn't enough to get him to go along with Baran, especially considering his frustration with objections to EPA enforcement nominee Susan Bodine. Still, there's not much to hang over the Democrats in the near term: It's a Republican administration with plenty of EPA nominees they don't like, and Baran's seat doesn't expire until June.

ADMINISTRATION SENDS OVER DISASTER FUNDING REQUEST: Officials formally sent over a request for nearly $30 billion in disaster relief Wednesday that included $12.8 billion for FEMA's disaster relief fund, $16 billion for the National Flood Insurance Program and $576.5 million for the forest service's firefighting fund, Pro Budget and Appropriations Brief's Sarah Ferris reports. That came as San Juan's mayor blasted Trump on Wednesday as the "miscommunicator in chief" and called his visit to the island "insulting."

Murkowski's focused on immediate relief: Murkowski expressed concern about the "slow" federal response to Hurricane Maria and said building a more resilient Puerto Rican grid was secondary to getting the lights back on. "When you think about the extent of a disaster like this, we all want to say, 'Okay, let's improve, let's improve the grid here, let's build the Puerto Rican grid of the future,' but first and foremost—we've just gotta try and clean up," she told reporters. An aide said Murkowski planned to visit the island with other lawmakers next week but that those details are still being finalized.

PHMSA, NOAA PICKS ADVANCE: The Senate Commerce Committee advanced the nominations of Howard Elliott to run PHMSA and Timothy Gallaudet to be No. 2 at NOAA by voice vote Wednesday. Add them to the ever-increasing backlog of nominees waiting for a Senate floor vote.

DEMOCRATS SEEK PROBE OF PRUITT'S SPENDING: Two senior House Transportation Democrats — Peter DeFazio and Grace Napolitano — asked EPA's inspector general in a letter to probe "wasteful" spending by Pruitt on round-the-clock security and a $25,000 soundproof phone booth. "This culture, which is reflected in travel and lifestyle choices from the president on down, seems to embolden senior, politically appointed officials of the Trump administration to undertake lavish spending of taxpayer dollars for their sole and personal benefit, and not for the benefit of the Americans paying the tab," they write.

Udall considering private plane rider: Sen. Tom Udall, top Democrat on Appropriations subcommittee responsible for EPA spending, told ME he was "exploring" some sort of rider barring officials from private plane travel. "What I end up seeing is there's some very wasteful things going on," he said.

SENIOR E&C MEMBER MURPHY TO RETIRE: Rep. Tim Murphy, who chairs the Energy and Commerce Subcommittee on Oversight, announced late Wednesday he'll retire at the end of his current term, POLITICO's Rachael Bade, Elena Schneider and John Bresnahan report. The staunchly pro-life Murphy allegedly suggested a mistress get an abortion.

MINE SAFETY PICK ACKNOWLEDGES FAULTS: David Zatezalo, Trump's mine safety pick, told a Senate panel Wednesday he was "not proud of the fact" the coal company Rhino

Resources he used to run got notices of safety violations, Pro Labor's Ian Kullgren reports. He also said he'd have no trouble working with career staff that issued the notices in 2010 and 2011.

ZINKE HEADS TO FLORIDA: Today, the Interior secretary will get a briefing on "infrastructure upgrades and Everglades restoration at Lake Okeechobee." He'll also visit National Park Service sites Friday impacted by recent hurricanes.

CONSERVATIVES FOR CLEAN ENERGY: Hundreds are expected to gather today at the Hyatt Regency for the Conservative Clean Energy Summit. Multiple lawmakers are expected to address the gathering, including Sens. Mike Rounds, Rob Portman and Lindsey Graham, as well as Rep. Scott W. Taylor. More information here .

Milestone for House climate caucus: There are now 60 members of the House Climate Solutions Caucus with the additions of Reps. Pete Aguilar and Mimi Walters.

PERRY AIDE ADDS MORE CLIENTS: Jeff Miller, a former adviser to Energy Secretary Rick Perry during his second presidential run, has signed three new clients — including Pacific Gas and Electric, the massive California utility. Miller reported lobbying DOE in the second quarter on behalf of six clients, including AECOM, Lucid Motors (as a subcontractor to Hobart Hallaway & Quayle), the Nuclear Energy Institute, Occidental Petroleum, Southern Company and Valero Energy. He's signed 15 clients since he started lobbying in Washington this year and Perry became DOE chief (h/t POLITICO Influence).

END OF A (SHORT) ERA: The Rogue EPA Twitter account is going on hiatus, it announced Wednesday. "We started this account to be sure the public knew what was happening at EPA. Now, the world sees...It may be time to take a step back and let others carry the torch for a while. Those of us at the helm, here, are tired," a couple of tweets said.

QUICK HITS

— Putin Says He'd Drive a Tesla. Bloomberg.

— Interior Department whistleblower resigns, calling Ryan Zinke's leadership a failure. Washington Post.

— Contrary To Original Plan, Atlantic Coast Pipeline May Extend Beyond North Carolina. WUNC.

— Former AG Sorrell Skips Deposition, Sparks War of Words. Seven Days.

— Here's the leaked anti-leak training email sent to DOE staff. Wired.

— Putin says oil cut deal with OPEC could last to end of 2018. CNBC.

— Climate change could nearly triple airplane turbulence in the next decades, study says. ABC News.

HAPPENING TODAY

9:30 a.m. — CSIS discussion on the future of electrification, Center for Strategic & International Studies, 1616 Rhode Island Ave NW

9:30 a.m. — Sens. Burr and Cantwell hold press conference on Land and Water Conservation Fund, Senate Swamp

9:30 a.m. — Lawmakers hold press conference to discuss the wildfire threat in the West and potential legislative fixes, HVC 110 Studio B

10:00 a.m. — "Powering America: Consumer-Oriented Perspectives on Improving the Nation's Electricity Markets," House Energy and Commerce Energy Subcommittee, Rayburn 2123

12:00 p.m. — "The Growing Role of Liquefied Natural Gas in Latin America," Atlantic Council, 1030 15th ST NW, 12th Floor

12:30 p.m. — "How Agencies Reverse Policy: Stays, Remands, and Reconsideration," Environmental Law Institute, 1101 K Street, NW, President's Room

THAT'S ALL FOR ME!

** **A message from Chevron**: This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat—buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2fVfOTm **

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/10/zinkes-mixing-politics-with-business-draws-scrutiny-024920

Stories from POLITICO Pro

Interior secretary draws flak for mixing politics, official travel Back

By Ben Lefebvre and Esther Whieldon | 10/04/2017 07:31 PM EDT

Republican donors paid up to $5,000 per couple for a photo with Interior Secretary Ryan Zinke at a fundraiser held during a taxpayer-funded trip to the U.S. Virgin Islands, according to documents reviewed by POLITICO — raising questions about his habit of mixing official government business with political activism.

The new details about Zinke's March trip to the Caribbean, including the previously undisclosed invitation to the Virgin Islands Republican Party fundraiser, emerged after weeks of scrutiny of the former Montana GOP congressman's travels. The nearly two-hour event was one of more

than a half-dozen times Zinke has met with big donors or political groups while on department-paid trips, Interior travel records and other documents show.

Ethics watchdogs say Zinke is combining politics with his Interior duties so frequently that he risks tripping over the prohibitions against using government resources for partisan activity, even though his appearance at the Virgin Islands event seems to have been legal. Democrats have also seized on the issue, including 26 House members who wrote in a letter Tuesday that Zinke's travels "give the appearance that you are mixing political gatherings and personal destinations with official business."

Zinke has said all his actions have obeyed the law, dismissing concerns about his travel as "a little B.S."

But some ethics advocates say Zinke's attendance at a fundraiser during his first month as secretary is not in line with past administrations' conduct, even if he crossed no legal red lines.

"It happens on occasion with other Cabinet secretaries, perhaps even a little more often as you get near the election, but it is not a very common practice for Cabinet members to be hopping around from campaign event to campaign event like we're seeing with Zinke," said Craig Holman, government affairs specialist for government watchdog Public Citizen.

The secretary is already under investigation by his department's inspector general over his use of taxpayer-funded private planes for some of the trips, and the Justice Department's Office of Special Counsel is looking into an activist group's allegations that he violated the Hatch Act, the law limiting political activism by federal employees. The White House has cracked down on Cabinet members' travel habits following former HHS Secretary Tom Price's resignation on Friday, which occurred after POLITICO reported on his own expensive flights.

Zinke visited the Virgin Islands from March 30 to April 1 on an official trip related to the Interior Department's role overseeing the U.S. territory. On his first day, following a "veterans meet and greet" and a reception with Gov. Kenneth Mapp, he appeared in his personal capacity at a March fundraiser for the local Republican Party at the patio bar of the Club Comanche Hotel St. Croix, department records show.

Tickets for the fundraiser ranged from $75 per person to as much as $5,000 per couple to be an event "Patron," according to Zinke's official calendar and a copy of the invitation. Patrons and members of the host committee, who paid $1,500 per couple, could get a photo with Zinke at the start of the event, which was attended by local party members and elected officials.

The following day, Zinke took a $3,150 flight on a private plane, paid for by the department, from St. Croix to official functions on St. Thomas and returned later that evening. Interior Department officials said there was no other way to accommodate his schedule, which included official events on both islands commemorating the 100th anniversary of the Dutch government transferring control of the islands to the United States.

Zinke is allowed to engage in partisan political activity in a "purely personal (not official)

capacity," so long as he does not use government resources, according to Interior Department guidelines on the Hatch Act and other federal laws. The invitation to the GOP fundraiser did not identify Zinke by his official title and included a disclaimer that the money is being solicited by the local party and "not by any federal official."

All told, Zinke has spent around $20,000 for three charter flights as secretary, nowhere near the $1 million tab Price racked up on non-commercial trips. But he has on numerous occasions attended political receptions, spoken to influential conservative groups or appeared alongside past campaign donors during trips he takes outside of Washington, D.C., for official department business.

In one instance, Zinke gave a motivational speech for a professional hockey team owned by a major campaign contributor that he said was official business — and which required him to charter a $12,000 flight to Montana for an appearance at the Western Governors Association the next day.

In another case, during a speech to the Western Conservative Summit in Denver, he was introduced via a recorded voice as the Interior secretary and Zinke proceeded to talk about the agency's priorities. The summit was organized by the Centennial Institute, which bills itself as Colorado Christian University's think tank and is a part of the State Policy Network of organizations that collectively push for conservative state-level legislation.

An Interior spokeswoman said Zinke always follows the law but declined to answer specific questions about his appearance at the Virgin Islands fundraiser, nor say whether he would keep raising political money. The agency also has yet to post Zinke's trip expenses involving any of the political events.

"The Interior Department under the Trump Administration has always and will always work to ensure all officials follow appropriate rules and regulations when traveling, including seeking commercial options at all times appropriate and feasible, to ensure the efficient use of government resources," spokeswoman Heather Swift said in a statement.

Swift did not respond to questions about whether the department had gotten reimbursement for the political portion of Zinke's three-day Virgin Islands trip, as the head of one watchdog group says it should have.

"Some of this travel is clearly political and that part of the travel should have been paid for by the RNC, NRCC, state political parties, a campaign committee or Zinke personally," said Daniel Stevens, executive director of the Campaign for Accountability.

No payments to the department are listed in the Virgin Islands Republican Party's FEC records.

Zinke is not the first Interior secretary, or Cabinet member, to have his activities questioned.

In 2012, a watchdog group called Cause of Action urged the Office of Special Counsel to investigate whether President Barack Obama's then-Secretary Ken Salazar had violated the

Hatch Act while taking an Obama reelection campaign RV tour of Colorado with a couple of lawmakers and the state lieutenant governor. Local organizers of one stop on that tour had billed Salazar on its online events calendar as attending the political rally in his official role. OSC would not say whether its investigation uncovered any problems, but travel records Interior has posted show that one of Salazar's aides had told the tour's coordinator the schedule "should not refer to (Salazar as) 'secretary.'" Salazar did not respond to a request for comment.

A former Salazar aide, who was not authorized to speak on the record, said the Obama administration generally tried to avoid scheduling political events that coincided with official travel because it was difficult to divvy up what expenses should be reimbursed by a campaign.

The special counsel's office found Obama HHS Secretary Kathleen Sebelius in violation of the Hatch Act in 2012, saying she had made "extemporaneous partisan remarks" by endorsing a candidate for North Carolina governor during a speech she made in her official capacity. Sebelius tried to scrub the violation by reclassifying the appearance as political and reimbursing the Treasury Department for costs associated with the trip.

Sally Jewell, who was Interior secretary during Obama's second term, said Zinke was within his rights to appear at the fundraiser in the Virgin Islands. Jewell said she once appeared at a fundraiser for Democratic Sen. Maria Cantwell while in Obama's Cabinet, though she paid her own way to Washington state and was not identified by her official title.

"If he had legitimate business while he's on the island, to do a political thing on the side, I don't think that is that unusual," Jewell said in an interview.

EPA Administrator Scott Pruitt canceled his scheduled appearance at a fundraiser for the Oklahoma Republican Party in April because an invitation had identified him by his official title and said he would discuss his work at the agency. EPA ethics officials said he would have been cleared to attend the event if not for that language on the invitation.

Watchdog groups say Zinke's behavior fits a pattern for Trump's Cabinet.

"These government resources have been abused by this administration," said Virginia Canter, an executive branch ethics counsel for Citizens for Responsibility and Ethics in Washington who previously worked as an ethics official for Presidents George H.W. Bush, George W. Bush and Obama. "To the extent that some of that supports their political ambitions is inconsistent with the intent of this authority."

The Campaign for Accountability called on Interior's inspector general and the Office of Special Counsel to investigate whether Zinke violated the Hatch Act or department ethics rules with his speech to the hockey team, which the group said appeared to be a favor for a donor. Interior's IG office announced its investigation earlier this week, and OSC told the Campaign for Accountability that it was looking into the group's complaint, according to an email shared with POLITICO. The OSC declined to comment.

Reps. Raúl Grijalva (D-Ariz.) and Donald McEachin (D-Va.) have asked Interior's IG to also

look into any trips on which the secretary was accompanied by his wife, Lola Zinke, who is chairing the campaign of Montana Republican Troy Downing, a candidate to unseat Democratic Sen. Jon Tester next year. Swift said Lola Zinke was not in the Virgin Islands and has paid her own way whenever she has traveled with her husband on official trips.

Many who know him see Zinke's travels as an attempt to keep in touch with political contacts as he contemplates what he will do after leaving the Trump administration. Back home, the 55-year-old former Montana congressman is seen as an attractive candidate for the open-seat governor's race in 2020, when Democratic Gov. Steve Bullock will have to step down because of term limits.

"I think he's definitely got political aspirations, that's one of the reasons why he is where he is at right now," said Land Tawney, executive director of Backcountry Hunters and Anglers, a Montana-based sportsman group that supported Zinke's bid for Interior secretary. "You don't go from being a Montana legislator to a first-term congressman to [Interior] secretary without having ambition."

The Virgin Islands trip was Zinke's first interaction with big donors or influential conservative groups during his travel as Interior secretary.

A weeklong trip in May that took Zinke through Montana, Utah and California also offered a chance to squeeze in some political events.

Zinke delivered the keynote speech at the RNC spring meeting on May 11 in Coronado, Calif. Zinke had flown to California the previous night, after several days touring monuments in Utah, and the RNC speech was his only event in the state aside from a meeting earlier that afternoon with Rep. Amata Radewagen, the Republican delegate from American Samoa, and members of the American Tunaboat Association.

The next day, Zinke flew back to Montana where he joined Sen. Steve Daines (R-Mont.) and Vice President Mike Pence to tour a coal mine on the Crow Indian reservation operated by the Westmoreland Coal Co.

The trip offered Zinke and Pence an opportunity to tout the Trump administration's work to promote new coal mining on federal lands — and it allowed them to make a brief detour to promote Zinke's congressional replacement. That Friday night, Zinke, Pence and Daines attended a political rally for GOP candidate Greg Gianforte, and Zinke attended a get-out-the vote event for the Montana GOP the next day.

Zinke apparently paid for his return trip to Washington out of his own pocket — it was marked "personal travel" on his calendar, a designation not applied to the other flights on that trip.

Gianforte, whose wife is a major political donor in Montana, won the May 25 special election to take over Zinke's House seat.

Greg and Susan Gianforte donated more than $10,000 to Zinke's 2016 congressional campaign

and another $10,000 to joint Zinke-Daines PAC, according to federal records. The couple donated $5,000 for his earlier run for Congress.

Zinke met with big influencers and donors in June as well.

On June 25, he flew from D.C. to Reno, Nev., where his only scheduled event was a meeting of the Rule of Law Defense Fund, a group of Republican attorneys general that has been linked to the Koch brothers, where he spoke and took questions for about 30 minutes, according to his schedule.

After his remarks, he sat at a dinner table with Montana's attorney general, the government relations specialist for the Venetian Resort Hotel Casino and Las Vegas Sands, and Koch Industries lobbyist Allen Richardson, Interior documents show.

The next day, Zinke flew to Las Vegas for an event on public lands in nearby Pahrump, Nev., and a speech that night to the National Hockey League's Vegas Golden Knights. Bill Foley, the team owner and chairman of Fidelity, introduced Zinke. Foley donated $7,800 to Zinke's 2014 campaign, while employees and PACs associated with Fidelity and related companies gave another $180,000. Interior officials said the speech to the NHL team was part of Zinke's official duties, and they pointed to scheduling conflicts it created to justify his use of a $12,000 private plane to get to a Western Governors Association meeting in Montana the next day.

In July, Zinke spoke to several conservative groups in Colorado during a three-day trip that also included tours of Interior Department facilities in the state. He flew into Denver on July 20 so he could appear that evening at a closed-door reception for the American Legislative Exchange Council, a group of conservative state legislators, lobbyists and industry groups that has pushed for more state control over federal lands.

And over the next two days, he was a featured speaker at a Republican committee roundtable and attended the Western Conservative Summit in Denver.

Eric Wolff contributed to this report.

To view online click here.

Back

Report: Sebelius violated Hatch Act Back

By Jennifer Haberkorn | 09/12/2012 03:13 PM EDT

HHS Secretary Kathleen Sebelius violated the Hatch Act, which prohibits certain political activity, when she made "extemporaneous partisan remarks" during a speech in her official capacity earlier this year, the U.S. Office of Special Counsel said Wednesday.

The office sent an official report outlining the rare Hatch Act violation and Sebelius's response to President Barack Obama.

The special counsel's office said it "found no evidence that Secretary Sebelius made any other political statements in her official capacity."

During a speech to the Human Rights Campaign Gala in North Carolina in February, Sebelius said North Carolina Lt. Gov. Walter Dalton "needs to be the next governor of North Carolina." She also outlined the Obama administration's accomplishments so far and said, "One of the imperatives is to make sure that we not only come together here in Charlotte to present the nomination to the president, but we make sure that in November he continues to be president for another four years."

The Office of Special Counsel said she made the political remarks in her capacity as a federal employee and thus violated the Hatch Act. If Sebelius had made those remarks in her personal capacity, they would have been acceptable.

After that appearance, Sebelius had the event reclassified from official to political, and done in her personal capacity, in an attempt to avoid a Hatch Act violation. She and HHS also reimbursed the Treasury Department for all the costs associated with the trip. At least some of the cost was picked by the Democratic National Committee, according to the OSC.

But the OSC said the reclassification doesn't mean the violation didn't occur, particularly because the gala was advertised using Sebelius's HHS title.

"OSC concluded that Secretary Sebelius violated the Hatch Act by making extemporaneous political remarks," OSC Special Counsel Carolyn N. Lerner wrote in a letter to President Barack Obama. "As the upcoming elections approach, this report offers an opportunity to remind federal employees of the complex Hatch Act restrictions."

Hatch Act violations against sitting Cabinet secretaries are relatively rare.

"This particular type of violation, where you have a Cabinet secretary speaking at an event, is pretty uncommon," said Scott Coffina, a former associate counsel in President George W. Bush's White House and a partner at Drinker Biddle & Reath. He said there are "a lot of very garden-variety violations," citing federal employees who forward political emails or put up campaign photos.

Republicans immediately criticized Sebelius, and conservative groups called for her dismissal.

But Sebelius told the OSC that the endorsements of Obama and the government were unscripted and a "mistake." OSC quoted her as saying that she "got a little caught up in the notion that the gains which had been made would clearly not continue without the president's reelection."

Sebelius, in her response, said the ruling was "somewhat unfair" and the use of her title amounted to a "technical and minor" violation. She said that OSC should have concluded that the

violation was "corrected" when the event was reclassified as political.

OSC said that by reimbursing the Treasury, she didn't violate rules prohibiting government-funded political events, but it didn't correct the prohibition on making political statements in an official role.

"It is my understanding that the Hatch Act permits Cabinet members to engage in political activities, without regard to location and duty hours, due to the 24-hour nature of our jobs," Sebelius wrote. "I believe that you should have concluded that the consequence of my going 'off script' at an official event was to change the nature of my appearance for cost reimbursement purposes only.

"Keeping the roles straight can be a difficult task, particularly on mixed trips that involve both campaign and official stops on the same day," Sebelius wrote.

Republicans were quick to pounce on Sebelius's violation.

"That the secretary violated federal law in this manner is disturbing, but hardly a surprise," said Antonia Ferrier, spokeswoman for Sen. Orrin Hatch (R-Utah). (The law was named after a different Sen. Hatch: Sen. Carl Hatch of New Mexico.)

"Since almost day one, this administration has had a singular focus on politicking — not governing — that's borne out by the secretary ignoring a strict prohibition on electioneering while working for federal taxpayers," Ferrier said.

House Oversight Committee Chairman Darrell Issa said Obama should carefully consider how to respond to the report.

"As he decides the appropriate consequences for Secretary Sebelius, the president should consider the important leadership role of Cabinet secretaries and the example they must set for the entire executive branch," he said in a statement.

Conservative advocacy groups said the violation warranted her departure.

"This is the most high-profile example of a Hatch Act violation since the act was passed in 1939," said Dan Epstein, executive director of Cause of Action. "Never before has a member of the president's Cabinet been found to have committed a Hatch Act violation. President Obama should immediately fire HHS Secretary Sebelius for her violation of federal law."

Maureen Ferguson and Ashley McGuire of The Catholic Association said most of Sebelius's actions "have advanced the president's political interests" throughout her tenure. "We already know she is willing to violate the First Amendment rights of Americans for political purposes, so why should we be surprised when she bends other laws to score political points?"

This article first appeared on POLITICO Pro at 3:10 p.m. on September 12, 2012.

To view online click here.

Back

White House to Cabinet: No private air travel without Kelly's approval Back

By Matthew Nussbaum | 09/29/2017 06:57 PM EDT

The White House cracked down on Cabinet officials' use of private planes Friday, telling them chief of staff John Kelly must approve almost all travel on "government-owned, rented, leased, or chartered aircraft," after Health and Human Services Secretary Tom Price resigned over his own taxpayer-funded flights.

Mick Mulvaney, the director of the Office of Management and Budget, sent out the memo soon after Price's resignation was made public. His exit came after a series of POLITICO reports about his frequent use of private planes to conduct government — and sometimes personal — business.

"In light of recent events, the President has asked me to remind the heads of all executive departments and agencies of Administration policies on travel," Mulvaney wrote.

He reminded the department and agency heads that, by regulation, "Government-owned, rented, leased, or chartered aircraft should not be used for travel by Government employees except with specific justification."

"However, beyond the law and formal policy, departments and agencies should recognize that we are public servants," Mulvaney wrote. "Every penny we spend comes from the taxpayer. We thus owe it to the taxpayer to work as hard managing that money wisely as the taxpayer must do to earn it in the first place."

Mulvaney added: "Put another way, just because something is legal doesn't make it right."

Officials should stick to commercial travel "with few exceptions," he wrote.

In the wake of the controversy, other administration officials' travels have come under scrutiny. Interior Secretary Ryan Zinke has used military planes for some trips, POLITICO reported, while EPA Administrator Scott Pruitt and Treasury Secretary Steven Mnuchin have also raised eyebrows with their travel itineraries.

President Donald Trump was livid over the Price scandal and accepted his resignation on Friday.

"We have great secretaries, and we have some that actually own their own planes, so that solves that," Trump told reporters earlier on Friday.

To view online click here.

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FERC floats dozens of questions on DOE pricing proposal Back

By Darius Dixon | 10/04/2017 06:52 PM EDT

FERC opened the floodgates tonight for comments on the Energy Department's controversial resiliency pricing proposal, posting 53 questions and other requests for information about the rulemaking.

The six-page document signed by FERC's director for energy policy and innovation, groups the questions into broader categories looking for feedback on rates, the 90-day on-site fuel requirement envisioned by DOE, and how pricing changes would be implemented, among other issues.

But many of the questions, which are open to anyone seeking to comment before FERC's initial comment deadline of Oct. 23, are directed at the foundation of DOE's proposal.

For example, DOE's 19-page proposal leans heavily on the grid stresses that occurred during the "polar vortex" to press for new regulatory action. But, FERC doesn't treat the premise as a given. "The proposed rule references the events of the 2014 Polar Vortex, citing the event as an example of the need for the proposed reform. Do commenters agree?"

There are also questions directed at how on-site fuel would address power outages triggered by damage to the electric transmission and distribution system, and several questions seeking to define ostensibly basic information about how the 90-day fuel supply concept should be applied.

WHAT'S NEXT: FERC's initial comment deadline is Oct. 23, with reply comments due Nov. 7.

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Judge says Interior delay of methane waste rule was illegal Back

By Alex Guillén | 10/04/2017 07:32 PM EDT

A federal judge ruled today that the Bureau of Land Management's June postponement of key compliance dates for the methane waste rule was unlawful.

BLM relied on Section 705 of the Administrative Procedure Act to justify the delay. But Magistrate Judge Elizabeth Laporte of the U.S. District Court for Northern California said it was too late because the rule's effective date had already passed. That means BLM should have gone

through a round of notice-and-comment rulemaking before suspending any part of the rule, she said.

Coincidentally, the ruling came on the same day that Interior proposed an 18-month delay of the methane waste rule as it works to rewrite it.

Laporte's ruling acknowledges the pending rulemaking but said it could be months before it is finalized and takes effect, and may not survive its own legal challenge, giving her no reason to pause now.

She vacated the delay and ordered the requirements reinstated. She rejected BLM's arguments that the delay should be kept in place, saying that doing so would create "a free pass for agencies to exceed their statutory authority and ignore their legal obligations under the APA, making a mockery of the statute." And Laporte said any company that misses upcoming January deadlines because of Interior's delay is in "a problem to some extent of their own making."

Laporte previously used similar legal reasoning to strike down Interior's delay of a resource valuation rule.

WHAT'S NEXT: BLM will take public comment for 30 days on its new proposal to delay the methane waste rule.

To view online click here.

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BLM proposes 18-month delay to methane rule Back

By Ben Lefebvre | 10/04/2017 09:59 AM EDT

The Interior Department proposed to suspend enforcement of an Obama-era rule on methane emissions for 18 months as it plans to rewrite it, according to a document to be filed tomorrow in the Federal Register.

"The BLM is currently reviewing the 2016 final rule and wants to avoid imposing temporary or permanent compliance costs on operators for requirements that may be rescinded or significantly revised in the near future," the agency said in the document.

The agency said it is concerned that the final rule analysis "may have underestimated costs and overestimated benefits, and [BLM] is therefore presently reviewing that analysis for potential inaccuracies."

The 2016 rule was intended to require oil and gas developers on federal lands to capture more of the methane that leaked during their operations. The rule went into effect in January 2017 and survived an effort by Congressional Republicans to repeal it.

WHAT'S NEXT: BLM will accept public comments on the proposal for 30 days.

To view online click here.

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Draft EPA strategic plan drops all reference to climate change Back

By Alex Guillén | 10/04/2017 04:26 PM EDT

The Trump administration has dropped all mention of climate change or rules to reduce carbon emissions from a strategic plan outlining EPA's priorities for the next four years, according to a draft obtained by POLITICO.

The draft was circulated around EPA for comment earlier today along with an accompanying one-page graphic.

The document creates a new framework for EPA's mission that reflects the management style of Administrator Scott Pruitt. It defines EPA's "core mission" as ensuring clean air, water and land. It calls for more "cooperative federalism" to empower state governments. And it touts the "rule of law and process," which is meant to "refocus the Agency on its statutory obligations under the law."

The draft was released to EPA employees just days after Pruitt missed a key statutory deadline to implement the 2015 ozone standard. EPA has offered no update on that issue.

"I believe this draft Plan provides the foundation for a more efficient and effective agency, enabling us to accelerate progress and deliver real, tangible results for the American people," Pruitt wrote in an email to EPA staff today.

The previous strategic plan released by the Obama administration in 2014 listed climate change as "goal one," along with broader air quality issues. The new draft plan makes no mention of climate change, though it does address non-climate air issues, as well as a litany of other regulatory, permitting and administrative goals for EPA.

WHAT'S NEXT: EPA will publish the draft plan in Thursday's Federal Register and take comments through Oct. 31.

Lorraine Woellert contributed to this report.

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Lorraine Woellert contributed to this report.

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Murkowski pressing to have FERC nominees approved this week Back

By Darius Dixon | 10/04/2017 04:17 PM EDT

Sen. Lisa Murkowski is aiming to have President Donald Trump's two pending FERC nominees confirmed before the Senate flies off for its recess at the end of the week.

"I was talking with our leadership today about it. I want to try to get it shook loose before we take a break," the Alaska Republican, who chairs the Senate Energy and Natural Resources Committee, said of the nominees. The Senate is not scheduled to be in session next week.

Kevin McIntyre, Trump's pick to chair the agency, and Rich Glick, who serves as general counsel to energy committee Democrats, were approved by Murkowski's committee on a voice vote last month to become FERC members.

Sen. Maria Cantwell, the top Democrat on the energy committee, has said she was "favorably impressed" by McIntyre who, when confirmed by the full Senate with Glick, will bring FERC's leadership board back to full strength for the first time since late 2015.

WHAT'S NEXT: The Senate is scheduled to be on recess for the week of Columbus Day and is rarely in session on Friday, suggesting that the FERC nominees could be confirmed in the next day or so.

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White House seeks nearly $30B in disaster aid package Back

By Sarah Ferris | 10/04/2017 06:13 PM EDT

The White House this afternoon formally requested nearly $30 billion in emergency funding for its ongoing recovery efforts in hurricane-battered regions like Puerto Rico, Florida and Texas.

In a letter to congressional leaders, the Trump administration asked for $12.8 billion for FEMA's disaster relief fund, $16 billion for the National Flood Insurance Program and $576.5 million for the forest service's firefighting fund.

"We need the help of Congress to stabilize the affected communities and replenish dwindling and depleted funds," Office of Management and Budget chief Mick Mulvaney wrote. He said the money should be classified as "emergency spending," meaning it would not require spending offsets.

House and Senate appropriators immediately released statements in support of the White House's request and pledged to act quickly. House Appropriations Chairman Rodney Frelinghuysen (R-N.J.) said he would "put legislation forward as soon as possible."

Rep. Nita Lowey, his Democratic counterpart on the panel, said she supported Trump's request for FEMA, but added it needed to go further.

"Congress should add to this request by appropriating funding for flexible Community

Development Block Grants; rebuilding coastlines, roads, transit systems, airports, ports, and other infrastructure; small business loans; and repairs to military installations and other federal facilities damaged in the storms," said Lowey, of New York.

The White House's request had previously been reported by POLITICO.

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Embattled GOP Rep. Tim Murphy to retire Back

By Rachael Bade, Elena Schneider and John Bresnahan | 10/04/2017 02:44 PM EDT

Rep. Tim Murphy of Pennsylvania announced Wednesday that he will retire at the end of his term, after allegations that the married Republican lawmaker, who opposes abortion rights, asked his mistress to terminate a pregnancy.

Murphy admitted several weeks ago to an affair with forensic psychologist Shannon Edwards — news that came to light during the woman's divorce proceedings with her husband.

"After discussions with my family and staff, I have come to the decision that I will not seek reelection to Congress at the end of my current term," Murphy said in his statement. "I plan to spend my remaining months in office continuing my work as the national leader on mental health care reform, as well as issues affecting working families in southwestern Pennsylvania."

Murphy added: "In the coming weeks I will take personal time to seek help as my family and I continue to work through our personal difficulties and seek healing. I ask you to respect our privacy during this time."

Murphy met privately with Speaker Paul Ryan (R-Wis.) before his retirement announcement, as well as with Pennsylvania GOP Reps. Bill Shuster and Charlie Dent.

A number of top Republicans have said privately that Murphy should retire or resign in light of the scandal.

The Pittsburgh Post-Gazette reported Tuesday that Murphy suggested Edwards get an abortion during a pregnancy scare, citing leaked text messages between the two.

"And you have zero issue posting your pro-life stance all over the place when you had no issue asking me to abort our unborn child just last week when we thought that was one of the options," Edwards texted to Murphy in late January, according to the Post-Gazette.

Edwards was responding to a Facebook post by Murphy touting his anti-abortion position in Congress. Murphy is a member of the House Pro-Life Caucus and voted Tuesday for legislation

to ban abortions after 20 weeks.

The story also highlighted a toxic work environment in Murphy's office, citing a June 8 memo in which his chief of staff, Susan Mosychuk, warned Murphy about mistreating staff. The document, titled "Office Conduct and Behavior: Harassment/Legal Compliance," suggests there was a "pattern of sustained inappropriate behavior."

Mosychuk wrote that the office has experienced 100 percent staff turnover over the past several years and attributed it to the congressman's behavior. She said he often worked staff through the weekends, only to berate them for failing to meet expectations.

Murphy's district leans heavily Republican, backing Donald Trump by almost 20 points in 2016 and Mitt Romney by nearly 17 points in 2012. It is likely to remain in Republican hands.

Indeed, national Democrats scoffed at the idea that Democrats might be able to retake the seat — even if Murphy, crippled from scandal, were to run again. One Democratic consultant called it "completely unwinnable" as an open seat.

"[Murphy] is certainly weaker today than he was yesterday, but it'd be a stretch to say this is a Democratic pickup opportunity," another national Democratic strategist said.

The chairman of the National Republican Congressional Committee, Rep. Steve Stivers of Ohio, likewise said in a statement late Wednesday evening that he was "confident" the district would stay in GOP hands next year.

"While I am extremely disappointed in the circumstances surrounding Congressman Murphy's retirement, I remain confident that PA-18 will remain under Republican control next year," Stivers said. "I look forward to working with the eventual Republican nominee to ensure the district's conservative values are represented in Congress."

Still, Democrats on the ground are more hopeful, pointing to competitive down-ballot results in the district.

"It's a tough district, no doubt about it, but Democrats have been able to keep it close in other races," said Mike Mikus, a longtime Democratic operative in the state. "I think you'll see more Democrats taking a look at this and considering jumping in now."

A handful of Democrats are already in the race, including Pam Iovino, a Navy veteran and former Veterans Affairs official; Mike Crossey, a former member of the Allegheny County Council; and Bob Solomon, a physician.

But former Rep. Jason Altmire — a centrist Democrat who represented Western Pennsylvania and lost his seat, partially due to redistricting, in 2012 — said "it would have to be the right kind of Democrat" to put the seat in play.

"If you had a social conservative Democrat, it's been proven that a Democrat like that and who

fits that mold can win," Altmire said.

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MSHA nominee: 'I was not proud' of violations notice Back

By Ian Kullgren | 10/04/2017 05:55 PM EDT

President Donald Trump's nominee for assistant secretary of Labor for Mine Safety & Health told a Senate committee today that his coal company ignored safety conditions at one of its mines.

David Zatezalo was chairman of Rhino Resources when it received pattern of violation notices in 2010 and 2011, the Charleston Gazette-Mail previously reported. The company was later fined when a wall collapsed, killing a worker.

When questioned by Sen. Tim Kaine (D-Va.) about the notice, Zatezalo blamed the mine manager.

"The management of that particular group and that particular site was not doing what they should have been doing," Zatezalo said. "I was not proud of the fact that we got designated as a [potential pattern of violations] mine. I did not try to lawyer up and stop anything from happening."

"I replaced that management," he added, "because I wasn't too happy with their performance and hadn't been for sometime."

Zatezalo appeared before the Senate HELP Committee for a confirmation hearing with Cheryl Stanton and Peter Robb, Trump's nominees for Wage and Hour Division administrator and NLRB general counsel, respectively. Few senators showed up to the hearing, though, and Patty Murray (D-Wash.) complained that the Senate's busy schedule didn't leave enough time to probe as deeply as she would have liked.

Zatezalo assured Kaine that he wouldn't have a problem working with career staff at MSHA who issued the notice to his company.

"They did what they were supposed to do," he said.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/9/2017 12:41:01 PM
Subject: June 09 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 09, 2017 - Number 110

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Texas SIP/Mobile Source Incentive Programs
AIR

Direct final rule of the EPA amends regulations under 40 CFR 52.2270 to approve revisions to the Texas SIP regarding mobile source incentive programs. The revisions update the diesel emissions reduction program for on-road and nonroad vehicles to remove the maximum cost-effectiveness limit of $15,000 per ton of emissions of nitrogen oxides reduced for a project, allow the Texas Commission on Environmental Quality to set cost-effectiveness limits for projects, and add Wise County to the list of counties eligible for the program. The revisions also address the extension of the Texas Clean School Bus Program to Aug. 31, 2019, update the Texas Clean Fleet Program to provide eligibility for certain projects related to agricultural product transportation, and add a new maximum grant amount for vehicle replacement. In addition, the revisions add the Drayage Truck Incentive Program, that provides financial incentives for replacement of drayage trucks with pre-2007 model engines. The rule is effective Sept. 7, 2017, unless adverse comments are received by July 10, 2017. Contact: Randy Pitre; EPA Region 6; 214-665-7299; pitre.randy@epa.gov

82 FR 26754 (06/09/2017)

Regulatory Update

AIR
Texas SIP/Mobile Source Incentive Programs
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extension of the Texas Clean School Bus Program to Aug. 31, 2019, update the Texas Clean Fleet Program to provide eligibility for certain projects related to agricultural product transportation, and add a new maximum grant amount for vehicle replacement. In addition, the revisions add the Drayage Truck Incentive Program, that provides financial incentives for replacement of drayage trucks with pre-2007 model engines. A concurrent direct final rule adopts the provisions, effective Sept. 7, 2017. Comments are due July 10, 2017. Contact: Randy Pitre; EPA Region 6; 214-665-7299; pitre.randy@epa.gov

82 FR 26762 (06/09/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Impact Statements
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of environmental impact statements filed May 29-June 2, 2017, under 40 CFR 1506.9. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146

82 FR 26791 (06/09/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Local Government Advisory Committee Meetings
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces meetings of the Local Government Advisory Committee (LGAC) and the Small Communities Advisory Subcommittee (SCAS). The subcommittee meeting agenda includes recommendations regarding environmental issues affecting small communities and on revising the definition of "waters of the U.S" under the Clean Water Act. The committee meeting agenda includes recommendations of the LGAC work group and on revising the definition. The meetings are scheduled for June 29, 2017, via teleconference. Comments are requested, but a due date is not specified. Contact: Frances Eargle; EPA; 202-564-3115; eargle.frances@epa.gov

82 FR 26790 (06/09/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Minnesota/Superior National Forest Hi Lo Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Forest Service to prepare an environmental impact statement concerning the Hi Lo Project in the Kawishiwi Ranger District of the Superior National Forest in Minnesota. The project involves moving the area towards vegetation and landscape ecosystem conditions that were described in the 2004 Superior National Forest Land and Resource Management Plan. Proposed activities include management of forest vegetation composition, structure, and spatial patterns; prescribed burning; and modifications to the transportation system associated with such activities. Comments are due July 10, 2017. Contact:

Linda Merriman; USFS; 218-365-2095; lmerriman@fs.fed.us

82 FR 26772 (06/09/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Montana/Gold Butterfly Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Forest Service to prepare an environmental impact statement for the Gold Butterfly Project in the Stevensville Ranger District of the Bitterroot National Forest in Montana. The project involves timber harvest, noncommercial thinning, and other treatment methods on approximately 10,495 acres of forest land designated as part of the insect and disease treatment program under the Healthy Forest Restoration Act. Comments are due July 10, 2017. Contact: Sara Grove; USFS; 406-375-2608; sgrove@fs.fed.us

82 FR 26773 (06/09/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Reusable Medical Devices/Validated Instruction and Data Requirements
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the availability of a list of reusable medical devices required to have validated instructions for use and validation data in their premarket notifications (510(k)s). The notice specifies that, in accordance with the 21st Century Cures Act, the FDA has determined the necessity for manufacturers of certain reusable medical devices with the greatest risk of infection transmission and inadequate performance to include instructions for use regarding cleaning, disinfection, and sterilization, for which a substantial equivalence determination may be based. The requirements are effective Aug. 8, 2017. Contact: Constance Soves; FDA, Center for Devices and Radiological Health; 301-796-6951

82 FR 26807 (06/09/2017)

Regulatory Update

OIL AND GAS INDUSTRY
OCS Oil, Gas and Sulphur Operations/Lease Continuation
OIL AND GAS INDUSTRY

Final rule of the Bureau of Safety and Environmental Enforcement to amend regulations under 30 CFR 250.171 and 250.180 regarding maintaining a lease for oil, gas, and sulfur operations in the Outer Continental Shelf (OCS) beyond its primary term through continuous operations. The rule extends from 180 days to a year the period of time before which a lease expires due to a cessation of operations. The rule is effective June 9, 2017. Contact: Dennis Yang; BSEE, Regulations and Standards Branch; 713-220-9203; regs@bsee.gov

82 FR 26741 (06/09/2017)

Regulatory Update

RADIATION

DOE Idaho Operations Office Special Nuclear Materials License Renewal

RADIATION

Notice of the Nuclear Regulatory Commission announces the receipt of an application from the Department of Energy's Idaho Operations Office to renew special nuclear materials license No. SNM-2508, which authorizes the licensee to receive, possess, transfer, and store radioactive material from the Three Mile Island Unit 2 (TMI-2) reactor core in the TMI-2 independent spent fuel storage installation. The renewal would allow the licensee to continue to store the radioactive material for an additional 20 years through March 19, 2029. Hearing requests and petitions for leave to intervene are due Aug. 8, 2017. Contact: Kristina Banovac; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-7116; Kristina.Banovac@nrc.gov

82 FR 26815 (06/09/2017)

Regulatory Update

WATER

DOE Energy-Water Nexus State Policy Database

WATER

Notice of the Department of Energy announces the withdrawal of a June 5, 2017, request for information (82 FR 25783) on the draft version of the DOE Energy-Water Nexus State Policy Database of state-level water policies that affect energy systems. The prior notice specified that the draft database includes over 1,700 state policies under categories including surface and groundwater rights; discharge requirements for power plant cooling water effluent, stormwater, and wastewater from oil and gas production; underground injection control; state water plans; regional watershed commissions; reservoir and river operations; and integrated energy and water policies. The prior notice also specified that the database is intended to facilitate improved policy analysis, modeling, visualization, and communication by states, industry, utilities, academia, federal agencies, and other stakeholders. The DOE is further reviewing the draft database to determine whether to reissue the request for information. The withdrawal is effective June 9, 2017. Contact: Samuel Bockenhauer; DOE, Office of Energy Policy and Systems Analysis; 202-586-9016; samuel.bockenhauer@hq.doe.gov

82 FR 26790 (06/09/2017)

Regulatory Update

WATER

Missouri River Recovery Implementation Committee

WATER

Notice of the U.S. Army Corps of Engineers announces a request for applications to fill vacant stakeholder representative member positions on the Missouri River Recovery Implementation Committee. The committee advises the USACE on the Missouri River Recovery Management Plan for the upper basin states of Montana, Nebraska, North Dakota, and South Dakota and on river recovery and mitigation activities currently underway. The committee seeks applicants from stakeholders with interests in specified categories, including agriculture, flood control, thermal

power, and water supply. Applications are due July 14, 2017. Contact: Lisa Rabbe; USACE; 816-389-3837; mrric@usace.army.mil

82 FR 26781 (06/09/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/2/2017 7:22:44 PM
Subject: FERC, DOE, Interior nominees respond to Senate committee questions

By Darius Dixon and Annie Snider

06/02/2017 03:18 PM EDT

President Donald Trump's nominees for FERC and the departments of Energy and Interior have provided the Senate Energy and Natural Resources Committee with more than 200 pages in response to lawmaker questions, according to records obtained by POLITICO.

Responses submitted by Neil Chatterjee, a nominee for FERC commissioner, can be found here.

Responses submitted by Robert Powelson, another nominee for FERC commissioner, can be found here.

Responses submitted by Dan Brouillette, Trump's pick for deputy Energy secretary, can be found here.

Responses submitted by David Bernhardt, who has been tapped for DOI's No. 2 job, can be found here.

WHAT'S NEXT: The energy committee is scheduled to vote on all four nominations Tuesday at 9:30 a.m. in Dirksen 366.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/ferc-doe-interior-nominees-respond-to-senate-committee-questions-088570

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Wed 5/24/2017 2:02:43 PM
Subject: POLITICO's Morning Energy, presented by POET: Will climate change pop up as Trump, Pope meet? — Fiat sued in latest emissions cheating scandal — Trump taps another for DOE role

By Anthony Adragna | 05/24/2017 10:00 AM EDT

With help from Anca Gurzu and Esther Whieldon

ON THE ROAD TO ... ST. PETER'S: Pope Francis presented President Donald Trump with a copy of his encyclical on climate change and the environment - Laudato Si' - as part of several books he gifted during their first meeting this morning. Trump said after receiving the gifts, "Well I'll be reading them" and later added of the pope "He is something. We had a fantastic meeting." Of course, the two hold starkly different views is climate change - Francis has urged action to confront the problem while Trump has dismissed it as a Chinese hoax. Archbishop Marcelo Sánchez Sorondo, chancellor of the Pontifical Academy of Sciences, told an Italian news agency last week he thought the pope might be able to influence Trump on the issue. "This president has already changed about several things, so perhaps on this as well," he said. The pope, for his part, said before the meeting he didn't have a strategy to sway Trump on any political issue: "We'll talk, each of us will say what he thinks. Each of us will listen to the other," Francis said on May 13, according to Bloomberg.

ME FIRST - Democrats urge Trump to stick with Paris: Forty Senate Democrats, led by Senate Minority Leader Chuck Schumer, are sending a letter to Trump this morning urging him not to abandon the 2015 Paris agreement on climate change. "Backing out of the Paris Agreement now, after the years of painstaking negotiations and strong U.S. leadership it took to get the world to this point, would be a self-inflicted injury to America's credibility and influence on the world stage," they wrote. Schumer, as well as Democratic Sens. Tom Carper, Maria Cantwell, Ben Cardin, Sheldon Whitehouse, Brian Schatz, and Ed Markey, will hold a press conference in the Capitol at 10 a.m.

Meanwhile, the European Union, China and Canada have agreed to co-host a global ministerial gathering in September to move the Paris agreement foward, Climate Action and Energy Commissioner Miguel Arias Cañete tweeted Tuesday evening. "The three parties agree on the need for urgent climate action and are ready to lead the way," he said in a statement. "No one should be left behind but our message today is very clear: we are moving ahead."

U.S. allies are frustrated by Trump's vague stances on climate change and trade in the days preceding the G-7 summit in Taormina, Italy on Friday and Saturday this week, POLITICO's Tara Palmeri reports. The lack of clarity on those matters is holding up the crafting of the formal statement usually released at the end of the conferences. "Trade and climate are holding up the communique," a senior French official said.

BUDGET URGES EVEN CHEAPER ENERGY: Don't expect many oil, natural gas and power producers to jump aboard the Trump budget's calls for even lower energy costs as they continue to struggle with the soft prices for their products and as the U.S. energy burden for most

households is at its lowest level in decades, Pro's Ben Lefebvre and Darius Dixon report . Tuesday's document explicitly makes the call "for strengthening our national security, lowering the price of electricity and transportation fuels, and driving down the cost of consumer goods so that every American individual and business has more money to save and invest."

But oil producers are just regaining their footing after prices rebounded from lows in the mid-$20s per barrel early last year. "Closing your eyes and keeping your fingers crossed that the market will always move in one direction with fossil fuels - which, in essence, is what the Trump administration proposes with this budget - is not what any smart business person or political leader would pin their future economic hopes to," Josh Freed, Third Way's vice president for clean energy, said. Not to mention that if oil price do sink, sustained low prices could stall the deployment of new technologies, such as electric cars, potentially putting the U.S. at risk of falling behind the rest of the world.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and the Nuclear Energy Institute's Robert Powers was first to identify Rep. Darrell Issa as the wealthiest current member of Congress. For today: Just two U.S. vice presidents have ever resigned. Who are they? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

NON VA BENE: Fiat Chrysler faces potentially billions of dollars in fines after DOJ accused the company of selling almost 104,000 diesel vehicles equipped with software designed to cheat on emissions testing, Pro's Alex Guillén reports. Fiat Chrysler faces fines of $37,500 to $45,268 per vehicle sold, along with further penalties for each undisclosed software device and reporting violations.

The automaker flatly denied the accusations. "The company intends to defend itself with strength especially against the accusations that it has deliberately planned to install manipulative technology to apply to U.S. emission tests," Fiat said in a statement. As POLITICO Europe's Joshua Posaner reports, Fiat said it has cooperated with an ongoing investigation by EPA and the California Air Resources Board.

TRUMP TAPS ANOTHER FOR DOE POST: David Jonas, a partner at the Virginia law firm Fluet, Huber and Hoang since 2016, has been tapped by the Trump administration to be general counsel at DOE, Pro's Alex Guillén reports . He was previously general counsel for the National Nuclear Security Administration, DOE's nuclear security arm, from 2001 to 2010, and then general counsel for the Defense Nuclear Facilities Safety Board, an independent agency that advises DOE on nuclear defense facilities, from 2012 to 2014. Expect a confirmation hearing in the Senate Energy and Natural Resources Committee sometime after the Memorial Day recess.

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PRUITT SPEAKS: Look for EPA Administrator Scott Pruitt to deliver keynote remarks today

at noon during an energy symposium hosted by Faegre Baker Daniels Consulting. Also worth flagging: Pruitt's expected No. 2 EPA pick, Andrew Wheeler, is slated to deliver closing remarks at 3 p.m., after FERC Commissioner Tony Clark speaks on a panel entitled "The Future of the Electric Grid" at 2 p.m.

This is weird: Pruitt tweeted he met with Rep. Fred Upton, chairman of the Energy and Commerce Energy Subcommittee, about "the importance of protecting the Great Lakes" during a Wednesday meeting. That came after Trump's budget zeroed out the $300 million program cleaning up the Great Lakes. In addition to Upton, Pruitt also mentioned meetings with California Democrat Rep. Jim Costa and the Congressional Western Caucus.

TOP DEMOCRAT PUSHES FOR ETHICS WAIVERS: Schumer said on Tuesday he pressed OMB Director Mick Mulvaney to releases copies of waivers the Trump administration granted to former lobbyists to get around their ethics pledge. That came after the White House sent a letter to Walter Shaub Jr., the head of the Office of Government Ethics, asking him to withdraw a request for those waivers. "There is absolutely no excuse for the Administration to keep these waivers from the OGE or the American people," Schumer said in a statement. "[Mulvaney] assured me that he would take my concerns under consideration - I hope they make this change for the good of our country."

PESTICIDES BILL ON THE FLOOR: Expect House floor action today on legislation - the Reducing Regulatory Burdens Act (H.R. 953) - that would exempt pesticide applicators from needing a Clean Water Act permit for spraying over water. It's broadly opposed by most Democrats as well as the environmental and public health communities. Similar legislation cleared the House in May 2016.

ZINKE TEES UP INTERIOR REORG: Look for proposals in the next couple of months aimed at reorganizing the Interior Department, Secretary Ryan Zinke said Tuesday. As Pro's Esther Whieldon and Annie Snider report, he hopes to increase coordination on issues like wildlife corridors, watersheds and trail systems that span multiple federal agencies, as well as state and local ones. "I view this as a century reorganization to look at how best to manage, protect, use our public lands in the next 100 years given that we have a number of challenges," Zinke said during a conference call.

ANOTHER PUBLIC KEYSTONE MEETING SCHEDULED: The Nebraska Public Service Commission announced Tuesday it would hold an additional public meeting on June 7 on the Keystone pipeline's proposed route through the state. That meeting will be held in O'Neill, Neb., from 1 to 8 p.m. "We recognize the emotion and conviction surrounding this application," Jeff Pursley, executive director of the commission, said in a statement. The notice said even more meetings are possible and a public hearing on the application will be held sometime during the week of Aug. 7-11 at the Lincoln Marriott Cornhusker Hotel.

TAKING AIM AT SUE AND SETTLE: Two House Oversight subcommittees today receive testimony on "sue and settle" agreements, in which federal agencies agree to regulatory actions as part of settlement deals with outside groups. Republicans have long contended that Democrats and greens engaged in the practice, which they say imposes significant economic burdens on

regulated industries without giving them an opportunity to participate in the process. The hearing gavels in today at 2 p.m. in Rayburn 2154.

PANEL EXAMINES NATURAL RESOURCES LAWS: The House Natural Resources Subcommittee on Oversight and Investigations holds a hearing this morning on the implementation of the Indian Reorganization Act of 1934, the Wilderness Act of 1964, and the Federal Land Policy and Management Act, paying special attention to "instances where federal agencies' application of these three federal laws has strayed beyond their original purposes and intent." Chairman Raul Labrador kicks things off today at 9 a.m. in Longworth 1324.

SOLAR PANEL TRADE PROBE LAUNCHED: The U.S. International Trade Commission announced Tuesday it would take the first step in investigating U.S.-based solar cell manufacturer Suniva's request for trade tariffs to protect the manufacturing sector, Pro's Esther Whieldon reports . Suniva argues a flood of cheap solar panel modules and cells, mainly from Chinese companies, are severely harming its business. In a statement, the Solar Energy Industries Association pledged to "remain at the forefront of the opposition to Suniva's requested remedies."

INTERIOR REVIEWING PAST MOUs: The Interior Department late Monday ordered assistant secretaries to have their agencies report by June 2 on any memorandum of understanding or memorandum of agreement they signed last year and until Trump's January inauguration that "are high level and national or regional and represent a commitment of resources or memorialize policy direction," according to a copy of the email obtained by ME. Zinke has ordered a full review of the agency's actions under the last administration. Among those that could be targeted are Interior's MOU with Mexico on resource management, its MOU with California to coordinate on renewables and a multi-agency MOU creating a wildland fire leadership council.

FERC LOOKS FOR MORE INPUT ON MARKET DESIGN: FERC staff is asking for additional comments following up on an early May technical conference on how the agency should design long-term solutions to problems facing the three Eastern power markets. FERC will be accepting comments for 30 days.

LAWSUIT SEEKS CLIMATE CENSORSHIP RECORDS: The Center for Biological Diversity filed another lawsuit against the Trump administration Tuesday seeking public records showing federal employees at DOE, EPA, Interior and State have been barred from using climate change-related terms in official communications. "Just as censorship won't change climate science, foot-dragging and cover-ups won't be tolerated under the public records law," CBD's Taylor McKinnon said in a statement.

MAIL CALL! SENATORS URGE CAREFUL MONUMENT REVIEW: Twenty-three Republican senators urged Zinke to "keep all remedies on the table as you consider how to correct past abuses of the Antiquities Act" and ensure a "more measured approach" is taking moving forward with monument designations. Meanwhile, Sen. Cory Gardner and Rep. Scott Tipton urged Zinke in their own letter not to make any changes to the designation of the Canyons of the Ancients National Monument in Southwest Colorado.

RELEASE THE FUNDS: Fifty-eight Democratic congressmen, led by Don Beyer, Paul Tonko and Anna Eshoo, sent a letter to Energy Secretary Rick Perry Wednesday seeking the immediate release of funds for previously approved ARPA-E projects and more information on existing procedures for approving and funding grants. "Agencies may not thwart the intent of Congress by withholding or impounding funds directed for a specific purpose," they wrote.

REPORT: GOVERNMENT GIVING BILLIONS IN DRILLING SUBSIDIES: A collection of environmental groups led by Oil Change International today released a report finding the government provides at least $7 billion per year in subsidies to support fossil fuel production on federally held lands and offshore waters. It argues the fossil fuel leasing program on public lands should be phased out, among other recommendations.

REPORT: CLIMATE LITIGATION ON THE RISE: The number of countries with active litigation over climate change has tripled since 2014 and there are three times as many cases involving the issue in the U.S. than the rest of the world combined, according to a report out Tuesday from the United Nations Environment Programme and Columbia Law School's Sabin Center for Climate Change Law. "Judicial decisions around the world show that many courts have the authority, and the willingness, to hold governments to account for climate change," Michael Burger, executive director of the Sabin Center, said in a statement.

MOVER, SHAKER: Andrew Malcolm has become a manager of public advocacy at Exelon; he was previously with Rep. Greg Walden for seven years.

SEEN AROUND TOWN: At the Hall of States for the Large Public Power Council's 30th Anniversary reception Monday: Sen. Cory Gardner (R-Colo.); acting FERC Chairman Cheryl LaFleur; former Sen. Mary Landrieu (D-La.); former Rep. Norm Dicks (D-Wash.); Tom Kuhn, president of Edison Electric Institute; Sue Kelly; president and CEO of the American Public Power Association; and John Di Stasio, president of the LPPC (h/t POLITICO Influence).

QUICK HITS

- Trump's Interior Secretary Took Time To Discuss The Border Wall With A Far-Right Troll. Huffington Post.

- State appeals court rules Exxon must give records to NY prosecutor. Reuters.

- The Rise of the Amateur Oil Sleuths. Wall Street Journal.

- FERC Will Not Delay Pipeline At Senators' Urging. New England Public Broadcasting.

- Hit Hard by Coal's Decline, Eastern Kentucky Turns to Drones, Tomatoes, Solar Energy. Wall Street Journal.

- While wrangling over undoing Bears Ears continues, treasures go unprotected. Salt Lake Tribune.

- Tackling climate change will boost economic growth, OECD says. CNBC.

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To view online:
http://www.politico.com/tipsheets/morning-energy/2017/05/24/will-climate-change-pop-up-as-trump-pope-meet-220484

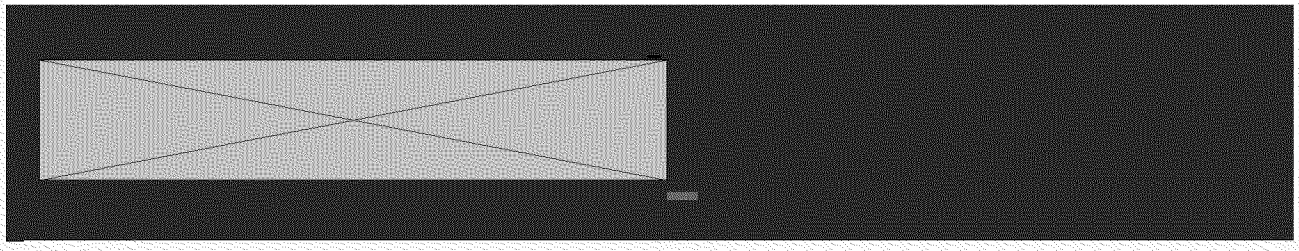
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 11/17/2017 5:07:02 PM
Subject: Federal Insider: Foreign Service leadership being 'decapitated' and 'depleted at a dizzying speed'



Foreign Service leadership being 'decapitated' and 'depleted at a dizzying speed'

By Joe Davidson

Secretary of State Rex Tillerson. Alex Brandon/AFP/Getty Images

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When President Trump reported on his trip to Asia, he heaped praise on himself and said the nation's "standing in the world has never been stronger than it is right now."

Using "I" 42 times in his 23-minute speech Wednesday, he declared "NATO, believe me, is very happy with Donald Trump and what I did," as he touted previous accomplishments.

Trump's unmatched self-adulation might cloud his view of the hard work by foreign service staffers and their increased difficulties because of his administration's hiring freeze.

Noting a recent Time magazine cover "with its graphic of wrecking balls and warning of 'dismantling government as we know it,' " American Foreign Service Association President Barbara Stephenson is cautioning against "mounting threats to our institution — and to the global leadership that

Contrary to America becoming stronger internationally, as Trump suggested, the senators said, "These factors lead us to conclude that America's diplomatic power is being weakened internally as complex, global crises are growing externally."

Stephenson said the "ranks of Career Ministers, our three-star equivalents, are down from 33 in June 2016 to 19. The ranks of our two-star Minister Counselors have fallen from 431 to 369 and our one-star Counselors from 431 to 369 during the same time period."

If the military had similar cuts, "we would be on the border of being defenseless militarily," said retired ambassador Thomas Boyatt. "We are on the same threshold diplomatically right now."

At the same time, Stephenson expects about 100 new Foreign Service Officers to join State in 2018, compared to 366 in 2016.

"These numbers are hard to square with the stated agenda of making State and the Foreign Service stronger," she said, calling the cuts "a decapitation of its leadership ranks."

Secretary of State Rex Tillerson, as my colleague Carol Morello reported, said "questionable management practices at the Department of State, including shortfalls in the Administration's top talent, but also talent that cannot be replicated overnight. The capabilities of our senior officers has serious, immediate, and tangible effects on the capacity of the United States to shape world events."

Such diplomacy becoming less effective paint a disturbing picture."

State pushed back, saying the Foreign Service is not being gutted and "all hiring freezes are temporary." State data indicate there are 13,873 Foreign Service employees today, compared to 13,980 in 2016 and 2,300 exemptions to the hiring freeze as of late October.

"The Department is making sure we have the staff we need," the statement said. "The Secretary has repeatedly said [his] highest priority for the Department is making sure our indispensable career diplomats must have the tools they need to do their jobs for decades to come. The State Department has never had a comprehensive, employee-led review of its functions, and there's no better time than now to see how we can improve them."

Reflecting declining spirits at State, one longtime foreign service officer decided to quit because she no longer feels appreciated, let alone indispensable. She's still on the payroll, so she spoke only if not identified.

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With more_than two dozen years serving around the world, she's had a "great, brilliant, fun career." But "when your expertise is not being viewed as valuable," she said, it's time to go.

She described a "tight circle of appointees" who leave career people feeling devalued, "very much on the other side of that divide." The morale in the Foggy Bottom headquarters is "pretty grim … palatable bad."

That's just the opposite of what Tillerson said he wants.

During a September meeting with U.S. Embassy staffers and their families in London, he claimed "the most important thing I can do is to enable this organization to be more effective, more efficient and for all of you to take greater satisfaction in what you do day in and day out."

Tillerson hasn't accomplished his "most important thing" yet. In fact, he's going backward.

Read more:

[State Department's plan for staff cuts causing new worry in Congress]

More from Federal Insider
PowerPost • Perspective
House confronts sexual abuse by its own
Belatedly, society, including Congress, is coming to realize this abuse of power must stop.
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Fri 6/30/2017 2:06:12 PM
Subject: POLITICO's Morning Energy, presented by Exelon: Trump's energy speech short on bold action — Clean coal backers unfazed by Kemper collapse — Bishop open to another energy bill push

By Anthony Adragna | 06/30/2017 10:00 AM EDT

With help from Eric Wolff, Alex Guillén, Darius Dixon and Esther Whieldon

PROGRAMMING NOTE - Due to the July 4 holiday, Morning Energy will not publish on Monday, July 3 and Tuesday, July 4. Our next Morning Energy will publish on Wednesday, July 5.

ACTIONS CAP ENERGY WEEK: It was a speech heavy on rhetorical flair about U.S. "energy dominance" for President Donald Trump on Thursday, but the six initiatives he touted were decidedly more modest in practice.

1.**'A complete review' of nuclear policy.** Trump said he wants to revive and expand the nuclear energy through a "complete review of U.S. nuclear energy policy." It's not exactly clear what this will entail and the president said he await results of that examination before moving additional policy.

2. **First step toward new offshore drilling plan.** Following through on Interior Secretary Ryan Zinke's May directive, BOEM plans to publish a request for information on the new five-year offshore drilling plan on Monday. Comments will then be accepted for 45 days, and Zinke has said he expects the entire plan writing process will take two or three years. Pro's Esther Whieldon with more here.

3. **Find an opening for overseas coal financing.** Trump vowed his Treasury Department would "address barriers" to financing overseas coal plants, though didn't specify exactly what that would entail. The Obama administration issued guidance back in 2013 in an effort to pressure multilateral development banks like the World Bank not to fund those sorts of projects, though it wouldn't require much to simply withdraw it.

4. **More LNG exports authorized.** DOE approved two LNG export applications from the Lake Charles LNG facility, a joint venture between Shell and Energy Transfer Equity in Louisiana, to boost deliveries. It authorized an additional 0.33 billion cubic feet per day on top of the 2 Bcf/d in previously approved exports.

5. **Modest Mexican pipeline approved.** The State Department approved permits for the New Burgos Pipeline, which will cross the border near Peñitas, Texas, and can deliver up to 108,000 barrels per day of refined petroleum products. Pro's Nick Juliano with more here. "It'll go right under the wall," Trump said.

6. **Sempra LNG negotiations highlighted.** With the South Korean president in town, Trump highlighted a formal beginning of negotiations with Sempra Energy's to sell U.S. liquefied

natural gas to South Korea.

Not mentioned: Climate change, all-of-the-above, Southern Company's decision to abandon its clean coal efforts at the Kemper plant in Mississippi, solar panels on his border wall, renewable energies, calls to shut down other pipelines - Access Northeast and Enbridge Inc.'s Line 5 (more on that below).

International wish list: Trump's top economic adviser said world leaders such as Indian Prime Minister Narendra Modi are desperate for more U.S. liquefied natural gas exports, Pro's Darius Dixon reports. "It's not because our LNG is cheaper than Russian gas - Russian gas is actually cheaper," National Economic Council Director Gary Cohn said. "But our LNG is guaranteed to show up once you enter into a contract." Cohn said LNG exports would be high on Trump's agenda next week as he stops in Poland before the G-20 summit in Germany.

Quotable: Trump after spotting coal magnate Bob Murray in the room: "He's in great shape, right? You in good shape, Bob? Right from the beginning. Good. You just take care of yourself, all right?" Remember Murray's lawsuit against comedian John Oliver claimed he was dependent on an oxygen tank and "does not expect to see the end of this case."

Fact check: Trump erroneously claimed that after he set in motion the approval of the Dakota Access and Keystone pipelines, "I didn't take any heat. I approved them and that was it. I figured we'd have all sorts of protests. We didn't have anything." In point of fact, hundreds of thousands of people have protested Trump's actions on the pipelines and other environmental matters at multiple marches since he took office. More than 200,000 people alone protested the Trump administration's environmental actions at the Peoples Climate March in late April.

Lawmakers shrug it off: Despite efforts from the White House to build up Energy Week buzz, the impact among senior Hill lawmakers seems minimal. House Energy and Commerce Environment subcommittee Chairman John Shimkus and House Natural Resources Chairman Rob Bishop both said they really hadn't been paying much attention to it, while Senate Energy Chairman Lisa Murkowski - with some exasperation in her voice - quipped to reporters: "The fact that it's actually Energy Week seems to me it might be worth some news coverage." (Murkowski has been getting more questions about health care lately than on the bipartisan energy bill she and Sen. Maria Cantwell just reintroduced.)

WELCOME TO FRIDAY! I'm your host Anthony Adragna, and Duke Energy's Michael Sewell was the first of many of you to identify Strom Thurmond as our nation's oldest serving senator. For today: What two U.S. state capitals have no vowels in common but yet rhyme? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro .

CCS FANS SOLDIER ON AFTER KEMPER COLLAPSE: Southern Company's decision to burn natural gas and abandon its dreams of gasified coal and carbon capture at its power plant in Kemper County, Miss., doesn't seem to worry fans of the technology too much. Sen. Heidi Heitkamp told ME Southern Company "had to make an economic decision for their shareholders," but she wasn't worried about the technology. Sen. Sheldon Whitehouse said he

still plans to introduce a bipartisan bill expanding CCS tax credits, but he thinks, in the long run, carbon technologies "only make economic sense if there's a price on carbon." Sen. Joe Manchin did express some concern over the project's failure and promised to explore the matter over recess. "I'd like to find out what happened," he said.

Apropos of Kemper: A senior aide to Rep. David McKinley said Kemper "wouldn't change the equation" for carbon capture technology. While President Donald Trump's budget calls for major cuts to DOE's Office of Fossil Energy, where CCS research is funded, the recent appropriation bill introduced would restore most of the office's funding. Energy Secretary Rick Perry has praised Petra Nova, a carbon capture project in his home state, and he will soon visit the Morgantown National Lab, which conducts carbon capture research.

A little history: SoCo's decision would have been a much bigger deal a year ago, when top EPA officials were desperately trying to persuade a skeptical Congress carbon capture was a realistic technology for new coal plants to use to meet limits under a rule limiting CO2 emissions from new power plants. Former Administrator Gina McCarthy repeatedly argued Kemper and a tiny power plant in Canada were living proof that CCS was a viable technology. The new source rule is still there, but no one is building coal power, so the point is kind of moot.

Big Green win: Sierra Club has been fighting the Kemper project for years, calling it "dirty, expensive and unnecessary." Louie Miller, Sierra Club's Mississippi director, said shareholders will bear most if not all of the cost of the gasification and CCS elements, while the NGCC plant will go to ratepayers. "The commission made the right decision here, and it appears from what happened yesterday that the idea of what Kemper was design to do, be a clean coal project, has just had a stake driven through its heart."

REPUBLICAN AG SEEKS ENBRIDGE PIPELINE CLOSURE: Michigan Attorney General Bill Schuette on Thursday called for a "specific and definite timetable to close" Enbridge's Line 5 dual pipelines that run along the bottom of the Straits of Mackinac. The pipelines, which became operational in 1953, carry light crude oil and natural gas liquids through the waters where Lakes Huron and Michigan meet. Schuette, who is widely expected to run for governor, made his comments after the release of a consultant's report that suggested the pipelines could operate indefinitely, though the attorney general said he "strongly disagreed" with that view.

John Gauderman, Enbridge's director of operations for the Great Lakes region, defended the pipeline's health, according to the Associated Press. "After more than 60 years in service, Line 5 is in outstanding operating condition because the rigorous maintenance done through the decades...We intend to keep it that way." In a client note, ClearView Energy Partners said continued operation of Line 5 "looks stable for now" and "clarity regarding the line's future prospects may be a year away, if not longer."

** **A message from Exelon:** Innovation always begins with the spirit of discovery-the search for new ideas and answers to our biggest questions. As America's largest clean energy provider, what happens when 34,000 Exelon engineers, analysts, and innovators put their heads together to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

IT'S BEEN AN HONOR: Today is Colette Honorable's last day as a FERC commissioner, ending her two-and-a-half year run at the agency. Her departure leaves acting FERC Chairwoman Cheryl LaFleur as the last person standing at a commission with five leadership seats although the place may filling up after next week's recess. The White House announced plans earlier this week to nominate Rich Glick to succeed Honorable and take a seat at FERC that could keep him there into 2022. But Honorable isn't going far. She plans to stay in the D.C. area but hasn't said what she'll be up to yet.

SENATE STAFF HUDDLE ON DOCUMENT REQUESTS: Staffers with the top Republican and Democrat on the Environment and Public Works Committee huddled with EPA staff, including Chief of Staff Ryan Jackson, this week for a "constructive" meeting about responding to oversight requests, Ranking Member Tom Carper tells ME. "We'll build on that," he said. A Republican EPW aide confirmed the meeting took place.

Nothing's up: Carper also told ME not to read anything into EPW's decision to postpone a host of votes on nominees for a second time on Thursday. He said Chairman John Barrasso's staff opted to delay the votes on two NRC nominees and an EPA pick until July 12 because they "thought there was too much going on."

NOW TAKING BETS: Count Bishop as open to another crack at passing a broad energy bill this year amid Murkowski and Cantwell's renewed push at broad Senate legislation unveiled this week. "Pass it and send it over," the Utah Republican told ME. "I'd be happy to look at it." ICYMI: Here's the text of the new Senate bill and Murkowski's comments on securing floor time.

CAN I HITCH A RIDE? Sen. Tim Scott tells ME that he is still eyeing the must-pass FAA re-authorization legislation as one possible vehicle for his bill that would extend tax credits for nuclear projects. Lawmakers are hoping to get the FAA bill through next month but are running into scheduling complications thanks to ongoing healthcare reform efforts. Asked what his current plans are for advancing his legislation, S. 666 , Scott told ME: "Prayer." He went on to say "you know, there's only a couple of vehicles at this point, FAA is one of them, the tax extenders at the end of the year, the tax reform package as well. We're trying to hotline it but I don't think Schumer is allowing us to hotline anything." The House passed a companion version of the nuclear tax bill earlier this month.

TWO NAMES FORMALLY SENT: The White House formally sent the Senate the nominations of Brenda Burman to be commissioner of the Bureau of Reclamation and Douglas Domenech to be an assistant Interior secretary for insular areas Thursday.

MAIL CALL! INFO SOUGHT ON 'SUE AND SETTLE' CHANGES: Five senior House Judiciary and Energy and Commerce Republicans sent a letter to EPA Administrator Scott Pruitt and Attorney General Jeff Sessions requesting a briefing about recent agency changes curtailing the use of "sue and settle" policies. "During the previous administration, EPA entered numerous settlements or consent decrees, a practice known as 'sue and settle,' committing the agency to undertake significant new rulemakings subject to timelines or schedules," the lawmakers wrote.

"We appreciate this change in policy, hope that Attorney General Sessions shares Administrator Pruitt's views, and urge EPA and the Justice Department to develop conforming written guidelines as soon as possible." Reps. Greg Walden, Bob Goodlatte, Tim Murphy, Tom Marino and John Shimkus signed the letter.

THIS TIME WE'RE SERIOUS: Attorneys general from 14 states and D.C. say they plan to sue EPA for not regulating methane emissions from existing oil and gas wells and other industry sources. The agency issued a rule last year covering new wells under Section 111(b) of the Clean Air Act, which in turn triggered a requirement that it write a rule for existing sources too. The Trump administration has paused major portions of that new source rule, and ended an information request that was a first step toward regulating existing wells.

MASSACHUSETTS MOVES FORWARD ON OFFSHORE WIND: The Massachusetts Department of Energy Resources on Thursday issued a request for proposals between 400 megawatts and 800 megawatts of offshore wind projects. This is the DPU's first move under a law passed last year to arrange for utilities to buy 1,600 megawatts of offshore wind power by 2027. Would-be developers have until July 26 to indicate that they plan to bid for a contract and until Dec. 20 to make their pitch. The team managing the process expects to send negotiated contracts for the DPU's approval by July 31, 2018.

NOW IN TIME FOR ENERGY WEEK! Sen. Claire McCaskill, Homeland Security and Governmental Reform ranking member, sent a letter Thursday requesting a briefing from DOE on why two companies with past waste and fraud issues - Bechtel National, Inc. and AECOM - were able to form a subsidiary to clean up the Hanford nuclear Waste Treatment Plant. She said the arrangement "raises questions about DOE's ability to conduct oversight" and added she has additional "questions about the impact of this subcontract on performance and costs."

MOVER, SHAKER: Former Kansas Rep. Tim Huelskamp has been named the next president of the Heartland Institute, the libertarian group that argues against the scientific consensus on climate change; he'll succeed long-time president Joseph Bast, who co-founded the organization in 1984.

QUICK HITS

- A New Problem for Keystone XL: Oil Companies Don't Want It. Wall Street Journal.

- Environmentalists, fishing groups file lawsuits to block Delta tunnels plan. Mercury News.

- Pennsylvania gets no seat at the table during White House 'Energy Week' panel. Pittsburgh Post-Gazette.

- Utilities withdraw plan for $3 billion natural gas pipeline expansion. Boston Globe.

- As Climate Changes, Southern States Will Suffer More Than Others. New York Times.

- Investors slowly start to push climate change up their agenda. Reuters.

THAT'S ALL FOR ME!

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To view online:
http://www.politico.com/tipsheets/morning-energy/2017/06/30/trumps-energy-speech-short-on-bold-action-221130

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Mon 7/17/2017 2:04:18 PM
Subject: POLITICO's Morning Score: Flake challengers meeting with White House — Senate fundraising numbers in Alabama, Indiana, Ohio — NRSC hits 'Trump state Democrats' — Kaine hires 2018 senior staff

By Daniel Strauss | 07/17/2017 10:00 AM EDT

With Maggie Severns, Kevin Robillard and Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

PRIMARY POLITICS - "White House squeezes Jeff Flake," by POLITICO's Alex Isenstadt: "The White House has met with at least three actual or prospective primary challengers to Arizona Sen. Jeff Flake in recent weeks, a reflection of Donald Trump's strained relations with the senator and the latest sign of the president's willingness to play hardball with lawmakers who cross him - even Republican incumbents. ... Since taking office, Trump has spoken with Arizona state Treasurer Jeff DeWit, a top official on his 2016 campaign, on at least two occasions, according to two sources familiar with the talks. More recently, since June, White House officials have also had discussions with former state Sen. Kelli Ward, who has announced her bid, and former Arizona GOP Chairman Robert Graham, who like DeWit is exploring a campaign. At a Republican National Committee meeting outside of San Diego in May, David Bossie, Trump's deputy campaign manager and the president of the influential conservative outside group Citizens United, told Graham that either he or DeWit would likely get substantial backing from conservatives should either enter the contest, according to three people familiar with the conversation." **Full story.**

FOUR WEEKS OUT - Brooks raised $298,000 for Alabama Senate primary in second quarter: The Republican congressman spent nearly $105,000 and finished the quarter with $1.2 million on hand, according to his FEC filing. Brooks' biggest disbursements were for consulting by Precision Campaign Group and ad-making from Steinborn Films.

- MORE SENATE FUNDRAISING - Messer raises half a million dollars in Indiana: Republican Rep. Luke Messer, a top contender for the Indiana Republican Senate nomination, raised over $578,000 from April through June, according to a campaign disclosure posted over the weekend. Messer's fundraising haul was significantly smaller than that of possible Republican contender Rep. Todd Rokita, who raised $1.04 million during the second quarter of the year. After starting to raise funds aggressively this spring as he reportedly considered a Senate bid, Rokita finished the first six months of the year slightly ahead of Messer in the money race: He had $2.35 million cash on hand to Messer's $2.02 million.

- Gibbons raises $690,000 in Ohio, per a press release from Mike Gibbons for Senate: "Republican candidate for United States Senate Mike Gibbons (R-OH) announced that his

campaign raised nearly $700,000 since his initial announcement just 4-weeks before the end of the 2nd Quarter fundraising period. All told, Gibbons raised $690,000 during the 2nd Quarter, of which just $200,000 was a personal loan to the campaign. Gibbons would end the quarter with approximately $615,000 cash-on-hand."

REDISTRICTING WATCH - "At tail end of Texas redistricting trial, judges skeptical of state's defense," by the Texas Tribune's Jim Malewitz: "The state of Texas faced a healthy dose of judicial skepticism on Saturday as its lawyers laid out final arguments in a trial over whether lawmakers intentionally discriminated against minority voters in enacting current Texas House and Congressional district maps. ... Over the course of the week, minority rights groups and the state tussled over whether - and how - the state's political maps should change to fix possible voting rights act violations ahead of the 2018 elections. But the trial also probed a question that's more consequential in the long term: Whether the 2013 Legislature intentionally minimized the political clout of Latino and black Texans in enacting the maps. Federal courts have already scolded Texas for intentional discrimination in three rulings this year. Another such finding would boost the odds that judges put Texas back onto a list states that need the federal government's permission to enact any new voting legislation." **Full story.**

- GOP Rep. Will Hurd "defended the rationality of the boundaries of District 23, one of a relatively few genuine 'swing' districts in the nation," the San Antonio Express-News' Jeremy Gerlach reported. "'If more districts were like mine, we'd have better caliber people in Washington,' Hurd said. 'My district is competitive, and that's a good thing ... because it forces people to talk to a broader sense of the community.' Attorney Luis Vera, representing one of the plaintiffs, the League of United Latin American Citizens, or LULAC, said Hurd's appearance was more of a 'stump speech' designed to distract the judges from the real arguments over racial discrimination at hand in the case." **Full story.**

- Texas' 2018 primaries are scheduled for March 6.

- "Judges criticize Maryland's congressional redistricting map," via the Associated Press: "Federal judges reviewing Maryland's congressional redistricting map say there is convincing evidence the state's Democratic leaders drew the districts to gain a seat for their party. A three-judge panel heard arguments Friday as part of a lawsuit. The panel was divided about whether the 2011 redistricting plan directly caused former Republican Rep. Roscoe Bartlett to lose his seat and whether the map should be changed. ... The judges didn't indicate when they would rule." **Full story.**

Days until the 2017 election: 113.

Days until the 2018 election: 477.

Thanks for joining us. Send me your thoughts on the Game of Thrones premiere. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and

@danielstrauss4.

OBAMACARE WARS - NRSC frames "Trump state Dems" as accountable for broken promises. According to the NRSC release announcing the new digital ad: "Back when they were trying to sell Obamacare to the American people, Democrats promised their constituents that their bill would make premiums and health care costs drop, and that if they liked their health care plan they could keep it. But while premiums soar and millions have been dropped from their insurance, Senate Democrats are still refusing to confront the reality that Obamacare has failed...Back when they were trying to sell Obamacare to the American people, Democrats promised their constituents that their bill would make premiums and health care costs drop, and that if they liked their health care plan they could keep it. But while premiums soar and millions have been dropped from their insurance, Senate Democrats are still refusing to confront the reality that Obamacare has failed." Watch the ad here.

LET'S GET IT STARTED -The Republican Party of Wisconsin is continuing to aggressively attack in Wisconsin governor's race, with mailers attacking two Democrats: businessman Andy Gronik ("He can't be trusted. ... Con Artist Andy Gronik") and state Rep. Dana Wachs ("Trial Attorney Dana Wachs Exploits The System For His Own Gain.") Gronik announced a run against GOP Gov. Scott Walker earlier this week, while Wachs is still considering a run. The mailers are accompanied by similar statewide digital ads and are aimed at specific demographics.

- Democratic oppo research organization American Bridge is launching a new website and online ad campaign painting Virginia Republican gubernatorial nominee Ed Gillespie as a "Swamp Creature." The digital ad and site focus on Gillespie's lobbying career, including hits on Social Security privatization and the environment.

ENVIRO ADS - EDF Action ads push House Republicans to oppose EPA budget cuts: EDF Action is spending $1 million on TV, radio and digital ads (see ad 1 and ad 2) in 10 GOP-held House districts, some battlegrounds and some not, criticizing proposed budget cuts to the EPA. The targeted districts: AZ-02 (incumbent Martha McSally), CA-21 (David Valadao), CA-42 (Ken Calvert), CO-06 (Mike Coffman), FL-17 (Tom Rooney), FL-25 (Mario Diaz-Balart), MN-02 (Jason Lewis), MO-02 (Ann Wagner), NV-02 (Mark Amodei), and VA-10 (Barbara Comstock).

STAFFING UP - Kaine hires reelection staff: Virginia Sen. Tim Kaine has brought on a number of senior staffers for his 2018 reelection. Keren Dongo, former deputy state director for Hillary Clinton's 2016 campaign, will be campaign manager. Ian Sams will serve as communications director. Jenny Nadicksbernd will serve as finance director. Jess Reid will be digital director and Megan Apper will be research director.

ADMINISTRATION SPEED READ - "Pence will join GOP leaders for fundraiser benefiting his PAC," by POLITICO's Alex Isenstadt: "Vice President Mike Pence will join congressional GOP leaders later this month for a fundraising reception benefiting a newly formed, Pence-overseen political action committee. Senate Majority Leader Mitch McConnell, House Speaker Paul Ryan and House Majority Leader Kevin McCarthy are slated to headline a July 25 fundraiser for Pence's Great America Committee. The event is to take place in

Washington, according to an invitation, and attendees are being asked to pony up $5,000 apiece." **Full story.**

- "How the White House and Republicans underestimated Obamacare repeal," by POLITICO's Nancy Cook and Burgess Everett: "The longer Republican efforts to repeal Obamacare flounder, the clearer it becomes that President Donald Trump's team and many in Congress dramatically underestimated the challenge of rolling back former President Barack Obama's signature achievement. The Trump transition team and other Republican leaders presumed that Congress would scrap Obamacare by President's Day weekend in late February, according to three former Republican congressional aides and two current ones familiar with the administration's efforts...The failure of the plan to quickly repeal Obamacare earlier this year forced Republican leaders to start over and attempt the daunting task of crafting a more comprehensive health care plan that would unite all sides of a squabbling conference. And the Trump administration's lack of sufficient staff and planning for that early effort helped lay the groundwork for the legislative chaos the GOP's agenda is mired in today." **Full story.**

CODA - QUOTE OF THE DAY: "Whether we will be able to get the Russian nationals to come over and testify is an open question." - Sen. Mark Warner, saying he wants to hear from everyone involved in the meeting between Donald Trump Jr.and a Russian lawyer.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/17/flake-challengers-meeting-with-white-house-221355

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Fri 7/7/2017 2:05:09 PM
Subject: POLITICO's Morning Energy, presented by ExxonMobil: U.S., G-20 near détente over climate language — Perry's economics gaffe sets Internet afire — Pruitt takes the Southeast

By Anthony Adragna | 07/07/2017 10:00 AM EDT

With help from Eric Wolff, Tim Starks and Kalina Oroschakoff

U.S., G-20 NEAR COMPROMISE ON CLIMATE: Two days of contentious meetings between the G-20 nations kick off today in Hamburg, Germany, but the U.S. and the rest of the nations are nearing a compromise agreement - or at least agreeing to disagree - on one of the thorniest issues facing world leaders: climate change, POLITICO's Andrew Restuccia reports . A senior diplomat involved with the talks tells Andrew there's increasing optimism countries can settle on language in which the U.S. underscores its intent to withdraw from the Paris climate agreement while the other nations emphasize their support for the pact. "It seems that the G-19 is all on board," the diplomat said.

There had been concern that some fossil fuel-dependent countries in the G-20 might hesitate to forcefully back the Paris agreement, but the current draft would be a significant win for German Chancellor Angela Merkel and other leaders who support action to tackle climate change. And the draft language leaves room for the U.S. to write a new domestic emissions reduction plan and then announce plans to stay in the agreement under those new terms, something President Donald Trump could frame as a victory while pleasing allies. But a word of caution: The text remains fluid and could be renegotiated depending on how the next 48 hours go.

Speaking of the U.S., California Gov. Jerry Brown announced Thursday his state would host the Global Climate Action Summit in San Francisco in September 2018. "President Trump is trying to get out of the Paris Agreement, but he doesn't speak for the rest of America," Brown said in video remarks to the Global Citizen Festival in Germany. "We in California and in states all across America believe it's time to act." The California governor has ramped up his already aggressive climate efforts in the aftermath of Trump's decision to leave the Paris accord, traveling to China to reinforce his state's commitment to action, and now can boast that the summit will be the first international climate event hosted by a state.

Another big ask: Some of Europe's largest lenders and insurers - grouped together as the European Financial Services Round Table - want G-20 leaders to push for the "timely and homogenous implementation" of the corporate disclosure recommendations, POLITICO Europe's Bjarke Smith-Meyer reports. The industry heavyweights also want leaders to introduce other measures to promote the energy and investment shift, including carbon pricing and a phase out of fossil fuel subsidies.

THAT'S ... NOT HOW THAT WORKS: The internet exploded Thursday after Energy Secretary Rick Perry goofed on a basic economic principle during remarks at a West Virginia coal plant. "Here's a little economics lesson: supply and demand. You put the supply out there and the demand will follow," Perry said, according to Taylor Kuykendall, an S&P Global

reporter at the event. Seems more like the plot of "Field of Dreams" rather than sound economic policy to ME. Samples of media response here, here, here and here. Perry's trip continues today at the National Energy Technology Laboratory site in Pittsburgh, which he'll tour along with Rep. Tim Murphy.

WELCOME TO FRIDAY! I'm your host Anthony Adragna, and that's a shortened week almost in the books! DOE's Marty Dannenfelser was first to identify Lincoln, Neb., as the state capital that shares its name with a tunnel underneath the Hudson River, an American luxury automobile brand, and a D.C. restaurant. For today: How many state capitals have the word "city" in them? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

YES, AGAIN, (MAYBE) RUSSIA: Two new reports are shedding light on recently revealed cyber attacks that have been infiltrating U.S. nuclear power stations. Bloomberg reported that Russia is the chief suspect, and that hackers have also infiltrated a company that makes control systems for the power industry, apparently a related attack. The New York Times first identified one of the companies attacked: the Wolf Creek Nuclear Nuclear Operating Corp., which runs a plant in Kansas.

The Homeland Security Department and FBI have reportedly been working to eject the hackers from the networks, and produced a joint alert. "The Department of Homeland Security and the Federal Bureau of Investigation are aware of a potential cyber intrusion affecting entities in the energy sector," the two agencies said in a joint statement late Thursday. "There is no indication of a threat to public safety, as any potential impact appears to be limited to administrative and business networks. In furtherance of public-private partnerships, the FBI and DHS routinely advise private industry of various cyber threat indicators in order to help systems administrators guard against the actions of persistent cyber criminals."

PRUITT'S SOUTHEAST SWING: EPA Administrator Scott Pruitt is in Georgia today with Agriculture Secretary Sonny Perdue for an event on using agency resources to promote stewardship. That comes after he toured several facilities in Alabama with Sen. Luther Strange, his former attorney general buddy-turned-senator. They toured the Plant Gaston in Wilsonville, Ala., where Pruitt discussed the Clean Power Plan with employees and saw the DOE-affiliated National Carbon Capture Center research facility, which experiments with carbon-capture technologies. After that, the federal officials stopped by Brentwood Farm in Mooresville, where they spoke with Alabama Farm Federation members about the Waters of the U.S. regulation, which EPA has begun the process of rescinding (pic with large bales of hay and tractor here).

Pruitt's takeaway: "It's not the EPA's job to say to people across the country, 'Don't touch that. Don't use that,'" he told an Alabama radio show. "It's our job to say as you develop and produce and generate electricity, this is the latest and greatest technology that should be used to achieve good emissions outcomes." Pruitt added his efforts to restore "a sense of focus" was already "making a difference" around the country.

KIGALI BACKERS PLAY IT COOL, BOY, REAL COOL: In January, while everyone was scrambling to figure out what the Trump administration would look like, backers of an

international agreement struck in Kigali, Rwanda to curb global warming-causing coolants had a plan: Lay low, avoid headlines, let the administration staff up, and see where things are in 2018. "I think our position basically remains stable," said Joe Trauger, VP for policy and government relations for the Air Conditioning, Heating and Refrigeration Institute. "We're engaged in education efforts."

AHRI wants the amendment to the Montreal Protocol ratified - its provisions will boost AHRI's members - but the group doesn't want the deal, which could hold back half a degree of warming, to get thrown out by the White House. To that end, it has avoided meeting with any administration officials, including Secretary of State Rex Tillerson or his chief of staff. The group is in touch with career staff while it waits for Trump to appoint some key assistant secretaries. "We're working with some folks at the State Department to make sure we're in touch with them and able to communicate at the right time," Trauger said.

Stay cool locally, stay real cool globally: Simultaneously boosting the energy efficiency of air conditioners and other cooling equipment while moving toward more climate-friendly alternative refrigerants would avoid an additional 100 billion tons of carbon dioxide, according to a report out today. Prepared by the Institute for Governance & Sustainable Development and written by researchers at Lawrence Berkeley National Laboratory, the report finds those additional reductions could come on top of the estimated 100 billion tons of carbon dioxide reductions stemming from the agreement to limit global warming-inducing coolants. "The HFC phase out creates an important opportunity for U.S. industry to expand markets, and efficiency gains can save consumers billions in AC electricity costs, all while reducing global emissions on a monumental scale," Paul Bledsoe, a lecturer at American University's Center for Environmental Policy, said in a statement.

** **Presented by ExxonMobil**: Biofuel refined from algae could transform how we power automobiles and jet planes. It's energy-rich and emits significantly less CO_2 than most transportation fuels. And it doesn't compete with food and fresh water supplies. We're actively researching this technology to move it from the petri dish to the fuel tank: EnergyFactor.com**

EPA TARGETS BIOFUEL IMPORTS AND BIODIESEL, HUH? EPA wants to cut imports of biofuels, but the biodiesel and advanced biofuels industries are mystified as to why it's getting into that arena, Pro's Eric Wolff reports . EPA cut back advanced biofuels, and it's inviting comment on cutting back advanced biodiesel, all in the interest of reducing imports from Argentina, Indonesia and Brazil. The National Biodiesel Board has a case against Argentina and Indonesia under investigation by the Commerce Department now, and biodiesel producers see that as a separate process from EPA. "It's not really their purview," said Gene Gebolys, CEO of biodiesel producer World Energy. "It's a strange logic - What makes one conclude that by holding volumes down, it will reduce imports? That makes a logic assumption that says the imports are the last in the door, and that's not the case."

Will it calm the RIN-sanity? Advanced biodiesel plays a critical role in meeting RFS targets, thanks to the system of "nesting" which allows refiners to buy biodiesel credits to comply with the conventional biofuel mandate. If victorious, duties on imported biodiesel will likely drive up prices for credits across the board, Neelesh Nerurkar a vice president at ClearView Energy

partners. However, EPA's reduction in the advanced and thus overall fuel requirement could relieve some of that pressure. "It helps mitigate some of the potential cost impact," he told ME.

NEW KEYSTONE CAMPAIGN LAUNCHED: Bold Nebraska, 350.org, Indigenous Environmental Network, CREDO, and Oil Change International launched a new push Thursday to install solar arrays along the route of the proposed Keystone XL pipeline in Nebraska. The groups hope to crowdsource funding for the installations ahead of the August public hearings Nebraska Public Service Commission about Keystone's proposed route through the state. "Putting solar panels in the path of Keystone XL is a local effort that mirrors the future we want to see at a massive scale," Sara Shor with 350.org said in a statement.

MAIL CALL! SENATORS PUSH FOR GAO PROBE OF PANELS! Ten Democratic senators, led by Sheldon Whitehouse, asked GAO in a Thursday letter to look at whether EPA is properly following procedures to ensure its scientific advisory panels are independent and balanced. In particular, the senators asked GAO to look at how EPA's procedures for selecting panel members compared to other agencies, how current compositions of the panels compare to previous ones and how previous administrations handled the reappointment and nomination process. EPA has declined to reappoint many current scientific advisers and suspended meetings of the Board of Scientific Counselors for the rest of the year while it decides whether to replace panel members.

GRIJALVA PRESSES ZINKE ON ENERGY DOMINANCE: House Natural Resources ranking member Raul Grijalva sent Interior Secretary Ryan Zinke a letter Thursday seeking information on how the administration's pursuit of "energy dominance" does not interfere with the Federal Land Policy and Management Act requirements to manage public lands "on the basis of multiple use and sustained yield." Grijalva also requested a definition of "energy dominance" and how the agency would measure when it has been achieved.

GREENS: WE NEED MORE TIME ON WOTUS: Nineteen environmental and public health groups asked Pruitt in a letter Thursday to extend the comment period on the proposed rule to rescind the Waters of the U.S. regulation to no less than six months. "Your planned 30-day comment period disregards the more than one million people who participated in the development of that rule and is a grossly inadequate amount of time for stakeholders to meaningfully engage in this rulemaking process," the groups, including the League of Conservation Voters, Clean Water Action and the Sierra Club, wrote.

STEELWORKERS NO FANS OF E15: The United Steelworkers fear Sen. Deb Fischer's bill to allow year-round sale of 15 percent ethanol fuel could allow more smog. The union sent a letter Thursday to all 100 senators arguing that the RFS needs a complete overhaul rather than the modification in Fischer's bill. The letter is a sign that lobbying on a bill to advance Fisher's bill out of committee is ramping up - Fischer and company need to convince six undecided EPW Democrats in order to advance the bill.

HANDS OFF THE ENDANGERED SPECIES ACT: Four hundred and twenty-five conservation groups sent a letter Thursday to House and Senate leadership urging them not to entertain any efforts to "modernize" or otherwise tweak the Endangered Species Act. "The

Endangered Species Act is a profoundly popular law that represents fundamental American principles," the letter, signed by groups like 350.org, Citizens' Climate Lobby and Greenpeace, says.

INTERESTING NEVADA TIDBIT: Buried deep in The Nevada Independent's announcement of Rep. Jacky Rosen's Senate bid against Dean Heller is that Rosen would have opposed Rick Perry's nomination to run DOE given his efforts to revive Yucca Mountain. Both Heller and Catherine Cortez Masto supported Perry's confirmation back in March. Rosen vowed to fight "tooth and nail" against Yucca, which Heller also vocally opposes.

FEDERAL EMPLOYEE GUILTY OF EMBEZZLEMENT: An employee with the Bureau of Indian Education, Wilma Garcia, fraudulently issued multiple checks - amounting to $24,031.99 - to various family members, an Interior IG report found. Garcia was "remorseful" for her actions and received five years' probation.

Those charges were far less salacious than other, ultimately "unfounded" allegations that the death of an USGS employee was due to "criminal negligence" by a trip leader during a research river trip in Grand Canyon National Park by ignoring signs of heat exhaustion. The investigation in that case found "no evidence of criminal conduct by the trip leader" or support for allegations federal agencies "conspired to alter facts when preparing their final reports" of the incident.

TROUBLED NUCLEAR GIANT HIRES BIG GUNS: Westinghouse Electric Co. has brought on Squire Patton Boggs for help "managing bankruptcy proceedings on Capitol Hill," according to disclosure documents posted this week. Among the lobbying giant's VIPs working on behalf of the nuclear company: former Senate Majority Leader Trent Lott; former Louisiana Sen. John Breaux and David Schnittger, former Speaker John Boehner's longtime deputy chief-of-staff.

MOVER, SHAKER: The National Rural Electric Cooperative is bringing on Bobby Hamill as a legislative affairs manager, working on generation and transmission issues. He was previously legislative director for Rep. Morgan Griffith (R-Va.) (h/t POLITICO Influence).

Ben Somberg has joined the Alliance to Save Energy as communications manager responsible for developing and executing communications strategies; he was previously press secretary for the American Association for Justice.

QUICK HITS

- Buffett's Berkshire Nears Deal to Buy Electric-Grid Giant Oncor for More Than $17.5 Billion. Wall Street Journal.

- Sen. Strange: Allegations against him are 'fake news'. Fox6.

- How Colorado Lured the Biggest Trade Show in the Outdoor Industry. Outside.

- Oil Closes Below $46 as U.S. Output Gain Offsets Stockpile Drop. Bloomberg.

- Alberta regulators charge Nexen Energy over 2015 pipeline spill. Reuters.

- Coastal Commission moves briefing on San Onofre nuclear waste to San Diego. San Diego Union-Tribune.

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To view online:
http://www.politico.com/tipsheets/morning-energy/2017/07/07/us-g-20-near-detente-over-climate-language-221208

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/27/2017 7:38:54 PM
Subject: EPA memo details new political staffers

By Alex Guillén

06/27/2017 03:35 PM EDT

An internal agency-wide EPA memo sent today identifies at least eight previously unreported political appointees at the agency. The memo from chief of staff Ryan Jackson lists 45 political appointees across EPA's various offices.

Missing from the list is J.P. Freire, formerly the associate administrator for public affairs. That spot is filled on the list in an acting capacity by Liz Bowman, formerly Freire's deputy. Neither Freire nor EPA immediately returned questions about Freire's apparent departure.

Of the eight new names, the highest-ranking is Erik Baptist, the senior deputy general counsel. Baptist was an attorney with the American Petroleum Institute since 2011. Before that, he was an attorney for FERC for two years and an associate at the law firm McDermott Will & Emery, according to his LinkedIn profile.

Other previously unreported names on the list include:

— Veronica Darwin, senior adviser for Land and Emergency Management

— Preston Cory, special assistant to the deputy associate administrator for intergovernmental relations

— Christian Rodrick, special assistant to the deputy associate administrator for Congressional Relations

— Kristopher Green, special assistant for the Office of the Chief Financial Officer

— James Hewitt, special adviser for Public Affairs

— Will Lovell, policy assistant

— Madeline Morris, executive scheduler

Jackson's memo notes that EPA still must name a roster of assistant administrators, jobs that require Senate confirmation, as well as 10 regional administrators, which do not require confirmation. Administrator Scott Pruitt told lawmakers this morning that he hopes to have regional appointees in place soon.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-memo-details-new-political-

staffers-089785

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/14/2017 12:43:12 PM
Subject: BREAKING NEWS: Trump says 'deeply saddened' by shooting that wounded Scalise

President Donald Trump issued a statement on Wednesday saying he and Vice President Mike Pence are "deeply saddened" by the shooting at a Virginia baseball field in which House Majority Whip Steve Scalise was injured.

"The Vice President and I are aware of the shooting incident in Virginia and are monitoring developments closely. We are deeply saddened by this tragedy. Our thoughts and prayers are with the members of Congress, their staffs, Capitol Police, first responders, and all others affected," the president said.

Read more: http://politi.co/2s9WmY8

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From: POLITICO
Sent: Mon 6/12/2017 3:15:33 PM
Subject: BREAKING NEWS: Sessions to testify in open hearing before Senate Intelligence Committee

Attorney General Jeff Sessions will testify in an open hearing Tuesday before the Senate Intelligence Committee on his role in the unfolding Russia investigation, according to a congressional source.

Sessions informed Congress over the weekend that he will appear before the intelligence committee, rather than before previously scheduled hearings regarding funding for the Justice Department.

The attorney general is facing increased scrutiny from lawmakers after former FBI Director James Comey testified last week that he knew details about Sessions before his recusal from the Russia probe that would make his involvement in the investigation "problematic."

Read more: http://www.politico.com/story/2017/06/12/sessions-to-testify-in-open-hearing-before-senate-intelligence-committee-239425

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Wed 11/1/2017 5:30:14 PM
Subject: Pruitt Promotes Independence On EPA Science Boards

Pruitt: "The days of 'political science' are over at the agency."

Pruitt Promotes Independence On EPA Science Boards

"It Just Is Not Right For The Agency To Be Issuing $77 Million In Grants And Then Asking These People To Be Providing Independent Counsel."
- EPA Administrator Scott Pruitt

THE WASHINGTON POST: "Scott Pruitt Blocks Scientists With EPA Funding From Serving As Agency Advisers." "'It is very, very important to ensure independence, to ensure that we're getting advice and counsel independent of the EPA,' Pruitt told reporters Tuesday. He estimated that the members of three different committees — Scientific Advisory Board, the Clean Air Science Advisory Committee and the Board of Scientific Counselors — had collectively accepted $77 million in EPA grants over the last three years. He noted that researchers will have the option of ending their grant or continuing to advise EPA, 'but they can't do both.'" (The Washington Post, 10/31/17)

THE WALL STREET JOURNAL: "EPA Bars Scientists It Funds From Advisory Roles." "The Environmental Protection Agency will no longer permit scientists receiving agency grants to serve on three of its independent advisory boards, a change the agency said was designed to foster greater independence and regional diversity for the panels, but which scientist groups and environmental advocates said would give polluting industries undue policy influence." (The Wall Street Journal, 10/31/17)

USA TODAY: "Pruitt Moves To Shake Up EPA Advisory Boards." "Scientists who receive grants from the Environmental Protection Agency will no longer be allowed to simultaneously serve on the agency's nearly two dozen advisory boards, an unprecedented directive EPA Administrator Scott Pruitt … 'We want to ensure that the American people have confidence ... in the process and that the advisers that we have in each of these respective capacities are providing independent, arms-length input to us as we make decisions.'" (USA Today, 10/31/17)

THE WASHINGTON FREE BEACON: "Members Of Scientific Boards Received $77 Million From EPA While Advising Agency." "Under the last three years of the Obama administration, members sitting on just three of the agency's scientific advisory boards received $77 million in EPA grants. Pruitt said individuals advising in policy and regulatory matters should be completely independent of the EPA." (The Washington Free Beacon, 10/31/17)

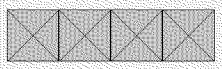
THE WASHINGTON EXAMINER: "Scott Pruitt Bars EPA Grant Recipients From Serving On Advisory Boards." "People receiving EPA grants who currently serve on the three boards will have to choose whether to keep the grant or continue their work on the boards. Most board members serve three-year terms. 'You have to choose, are you going to continue getting a grant or serve the agency,' Pruitt said. 'They can't do both.'" (The Washington Examiner, 10/31/17)

ABC NEWS: "EPA Blocks Some Scientists From Serving On Advisory Boards." "The

Environmental Protection Agency announced today that scientists who receive money from the agency will no longer be able to serve on its advisory boards, a move that critics contend will push independent science out of decisions about environmental policy. … The EPA argues that in addition to strengthening the independence of members on its boards, the move will further increase the diversity of the councils, with new members offering 'fresh perspectives.' The agency is further promoting participation from state, local and tribal governments." (ABC News, 10/31/17)

DAILY CALLER: "Trump's EPA Takes Steps To 'Ensure Independence' Among Science Advisers." "EPA will no longer allow researchers to serve on three scientific advisory boards if they also receive agency grants. The policy is to ensure science advisers are truly independent from EPA, Pruitt said, echoing concerns Republicans have voiced for years." (Daily Caller, 10/31/17)

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From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Sun 6/25/2017 3:13:22 PM
Subject: POLITICO Playbook, presented by Starbucks: TRUMP declines to blame Obama on FOX -- BILL COHAN on how GARY COHN 'fell for' Trump -- KOCH network plans to spend 300-400M in '18 -- SPOTTED at MNUCHIN's wedding -- FIELDS/WEINSTEIN nuptials pool report

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Today's POLITICO Playbook presented by Starbucks
06/25/2017 11:10 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Visit the online home of Playbook

Driving the Day

Good Sunday morning. THE PRESIDENT left the White House at 9:16 a.m. "in golf clothes (white shirt, white cap, dark slacks)," per pooler Alexis Simendinger. "Agents are dressed in their khakis and plaid, baggy, short-sleeved shirts--attire accessorized with ball caps. One was just practicing a pantomimed golf swing in the driveway." ... Trump pulled into Trump National Golf Club in Virginia at 9:51 a.m.

STATEMENT FROM PRESIDENT DONALD TRUMP (@realDonaldTrump) at **8 a.m.:** "Hillary Clinton colluded with the Democratic Party in order to beat Crazy Bernie Sanders. Is she allowed to so collude? Unfair to Bernie!"

-- NOTE: Hillary Clinton became the Democratic Party's nominee 334 days ago. Trump beat her 229 days ago.

MICHAEL KRUSE in POLITICO Magazine, "I Found Trump's Diary -- Hiding in Plain Sight: Legally risky, undiplomatic and sometimes wrong, Trump's Twitter feed is a document for the ages. And historians don't want to lose it": "In the presumed absence, then, of a more traditional version of the form, Trump's collected tweets comprise the closest thing to a diary this presidency will produce.

"And that is what makes the messages from @realDonaldTrump, almost 800 and counting since January 20, 2017, such a prize to those who care the most about lasting insight into the president and this administration. If @realDonaldTrump was to go dark, and Trump stopped tweeting to his more than 32 million followers, humans and bots alike, the loss from a historical standpoint would be acute." http://politi.co/2t9dyzX

TRUMP ON "FOX AND FRIENDS" SUNDAY MORNING -- PETE HEGSETH: "Who's been your biggest opponent? Has it been Democrats resisting? Has it been fake news media? Has it been deep state leaks? What's -- when you think about it, what holds it up the most? --" ... **TRUMP:** ... "One of the things that should be solved, but it probably won't be, is that the Republicans and Democrats don't get together. And I'm open arms; but, I don't see that happening. They fight each other. The level of hostility. In other words, this isn't just Trump, this has been like this for years. You've been doing this for a long time, it's been like that for a long time. But the level of hostility - as an example, the healthcare bill that you are reporting on and that everybody's reporting on."

-- TRUMP WAS TEED UP, BUT DECLINES TO BLAME OBAMA: HEGSETH: "How frustrating is it to have former President Obama there, out there leading the resistance?" **TRUMP:** "Well I think -- I don't think he's leading it. He actually just put out a small statement. I don't see that leading it. But other people are leading."

-- TRUMP HITS WARREN ... AGAIN: HEGSETH: "How do you overcome that when someone like Senator Warren - Elizabeth Warren literally says 'People are going to die because of President Trump's health-care bill'?" **TRUMP:** "Well I actually think she's a hopeless case. I call her Pocahontas, and that's an insult to Pocahontas. I actually think that she is just somebody that's got a lot of hatred, a lot of anger."

WHAT TO WATCH FOR THIS WEEK -- "Will Anthony Kennedy step down from the Supreme Court?" by AP's Mark Sherman: "The Supreme Court enters its final week of work before a long summer hiatus with action expected on the Trump administration's travel ban and a decision due in a separation of church and state case that arises from a Missouri church playground. The biggest news of all, though, would be if Justice Anthony Kennedy were to use the court's last public session on Monday to announce his retirement.

"To be sure, Kennedy has given no public sign that he will retire this year and give President Donald Trump his second high court pick in the first months of his administration. Kennedy's departure would allow conservatives to take firm control of the court. But Kennedy turns 81 next month and has been on the court for nearly 30 years. Several of his former law clerks have said they think he is contemplating stepping down in the next year or so. Kennedy and his clerks were gathering over the weekend for a reunion that was pushed up a year and helped spark talk he might be leaving the court." http://bit.ly/2t5rBWQ

-- KELLYANNE CONWAY on **ABC'S "THIS WEEK": CONWAY:** "I will never reveal a conversation between a sitting justice and the president or the White House, but we're paying very close attention to these last bit of decisions. And I can tell you one thing, just as the president did with Justice Neil Gorsuch, whenever there are vacancies, whenever that happens, he will look for somebody who has fidelity to the constitution, who doesn't make up the law as they go along, and somebody who has the judicial temperament and a record that's beyond reproach, as did Justice Gorsuch.

"We just hope the next time we can get more than a handful of Democratic senators to vote for our nominee to the Supreme Court and to the federal courts. We'd like a lot more cooperation from our Democratic friends. We know obstruction and resistance is their motto. It's not working. And it's not working for the American people, Supreme Court nominations and otherwise."

THE BIG PICTURE -- "The weakest defense in Washington? Saying 'I don't recall'," by Darren Samuelsohn: "Some of President Donald Trump's closest confidants seem to be suffering from an affliction common in high-stakes White House investigations: memory loss. In his recent testimony before the Senate Intelligence Committee concerning his role in the unfolding Russia saga, Attorney General Jeff Sessions answered questions with some variation of 'I do not recall' more than 20 times. Amnesia is often a favorite response from witnesses in criminal and congressional investigations, and it's often the most truthful reply-but people caught up in scandals can wind up facing perjury or other charges if prosecutors can later show they were intentionally trying to dodge tough questions." http://politi.co/2t5ihSQ

HOW TIMES CHANGE -- "Freedom Caucus holds fire on Senate Obamacare repeal bill," by Kyle Cheney and Rachael Bade: "The most hardline conservatives in the House are taking an unusually cautious approach to the Senate's Obamacare replacement, promising to keep an open mind about whatever their colleagues across the Capitol send back. It's a change in strategy for the House Freedom Caucus. When House leaders first released a health care bill in February, for instance, group members took to television talk shows to pan the plan as 'Obamacare lite,' furious that it didn't, in their eyes, do enough to unravel the 2010 health care law.

"They also threatened to withhold their support until changes were made, and later won concessions. For now, those hardball tactics have disappeared. As the Senate looks to pass its own health care legislation this week, those same House conservatives are taking a more measured approach -- even as several conservatives in the Senate are currently balking at the bill." http://politi.co/2u2UDDF

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

BUT, BUT, BUT ... "Senate health-care bill faces serious resistance from GOP moderates," by WaPo's Juliet Eilperin and Amy Goldstein: "A small group of moderate Republican senators, worried that their leaders' health-care bill could damage the nation's social safety net, may pose at least as significant an obstacle to the measure's passage as their colleagues on the right. The vast changes the legislation would make to Medicaid, the country's broadest source of public health insurance, would represent the largest single step the government has ever taken toward conservatives' long-held goal of reining in federal spending on health-care entitlement programs in favor of a free-

market system.

"That dramatic shift and the bill's bold redistribution of wealth - the billions of dollars taken from coverage for the poor would help fund tax cuts for the wealthy - is creating substantial anxiety for several Republican moderates whose states have especially benefited from the expansion of Medicaid that the Affordable Care Act has allowed since 2014." http://wapo.st/2sPOf36

-- WHO TO WATCH: Sens. Lisa Murkowski (R-Alaska), Shelley Moore Capito (R-W.Va.), Rob Portman (R-Ohio), Cory Gardner (R-Colo.) and Dean Heller (R-Nev.).

-- THE PROBLEM: Senate Majority Leader Mitch McConnell is going to have to cajole and lean on moderate and conservative senators to find enough votes. While he may be able to tweak the bill on the margins to bring some of the lawmakers on board -- and lawmakers will be able to add amendments to the underlying bill text -- it's unclear if he'll be able to thread the needle for passage next week. As we wrote earlier this week, McConnell is going to put this bill up for a vote no matter what -- he wants lawmakers on the record.

KOCH WATCH -- "Koch network ramps up political spending while trying to push Trump team," by Kevin Robillard in Colorado Springs, Colorado: "The leadership of the Koch brothers' network is brushing off its occasionally chilly attitude toward President Donald Trump, trying to nudge the administration in its direction as the group's annual summit began Saturday just after Charles Koch met with Vice President Mike Pence. The network of conservative donors announced Saturday it plans to spend between $300 million and $400 million on politics and policy during the 2018 cycle. ...

"The millions from the Koch network and its wealthy allies will boost the Trump administration on some key priorities, especially tax reform and rolling back regulations. It also will help push back against others - especially Attorney General Jeff Sessions' desire to implement tough-on-crime policies - and working to make Obamacare repeal efforts more conservative. And they could prove critical to Republican efforts to retain the House and expand a majority in the Senate." http://politi.co/2t9li4k

-- "Koch chief says health care bill insufficiently conservative," by AP's Steve Peoples: "Tim Phillips, who leads Americans For Prosperity, the Koch network's political arm, called the Senate's plans for Medicaid 'a slight nip and tuck' of President Barack Obama's health care law, a modest change he described as 'immoral.' 'This Senate bill needs to get better,' Phillips said. 'It has to get better.'" http://apne.ws/2sFaGts

FOR YOUR RADAR -- "Trump allies push White House to consider regime change in Tehran," by Michael Crowley: "As the White House formulates its official policy on Iran, senior officials and key Trump allies are calling for the new administration to take steps to topple Tehran's militant clerical government. Supporters of dislodging Iran's iron-fisted clerical leadership say it's the only way to halt Tehran's dangerous behavior, from its pursuit of nuclear weapons to its sponsorship of terrorism.

"Critics say that political meddling in Iran, where memories of a 1953 CIA-backed coup remain vivid, risks a popular backlash that would only empower hardliners. That's why President Barack Obama assured Iranians, in a 2013 speech at the United Nations, that 'we are not seeking regime change.' But influential Iran hawks want to change that under Trump. 'The policy of the United States should be regime change in Iran,' said Sen. Tom Cotton (R-Ark.), who speaks regularly with White House officials about foreign policy. 'I don't see how anyone can say America can be safe as long as you have in power a theocratic despotism,' he added." http://politi.co/2tINGIF

-- "Trump's Team Faces Reality in the Middle East," by the Times of Israel's Herb Keinon: "Washington is adopting a much different approach to peacemaking than the previous administration, a sign that it has learned from US President Barack Obama's mistakes. And the mother of all Obama's mistakes on the Israeli-Palestinian issue came when -- just a few months after being sworn into office -- he made a very clear demand for Israel to stop all settlement activity, everywhere ... The Trump administration is taking a different approach. It is making no public demands ... And, all the while, it is probing the sides to see what they are - and are not - willing to give, and then trying to see if there are ways to bridge the gaps. And it is doing this all very much behind closed doors, without megaphone diplomacy, without public threats of laying down an American blueprint, or dangling promises of high-profile summits." http://bit.ly/2u398Y5

COMING ATTRACTIONS -- "U.S. top court set to rule on religious rights; travel ban looms," by Reuters' Lawrence Hurley: "The U.S. Supreme Court is set to rule on Monday in a closely watched religious rights case involving limits on public funding for churches and other religious entities as the justices issue the final rulings of their current term. The nine justices are due to rule in six cases, not including their decision expected in the coming days on whether to take up President Donald Trump's bid to revive his ban on travelers from six predominantly Muslim countries in which an emergency appeal is pending. Of the remaining cases argued during the court's current term, which began in October, the most eagerly awaited one concerns a Missouri church backed by a conservative Christian legal group. The ruling potentially could narrow the separation of church and state." http://reut.rs/2s9V9yl

THE JUICE ....

-- SPOTTED AT STEVEN MNUCHIN and **LOUISE LINTON's WEDDING** last night at the Mellon Auditorium: President Donald Trump (in black tie) and First Lady Melania Trump, Vice President Mike Pence (who officiated) and Karen Pence, Jared Kushner and Ivanka Trump, Reince Priebus and Sally Priebus, DHS Secretary John Kelly, CIA director Mike Pompeo, Interior Secretary Mike Zinke, Transportation Secretary Elaine Chao, HUD Secretary Ben Carson and Candy Carson, Education Secretary Betsy DeVos, Commerce Secretary Wilbur Ross, EPA Administrator Scott Pruitt, Agriculture Secretary Sonny Perdue, U.S. Trade Representative Robert Lighthizer, National Security Advisor H.R. McMaster, White House Counsel Don McGahn and Shannon McGahn, deputy national security advisor Dina Powell and David McCormick ...

... Sean and Rebecca Spicer, Kellyanne Conway, Canadian Finance Minister Bill Morneau, John Paulson, Jim Donovan, Steve Roth, Eddie Lampert, Woody Johnson, Lee Eisenberg, Sen. Orrin Hatch (R-Utah), Tom Barrack, Eli and Jenna Miller, Stephen Miller, House Majority Whip Kevin McCarthy, C. Boyden Gray, Brad and Candice Parscale, Tommy Hicks, Reed Cordish, Rudy Giuliani, Richard and Karen LeFrak and Harrison LeFrak, Bill Paxon and Susan Molinari, Mike Shields and Katie Walsh, Ken Duberstein, Anthony Scaramucci. Seafood was served during cocktail hour, along with filet for dinner and a big white wedding cake. There was lots of beautiful flowers at the wedding, ballerinas performed, bagpipes and then a big band and many people hit the dance floor, according to attendees. ***Full report from Darren Samuelsohn, Rebecca Morin and Cristiano Lima*** http://politi.co/2t8w9MZ ... ***25 photos on one page*** http://dailym.ai/2sEIl6A

-- MNUCHIN was spotted with three agents at DCA early this morning -- he was dropping off one of his kids at the airport.

-- WE REPORTED YESTERDAY THAT REP. ADRIANO ESPAILLAT (D-N.Y.) filed a financial disclosure form that listed a checking account with between $5 million and $25 million. His office said he filed the report in error, and the account has between $1,000 and $15,000. The new report has not yet showed up on the clerk's website.

SUNDAY BEST -- GEORGE STEPHANOPOULOS speaks to **SENATE MINORITY LEADER CHUCK SCHUMER (D-N.Y.)** on **ABC'S "THIS WEEK" -- STEPHANOPOULOS:** "Are they going to pass this bill?" **SCHUMER:** "I think it's 50-50. First, Democrats, we are doing everything we can to fight this bill because it's so devastating for the middle class. I think they have, at best, a 50-50 chance of passing this bill. To get three senators to vote no, probably -- you can say yes, you can say no, probably 50-50."

-- BRIT HUME talks with **HHS SECRETARY TOM PRICE** on **"FOX NEWS SUNDAY" -- PRICE:** "What we're trying to do here, admittedly, is to thread a needle to make it so that, as the president says, every single American needs to be able to have access to the kind of coverage that they want," Price said, adding that conversations with Republican holdouts are ongoing. "That's the nature of the legislative process and that's what we'll be working through this week." ***More from Patrick Temple-West, whose birthday is today*** http://politi.co/2t5LvB6

-- DANA BASH speaks with **OHIO GOV. JOHN KASICH** on **CNN'S "STATE OF THE UNION" -- BASH -- HE'S OPPOSED TO THE SENATE GOP HEALTH CARE BILL:** "OK. So, given the problems that you just laid out, do you think that Senator Portman of Ohio should vote no?" **KASICH:** "Well, I -- I don't think the bill's adequate now. And unless it gets fixed, I would -- look, I'm against it. And I'm not against it just because I want to be against it. There's some things in these bill -- in these bills, in these -- in these provisions that are an improvement. My job, as I see my job as a governor of the state, not as a Republican governor, but the governor of this state, my job is to look not

just today, but in the out years, at the impact it's going to have on people who have -- who need help.

"Dana, I was at a restaurant on Friday . And I was at a Wendy's, actually. And I was -- there was a partition. And I looked over at the people that had gathered there. And there were about, I don't know, 25 kids. All of them were here in Columbus for Special Olympics. And I looked at them and I thought, are these people being served? Are they going to be served by this bill in the future? My conclusion right now is no."

-- CHUCK TODD speaks to **SEN. RON JOHNSON (R-WISC.)** on **NBC'S "MEET THE PRESS": JOHNSON -- ON HEALTH CARE:** "[W]hat I'd like to do is slow the process down, get the information, go through the problem-solving process, actually reduce these premiums that have been artificially driven up because of Obamacare mandates. So let's actually fix the problem. But in the end, I come from manufacturing base. I will look at whatever I'm forced to vote on, and I'll ask myself, 'Is this better tomorrow than where we are today? Is it continuous improvement?' And that's what will guide my decision."

Playbook Reads

PHOTO DU JOUR: President Donald Trump and first lady Melania Trump depart the White House on June 24 to attend Treasury Secretary Steve Mnuchin and Louise Linton's wedding. | Ron Sachs/Pool/Getty

DEEP DIVE -- WILLIAM D. COHAN in August's Vanity Fair, "The Untold Story of How Gary Cohn Fell for Donald Trump": "While [Lloyd] Blankfein was recuperating, Cohn seemed to delight in the attention and adulation he received when he filled in for his boss on earnings calls, industry presentations, and media events, such as The New York Times's DealBook Conference. That's when, some say, he became overconfident and decided to inquire of several of his fellow board members about becoming C.E.O., even as Blankfein was responding well to his chemotherapy treatments. 'Gary made a play to replace Lloyd,' according to a former Goldman partner. It didn't work. The board was 'noncommittal' to Cohn, he continues. 'There's a lot of loyalty to Lloyd on the board.' ...

"The timing was perfect for Jared Kushner, Trump's son-in-law, to pounce. He approached Cohn, supposedly at the suggestion of mutual friends. 'Jared Kushner has always been a little starstruck with Goldman Sachs people,' says a former Goldman partner who knows him well. 'He's always liked that sort of promotional edginess that Goldman Sachs has had, and he's always liked the reputation that Goldman Sachs has the best people, quote unquote, the smartest, savviest people. The idea, by the way, that Jared was suddenly in a position where he actually had the power to call on and hire and lure a number of people like that to the bench side, if you will, was a very, very intoxicating, enticing, and really kind of exciting thing to him,' the former partner

continues. 'This was an incredibly sort of convenient and opportune kind of thing that came along for Gary because-whether he was going to Washington or not-Gary was out.'" http://bit.ly/2u3jTd1

MATT VISER in the Boston Globe, "Jared Kushner got his start as Somerville landlord": "At 19, he was in the training-wheels stage of his career as a developer, learning as he went, making his share of mistakes, acquiring a landlord's tough edge and cool calculus -- traits he still manifests in the White House. Learning to fix up and flip clusters of low-end apartment buildings, he used Somerville as his own private laboratory. And he passed the first key test -- he made a profit. Of course, he had a headstart. Much as Trump began his career of deals with a multimillion-dollar boost from his father, Kushner started out with his wealthy father acting as senior partner and offering crucial assistance -- including helping secure $9 million in mortgage loans....

"And his efforts paid off -- the properties he bought for $8.3 million sold four years later for $13 million. But Kushner, who did not respond to requests for an interview to discuss his business record in Somerville, also made a number of rookie errors and left numerous angry tenants in his wake. His properties amassed 25 housing complaints over four years, including complaints about overflowing dumpsters, pests, and sewage odors, according to the Globe review. Tenants complained of what they called nonsensical financial dealings. Some renters say they went an entire winter without heat." http://bit.ly/2t5dGju

WHAT ERIC HOLDER IS READING -- "Analysis indicates partisan gerrymandering has benefited GOP," by AP's David Lieb: "The 2016 presidential contest was awash with charges that the fix was in: Republican Donald Trump repeatedly claimed that the election was rigged against him, while Democrats have accused the Russians of stacking the odds in Trump's favor. Less attention was paid to manipulation that occurred not during the presidential race, but before it - in the drawing of lines for hundreds of U.S. and state legislative seats. The result, according to an Associated Press analysis: Republicans had a real advantage.

"The AP scrutinized the outcomes of all 435 U.S. House races and about 4,700 state House and Assembly seats up for election last year using a new statistical method of calculating partisan advantage. It's designed to detect cases in which one party may have won, widened or retained its grip on power through political gerrymandering. The analysis found four times as many states with Republican-skewed state House or Assembly districts than Democratic ones. Among the two dozen most populated states that determine the vast majority of Congress, there were nearly three times as many with Republican-tilted U.S. House districts." http://apne.ws/2s5voE7

BUSINESS BURST -- "Facebook Is Going Hollywood, Seeking Scripted TV Programming," by WSJ's Joe Flint and Deepa Seetharaman: "Facebook to Hollywood: Let's do lunch. Social networking giant Facebook Inc. is moving its ambitions in TV-quality video to the front burner, taking meetings and making deals with an eye toward launching a slate of original programming by the end of summer, people familiar with the

matter said. In meetings with major talent agencies including Creative Artists Agency, United Talent Agency, William Morris Endeavor and International Creative Management Partners, Facebook has indicated it is willing to commit to production budgets as high as $3 million per episode, people familiar with the situation say." http://on.wsj.com/2rQ6Omz

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

BEYOND THE BELTWAY -- POLITICO Magazine's "America's 11 Most Interesting Mayors": Eric Garcetti, Los Angeles ... **Hillary Schieve**, Reno, Nev. ... **Kevin Faulconer**, San Diego ... **Greg Fischer**, Louisville, Ky. ... **Marty Walsh**, Boston ... **Michael Hancock**, Denver ... **Jennifer Roberts**, Charlotte, N.C. ...**Tomás Regalado**, Miami, Florida ... **Jackie Biskupski**, Salt Lake City, Utah ... **Bill Peduto**, Pittsburgh ... **Dan Gilbert**, the shadow mayor of Detroit. http://politi.co/2sEZm0w

BONUS GREAT WEEKEND READS, curated by Daniel Lippman, filing from Palm Beach, Florida:

-- "My Father's Fashion Tips," by Tom Junod in GQ: "In 1996, in a piece that was nominated for a National Magazine Award, Tom Junod wrote not only of his dad's impeccable style but also of the secrets -- and underwear rules -- of a lost generation." http://bit.ly/2szLZP8

-- "Deepest Dive Ever Under Antarctica Reveals a Shockingly Vibrant World," by Laurent Ballesta in July's NatGeo: "Our special report offers a rare look at life beneath the frozen continent -- where penguins, seals, and exotic creatures thrive."***With 15 pix on one page*** http://on.natgeo.com/2s2rV9e (h/t Blake Hounshell)

-- "Crimson Tidings: The primordial color gets its due," by Elizabeth Powers in the Weekly Standard: http://tws.io/2rLD4qR (h/t ALDaily.com)

-- "The Wages of War Without Strategy," by Robert Cassidy and Jacqueline Tame on the Strategy Bridge: "In its wars since 11 September 2001, the United States has arguably cultivated the best-equipped, most capable, and fully seasoned combat forces in remembered history. They attack, kill, capture, and win battles with great nimbleness and strength. But absent strategy, these victories are fleeting. Divorced from political objectives, successful tactics are without meaning." http://bit.ly/2szMg4p

-- "This Is How Big Oil Will Die," by Seth Miller in NewCo: "It's 2025, and 800,000 tons of used high strength steel is coming up for auction. The steel made up the Keystone XL pipeline ... [which at] its peak ... carried over 500,000 barrels a day for processing at refineries in Texas and Louisiana. But in 2025, no one wants the oil."

http://bit.ly/2szZhLp

-- "Supertasters Among the Dreaming Spires," by Dan Rosenheck in 1843 Magazine: "Every Oxford taster is a scientist in one form or another, ranging from endearingly geeky to absurdly so ... Cambridge [tasters] were methodical, precise and pragmatic - much like Cambridge. Whereas Oxford had people who grew up with wine. They'd just taste and say: Oh, that's obviously Bordeaux." http://bit.ly/2rLo5NI

-- "Camille Paglia: On Trump, Democrats, Transgenderism, and Islamist Terror," by The Weekly Standard's Jonathan V. Last: "Today's liberalism has become grotesquely mechanistic and authoritarian: It's all about reducing individuals to a group identity, defining that group in permanent victim terms, and denying others their democratic right to challenge that group and its ideology. Political correctness represents the fossilised institutionalisation of once-vital revolutionary ideas, which have become mere rote formulas." http://tws.io/2szPMfe (h/t TheBrowser.com)

-- "Confessions of a Cartel Hit Man," by Martin Corona in Men's Journal: http://mjm.ag/2tDcVvH

-- "Can We Blame the Mafia on Lemons?" by Cara Giaimo in Atlas Obscura: "Lemon trees need well-fertilised soil, steady water, and protection from wind and extreme temperature, which come at great cost. Trees need to be coddled for seven or eight years before they produce enough lemons to sell. When they do bear fruit, it's easy enough for people to steal it." http://bit.ly/2t0xjJl

-- "The 2017 Jefferson Lecture -- Powerlessness and the Politics of Blame" -- Martha C. Nussbaum at the Kennedy Center on May 1: "The Greeks and Romans saw a lot of anger around them. But they did not embrace or valorise anger. They did not define manliness in terms of anger, and tended to impute it to women, whom they saw as lacking rationality. However much they felt and expressed anger, they waged a cultural struggle against it, seeing it as destructive of human well-being and democratic institutions." http://bit.ly/2tDB5X4

-- "About Tomorrow," by Bruce Wexler in E-Flux: "Human beings differ from other animals with regard to ... post-natal neuroplasticity in two important ways. First, our brains are more immature at birth and susceptible to environmental shaping to a greater degree and for a longer time. Second, humans are the only animals that shape and reshape the environments that shapes their brain. This powerful combination is the basis of cultural evolution, and of most features of human minds, behavior and communities." http://bit.ly/2sL8uPw

Playbookers

SPOTTED: Former Vice President Joe Biden on Saturday, with a small Secret Service

detail, on the Acela out of New York. He got off in Wilmington, rocking a pair of sunglasses, one earbud in and carrying a briefcase -- "looking as relaxed and cool as ever," per our tipster.

OUT AND ABOUT -- Susan Glasser and Peter Baker hosted a farewell party last night at their house for Indira Lakshmanan and Dermot Tatlow, who are moving to St. Petersburg, Florida, next week as Indira takes up her post as Craig Newmark Chair in Journalism Ethics at The Poynter Institute for Media.

SPOTTED: German Amb. Peter Wittig and Huberta von Voss-Wittig, Afghan Amb. Hamdullah Mohib and Lael Mohib, Judy Woodruff and Al Hunt, Marty Baron, Andrea Mitchell, Nihal Krishan, Nancy Cook and Christopher Rowland, former Pakistani Amb. Husain Haqqani and Farahnaz Ispahani, Mike Oreskes and Geraldine Baum, former U.S. Ambs. Melanne and Phil Verveer, former U.S. Amb. Steve Sestanovich, Katharine Weymouth, Mark Landler, Julie Davis, David Sanger, Margaret Carlson, Juliet Eilperin, Laura Meckler, Ben Chang, Christina Sevilla and Steve Rochlin, Justin Kenny, Heidi Crebo-Rediker and Doug Rediker, Dana Thomas, Amanda Downes, David Rennie, Jonas Parello-Plesner, Bay Fang, Steve Heuser, Mary Louise Kelly, Manuel Roig-Franzia and Ceci Connolly, Nicole Raben, Denise Couture.

-- SPOTTED at a surprise birthday party last night for Ziad Ojakli at Kellari Taverna on K Street: Sumya Ojakli, Angela Flood, Alison Jones, Mercy and Matt Schlapp, David and Gretchen Hobbs, Bruce Andrews, Pam Thiessen, Nick Calio and Eric Ueland.

-- **SPOTTED** on the rooftop of The Brixton for a mini-reunion of alumni of the Obama administration NSC: Terry Szuplat, Eric Pelofsky, Dan Schneiderman, Jon Wolfsthal, Yael Lempert, Michael Sessums, Ben Chang, Salman Ahmed, Evan Medeiros, Bernadette Meehan, Meg Doherty, Stacey May, Andrew Scott, Matt Kaczmarek, Brian Nilsson.

SPOTTED at Ron and Sara Bonjean's annual "Good Pants Ranch Summer Party" yesterday in Purcellville, Va. (a camel made an appearance): Paul Kane, Jo Maney, John Scofield, Dana Bash, Anne Brady, Matt Dornic and Kyle Volpe, Doug Heye, Emily Miller, Fran Decker, Jared Allen and Jackie Kucinich, Kenny Day, Rebecca Haller, Sheldon and Shannon Bream, Matt Wolking, Tom Williams, David and Jenny Drucker, Chris Bond, Dan Ronayne, Tracey and Nick Lintott, Jim Richards and Brian Walsh.

--The RNC held their summer meeting this weekend at the Four Seasons Hotel in downtown Chicago, Illinois. **SPOTTED:** Vice President Mike and Mrs. Karen Pence, Speaker Paul Ryan, Sen. Tom Cotton (R-Ark.), Rep. Marsha Blackburn (R-Tenn.), Rep. Michael Burgess (R-Texas), RNC Chairwoman Ronna Romney McDaniel, RNC co-chairman Bob Paduchik, RNC chief of staff Sara Armstrong, Arkansas state chairman Doyle Webb, Ohio state chairwoman Jane Timken, Hunter Wallace and Suhail Khan.

WEEKEND WEDDINGS -- MICHELLE FIELDS married **JAMIE WEINSTEIN** in a ceremony yesterday at the Breakers in Palm Beach. Dinner and dancing was held in the

Mediterranean Ballroom overlooking the Atlantic Ocean. Fields is a Breitbart and HuffPo alum who now runs JMW Strategies with Weinstein, a commentator and host of "The Jamie Weinstein Show" podcast. They met as reporters at the Daily Caller. They served crab cakes, lobster tail medallions, sliced beef tenderloin, and citrus panko crusted sea bass along with huge ice-cream sundaes (there were also two tomato bars in a pre-dinner reception because Jamie is a big fan of tomatoes). Partiers hoisted Fields and Weinstein in the air during the hora. Colorful performers dancing on stilts also were a hit. The couple is flying out to Europe today on their honeymoon: they'll visit Italy and Morocco and take a river cruise from Budapest to Munich.

SPOTTED: Juleanna Glover hitting the dance floor early with Christopher Reiter, Benny Johnson shaking hands with Oliver Darcy (who had written critical pieces on IJR), bridesmaids Lauren Hagen, Betsy Woodruff, and Kathryn Lyons, Will Rahn, Taylor Lorenz, Ben Jacobs, Olivia Nuzzi, Asawin Suebsaeng and Liz Brown, Jonathan Swan, Vince and Alison Coglianese, Tim Lim, Josiah Ryan, Matt Lewis andErin DeLullo, Katelyn Rieley Johnson, Alex and Nancy Pappas, Jonathan and Anna Beth Strong, Mike Dunkle, Mitchell Sutherland, Guy Benson, Amber Smith.

--PICS http://bit.ly/2rQjf1M ... http://bit.ly/2t9fjx9 ... http://bit.ly/2sPQu6O ... http://bit.ly/2sEZpt2 ... ***First kiss*** http://bit.ly/2u3cWJ2 ... ***First dance*** http://bit.ly/2u3enHq ... ***The decadent cake*** http://bit.ly/2sPMqU3

-- Politico reporter (and author of Morning Energy) **Anthony Adragna** married longtime girlfriend **Meghan Cassidy** in a ceremony at the historic St. Francis Hall in Northeast D.C. on Saturday evening. Cassidy is a teacher at Gonzaga High School who just graduated from a master's program at Georgetown. The couple met in summer 2013, hit it off after being set up on a blind date by mutual friends and have been together ever since. Pool report: "The couple exchanged vows outdoors, surrounded by the lush greenery of the historic Renaissance-style hall, built in 1931. The lively reception featured everything from the Isley Brother's Shout to Taylor Swift's Shake It Off and had guests young and old on the dance floor all night long." ***Pics*** http://bit.ly/2t8YfHp ... http://bit.ly/2t9Pld0

SPOTTED: Heather Caygle and Aaron Lorenzo, Brian Fung and Ryan Kellett, Mikaela Lefrak, Dean Scott and Rachel Leven

--"Kristin Donnelly, Rick Bosh" -- N.Y. Times: "The bride, 36, is a White House producer in Washington for NBC News. She graduated from Syracuse. ... The groom, 36 and known as Rick, is a producer for 'Andrea Mitchell Reports' on MSNBC. He graduated from Southern Methodist University. ... The couple met in March 2010 when they worked as producers for day programming at MSNBC." ***With pic*** http://nyti.ms/2u2PMIS

--"**Pia Carusone, Leanne Pittsford":** "Ms. Carusone, 37, is a political consultant and a senior adviser to Americans for Responsible Solutions, a Washington-based gun violence prevention organization, founded by Gabrielle Gifford and Mark Kelly. Ms.

Carusone was until June 2012 the chief of staff to Ms. Giffords, then an Arizona congresswoman. Ms. Carusone is also a founder of Republic Restoratives Distillery, which is also in Washington and makes vodka, bourbon and rye whiskey. She graduated from Bard College and is now a governor of the school's alumni association. ... Ms. Pittsford, 36, is the chief executive of Start Somewhere, a company in Washington that operates Lesbians Who Tech and two other programs aiming to increase diversity in the technology sector. She graduated from California Polytechnic State University-San Luis Obispo, and received a master's degree in education with a concentration on equity and social justice from San Francisco State University." ***With pic*** http://nyti.ms/2t8yfvQ

BIRTHWEEK (was yesterday): Kirsten Hughes, chair of the MassGOP (hat tip: Natalie Boyse)

BIRTHDAYS: WSJ and POLITICO alum Patrick O'Connor, now with CGCN Group, is 41 ... CNN's Betsy Klein ... Josh Lahey, principal of the Podesta Group, who once hiked all 2,100 miles of the Appalachian Trail starting in Georgia and ending in Maine ... Justice Sonia Sotomayor is 63 ... civil rights activist James Meredith is 84 ... Anthony Bourdain is 61 ... Jeremy Bearer-Friend, Sen. Elizabeth Warren's tax policy maven, moving to NYC this fall to teach tax law at NYU (h/t Alex Levy) ... tech guru Laurent Crenshaw, YELP's director of public policy, is 37 --he celebrated Friday evening at a pop-up party inside of the National Union Building on 9th and F st NW with some of Capitol Hill's finest (h/t Stewart Verdery) ... Politico's Patrick Temple-West ... N.Y. Post's Reuven Fenton ... Rep. Leonard Lance (R-NJ) is 65 ... Dan Meyers, VP at DCI Group ... John Randall, VP of digital at CRAFT ... Robert Harvey ... Jackie Bradford, pres and GM of NBC4 in DC ... Danielle Doheny is 3-0 ... CBS and Reuters alum Corbett Daly, bro of Uncles Matthew and Brendan ... AP alum John Heilprin, now senior journalist and editor for the int'l service of the Swiss Broadcasting Corp. ... Ambassador Melanne Verveer ... Tita Freeman ... Alan McQuinn ... former Rep. Carolyn Kilpatrick (D-Mich.) is 72 ...

... **Scott Zumwalt** , senior director at Bully Pulpit Interactive, is 33 ... Alan McQuinn, ITIF's research analyst (h/t Samantha Greene) ... John Randolph Thornton, author of the novel "Beautiful Country," is 26 ... John Meyer ... Dan Spinelli ... Eric Litmer ... Taylor Haulsee ... Alberto "Beto" Cardenas of Vinson & Elkins ... Abbie Sorrendino of Senate Rules ...Gretchen Yelmini ... Bryan Bernys ... IAVA alum John Alexander Nicholson ... Mike Gehrke ... Jon Carson ... Summer Oesch ... Jason Stephany ... Martha Vukelich-Austin ... Marc Caplan ... Mora Segal ... Heidi Johnson (h/ts Teresa Vilmain) ... James Michael Thornberry ... Hank Greenwald, famed for his long run as the SF Giants baseball play-by-play man ... Ted Pease is 62 ... Carly Simon is 72 ... Phyllis George is 68 ... Ricky Gervais is 56 (h/ts AP)

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

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Today's POLITICO Playbook presented by BP
07/25/2017 06:45 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

THE PRESIDENT CONTINUES TO PUBLICLY BERATE HIS ATTORNEY GENERAL -- at 6:03 a.m.: "Ukrainian efforts to sabotage Trump campaign - 'quietly working to boost Clinton.' So where is the investigation A.G. @seanhannity" ... **at 6:12 a.m.:** "Attorney General Jeff Sessions has taken a VERY weak position on Hillary Clinton crimes (where are E-mails & DNC server) & Intel leakers!" ... **at 6:21 a.m.:** "Problem is that the acting head of the FBI & the person in charge of the Hillary investigation, Andrew McCabe, got $700,000 from H for wife!"

JONATHAN LEMIRE and **JILL COLVIN: "AP sources: Trump speaks to advisers about firing Sessions"** : "President Donald Trump has spoken with advisers about firing Attorney General Jeff Sessions, as he continues to rage against Sessions' decision to recuse himself from all matters related to the Russia investigation. ... Privately, Trump has speculated aloud to allies in recent days about the potential consequences of firing Sessions, according to three people who have recently spoken to the president. They demanded anonymity to discuss private conversations." http://bit.ly/2vEHmTu

-- WHY AND HOW HE'D DO IT: "Trump leaves Sessions twisting in the wind while berating him publicly," by WaPo's Sari Horwitz, Matt Zapotosky and Bob Costa: "Replacing Sessions is seen by some Trump associates as potentially being part of a strategy to fire special counsel Robert S. Mueller III and end his investigation into whether the Trump campaign coordinated with the Kremlin to influence the 2016 election ... Trump could order Rosenstein -- and then Associate Attorney General Rachel Brand -- to fire Mueller. If they quit instead of doing so, he could appoint an acting attorney general who would. Trump could also appoint an acting attorney general

with them in place - effectively passing over Rosenstein and Brand - and order that person to remove the special counsel. ... Another scenario is that Trump could make a recess appointment, said University of Texas School of Law professor Steve Vladeck.

"Under that plan, Trump could choose an attorney general during the August recess who would serve until the end of the next Senate session, which could be early January. That person would have the same authority as someone who is confirmed by the Senate ... Among the names being floated as possible Sessions replacements are Sen. Ted Cruz (R-Tex.) and former New York City mayor Rudolph W. Giuliani, according to people familiar with the conversations. ... Trump, though, continues to let Sessions twist in the wind. One person close to Trump said the president asked him about how firing Sessions 'would play in the conservative media.' Trump also asked him whether it would help to replace Sessions 'with a major conservative,' the person said." http://wapo.st/2tVibKk

-- TED CRUZ has signaled he is not interested, and **RUDY GIULIANI** defended Sessions, and "swatted away a report" that he is in the running to replace him, according to CNN.

AND ON TO HEALTH CARE ... @realDonaldTrump at 6:27 a.m.: "Big day for HealthCare. After 7 years of talking, we will soon see whether or not Republicans are willing to step up to the plate!" ... **at 6:38 a.m.**: "ObamaCare is torturing the American People.The Democrats have fooled the people long enough. Repeal or Repeal & Replace! I have pen in hand."

Good Tuesday morning. BREAKING LAST NIGHT: SEN. JOHN MCCAIN (R-ARIZ.) is coming back to "continue working on important legislation, including health care reform, the National Defense Authorization Act, and new sanctions on Russia, Iran and North Korea."

THE QUESTION RIGHT NOW is whether 51 Republicans will vote for the motion to proceed -- a procedural question that allows the Senate to debate the health care bill.

BURGESS EVERETT, SEUNG MIN KIM and **JEN HABERKORN:** "McConnell spent the day cajoling his members and meeting with Vice President Mike Pence to plot strategy. The majority leader was still short of the votes to even open debate, and Republicans still don't know what they'd be voting to allow debate on if they agree to go along with McConnell on the procedural vote.

"If [McConnell] manages to round up the 50 votes, it would be a huge political victory. The office of Sen. John McCain (R-Ariz.) announced late Monday that he would return to the Senate, but the undecided positions of about a half-dozen senators have left McConnell with a tiny margin for error, and no one's quite sure what his end game is." http://politi.co/2tEuNdj

-- HERE IS A BRAIN DUMP ON THE STATE OF PLAY FROM ONE SENIOR GOP

STRATEGIST: "It has been abundantly clear that policy disagreements are not the ultimate barrier to moving forward. They've had months to work that out. There is a contingent of GOP senators who refuse to accommodate their concerns in negotiations in the hopes of avoiding a vote altogether. The only way to change that dynamic is to hold a vote that provides the opportunity to put every senator on record as to whether they are willing to debate Obamacare.

"A yes vote brings an open amendment process where every senator will have the opportunity to amend, improve, and ultimately decide whether the final product is worthy of their support. Conversely, if some Republicans are more comfortable dealing President Trump a loss than debating Obamacare, this vote will provide the opportunity to make that clear to their constituents since most have represented otherwise for the past seven years."

FROM A SENIOR SENATE GOP AIDE: "It's time to vote; it's time to get on the bill. We pulled back twice for different reasons but it's time. In fact it's past time. Republican Senators know the issue and the solutions. They've been discussing it for months. To fail not to get on the bill is not a resolution after four election cycles of promises. If we get on the bill, amendments can and will be offered. But that cannot happen unless we get on the bill."

WSJ EDITORIAL: "Can Republicans Govern? Some Senators want to talk forever about health care. Time for a vote": "Mitch McConnell is scheduling another showdown vote in the Senate-the third attempt-as early as Tuesday on a motion to proceed to debate on health reform. Succeed or fail, the Republican Majority Leader is right to demand this moment of political accountability. ... Members have been debating among themselves for weeks, they know or should know the bill's essential policy choices, and the bill isn't getting prettier with age. That's especially true on Medicaid reform and spending, which is the chief gripe of the so-called moderates led by Rob Portman of Ohio. They keep demanding more money. They keep getting it, but it's never enough." http://on.wsj.com/2uSR9rj

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THE OPEN QUESTIONS ...

-- THE UNDECIDEDS, per POLITICO Pro health-care guru Dan Diamond **(@ddiamond)** and Burgess, SMK and Jen: Sens. Mike Lee (R-Utah), Dean Heller (R-Nev.), Jerry Moran (R-Kan.), Shelley Moore Capito (R-W.Va.), Rob Portman (R-Ohio), Cory Gardner (R-Colo.) and Lisa Murkowski (R-Alaska). **PROBABLE NOS:** Sens. Susan Collins (R-Maine) and Rand Paul (R-Ky.).

-- ALSO KEEP IN MIND: The Senate, at this point, doesn't even know what it's voting on. The order of amendments has been an open -- and critical -- question. Burgess,

SMK and Jen: "Republicans are strongly considering a strategy that would tee up two separate votes -- one on the repeal only and another on the plan the Senate has been working on to repeal and replace Obamacare. If one fails, 'you set up a vote on the other one,' said Sen. John Thune (R-S.D.). The theory behind the strategy is that by making that assurance, Republicans could pick up votes to start debate from ardent conservatives as well as waffling moderates."

-- AND WHAT'S NEXT? If the Senate passes something, does Speaker Paul Ryan keep the House in to try to pass it? Or does he move to go into conference -- the formal negotiating process between the House and Senate that could force the conversation about health care for months. There would be tremendous pressure to do something.

VP MIKE PENCE met with McConnell last night, and his office is touting the outside groups supporting voting for the motion to proceed. ***The list*** http://politi.co/2vVrL13

THE PRESIDENT, LATE MONDAY NIGHT: @realDonaldTrump at **10:23 p.m.:** "The Amazon Washington Post fabricated the facts on my ending massive, dangerous, and wasteful payments to Syrian rebels fighting Assad....." ... **at 10:28 p.m.:** "So many stories about me in the @washingtonpost are Fake News. They are as bad as ratings challenged @CNN. Lobbyist for Amazon and taxes?" ... **at 10:36 p.m.:** "Is Fake News Washington Post being used as a lobbyist weapon against Congress to keep Politicians from looking into Amazon no-tax monopoly?"

-- FOR THE RECORD: Amazon doesn't own the Washington Post. We've never heard a Post reporter care one iota about promoting policies that benefit Amazon. ... **ALSO: @adamgoldman:** "Did @realDonaldTrump just declassify @CIA program in Syria?"

****** **A message from BP: Our U.S. wind farms can generate enough electricity to power all the homes in a city the size of Philadelphia.** *Learn more in our Economic Impact Report.* ******

BACK ON THE TRAIL ... -- "From 'fake media' to Clinton, Trump brings political attacks to the Scout Jamboree," by WaPo's John Wagner and Jenna Johnson: "Ahead of President Trump's appearance Monday at the National Scout Jamboree in West Virginia, the troops were offered some advice on the gathering's official blog: Fully hydrate. Be 'courteous' and 'kind.' And avoid the kind of divisive chants heard during the 2016 campaign such as 'build the wall' and 'lock her up.' But from the moment he took the stage, Trump - who was never a Scout himself but touted his role as the 'honorary president of the Boy Scouts of America' - started leading them down a very different path.

"Over the next 35 minutes, the president threatened to fire one of his Cabinet members, attacked former president Barack Obama, dissed his former rival Hillary Clinton, marveled at the size of the crowd, warned the boys about the 'fake media,' mocked pollsters and pundits, and said more people would say 'Merry Christmas' under his presidency. He also told a rambling tale about a famous, now-deceased home

builder that meandered from a Manhattan cocktail party to a yacht and then to places that the president would only allow the boys' imaginations to go." http://wapo.st/2tVYm5w

-- ACTUAL THING SAID BY THE PRESIDENT OF THE UNITED STATES TO BOY SCOUTS, telling the story of William Levitt, a failed developer: "He went personally bankrupt, and he was now much older. And I saw him at a cocktail party, and it was very sad because the hottest people in New York were at this party."

-- DID YOU EVER hear President Barack Obama talk about his victory over Mitt Romney eight months after the election? Did George W. Bush boast about beating John Kerry and Al Gore?

HOT ONLINE -- @TheDailyShow: "The Mooch did his homework" http://bit.ly/2uVevMw

THE SHAKEUP STORIES ...

-- "Trump shames Sessions amid shake-up speculation," by Josh Dawsey, Eliana Johnson, Nahal Toosi and Daniel Lippman: "Sessions was in the West Wing on Monday, though he didn't meet Trump, a White House spokeswoman said. New communications director Anthony Scaramucci told POLITICO the president remained upset. ... A George W. Bush administration National Security Council aide who remains in touch with the White House and a Trump transition aide separately said that, should he leave, [HR] McMaster would likely be replaced either by C.I.A. Director Mike Pompeo or by Bush's former United Nations Ambassador John Bolton. ... National Security Council staffers threw a surprise birthday party for McMaster early Monday evening on the balcony of the Eisenhower Executive Office Building.

"It was standing room only and paid for by the staffers ... Top aides Jared Kushner, Dina Powell and Tom Bossert attended the gathering, where there was singing and chocolate cake for the general, who turned 55 years old on Monday. ... One source familiar with conversations [Rex] Tillerson has had recently with associates said that Trump's top diplomat feels he is 'not being allowed to do his job' and is reconsidering how long he is willing to stay. Tillerson initially planned to stay for at least a year, the source said, but now 'he's no longer wedded to that idea.'" http://politi.co/2gZkuup

-- FOR WHAT IT'S WORTH: The buzz about Pompeo to the White House is widespread. But we hear he is very happy at the CIA and is not interested in a move. Could it happen? Sure. But people close to him see it as unlikely.

-- "New communications director moves toward possible staff purge at White House," by WaPo's Philip Rucker and Ashley Parker: "Anthony Scaramucci ... is exercising a broad mandate from the president and intends to follow through on threats to purge aides he believes are disloyal to Trump and leaking to the press, officials with knowledge of the fast-moving effort said Monday. Just four days into the job,

Scaramucci has moved into Trump's inner sanctum and is now described by some colleagues as almost family to the president -- in contrast to his predecessor, outgoing press secretary Sean Spicer, who was described more like the help. In consultation with confidants inside and outside the administration, Scaramucci has begun undertaking an audit of the White House's dozens of press and communications staffers.

"He is meeting one-on-one with aides in an effort to understand each person's contributions and weed out those he determines are not working hard enough to defend the president through the crises besieging the White House ... Scaramucci wants the communications shop focused on serving a single client -- the president -- and is looking outside of the White House to recruit new advisers with professional experience, especially on television. He is considering bringing on corporate communications specialists as well as people who have on-air experience ... Scaramucci has deep contacts at Fox News, where he was a paid contributor and hosted a weekly show on Fox Business Network. Wayne Berman, a longtime Republican operative whose name has been previously floated as a possible chief of staff, is scheduled to meet with Scaramucci on Tuesday at the White House." http://wapo.st/2eJHDRa

THE COUNTER NARRATIVE -- "Democrats sidestep social issues in new economic push," by Heather Caygle and Elana Schor in Berryville, Virginia: "Congressional Democratic leaders descended upon this rural Virginia town Monday to unveil a progressive economic package they say can win back working-class voters next November, even in red states. And noticeably missing, amid the talk of raising wages and reining in corporate interests, were the left-leaning stances on social issues that help form the backbone of the party, including immigration, abortion and LGBT rights.

"Senate Minority Leader Chuck Schumer (D-N.Y.) vowed that his party's red-state incumbents would largely embrace the new agenda - which, he acknowledged, purposefully avoids the social issues that have already opened a rift this year between the party's liberal base and centrist bloc. 'There is not that divide on economic issues,' Schumer told reporters as Massachusetts Sen. Elizabeth Warren, whose anti-corporate agenda influenced Democrats' new economic strategy, worked a small but adoring crowd in a county that went for Donald Trump by more than 55 percent last year. 'The focus starts on economic issues,' Schumer continued. 'That's where the American people are hurting. That's what we most felt was missing in the past in the last several elections.'" http://politi.co/2tV5Fdw

HOUSE DEMS FLEX MUSCLES -- "House Democrats stun GOP by sinking vets, intel bills," by Connor O'Brien: "House Democrats sank two key bills on the House floor Monday, embarrassing Republican leaders who were banking on the noncontroversial legislation sailing through - in a new sign of the opposition party's frustration with the majority's approach. Kicking off a busy week in the House, most Democrats and a handful of Republicans joined forces to deny GOP leaders big-enough majorities to pass an annual intelligence policy bill and legislation to restore funding for a key veterans health care program.

"Both bills came to the House floor Monday under suspension of the rules, an expedited process that allows for less than an hour of debate and no amendments but also requires a two-thirds majority for passage. The suspension process is typically used for noncontroversial bills that have broad bipartisan support. One suspension bill failing on the House floor is a rarity, but two back to back is extremely rare." http://politi.co/2tVsjm9

-- WORTH NOTING: Yes, this is just a short-term win for Democrats. Republicans will find another procedural way to move the legislation through the chamber. But, it is significant that Democrats banded together after House Minority Leader Nancy Pelosi sent a "Dear Colleague" letter to let force the intel bill to fail.

WHAT STEVE SCALISE TOLD HOUSE REPUBLICANS -- SCALISE is still in the hospital, but he dialed into the House Republican whip meeting. He told the crew that he's being well taken care of at Medstar Washington Hospital Center, and thanked Chief Deputy Whip Patrick McHenry (R-N.C.) for his hard work since the shooting.

TRUMP'S TUESDAY -- TRUMP has Lebanese Prime Minister Saad Hariri at the White House. They'll hold a press conference at 3 p.m. Trump and the first lady leave for Vienna, Ohio, at 4:25 p.m. and hold a political rally at 7:05 p.m. They return to the White House late tonight.

JOIN US IN DENVER! Anna and Jake are holding a special Playbook Exchange event in Denver with Colorado Gov. John Hickenlooper Aug. 1 at 5:30 p.m. MDT. ***RSVP:*** http://politi.co/2vElRC9

BIG IN JERUSALEM -- WSJ'S RORY JONES in Tel Aviv: **"Israel Removes Metal Detectors at Jerusalem Holy Site:** Dismantling of devices comes amid flurry of diplomacy by U.S. and Western officials after a weekend of violence": "Israel on Tuesday began removing metal detectors from one of Jerusalem's holiest sites, aiming to defuse tensions after their installation triggered widespread anger and protests among Palestinians and across the wider Arab world.

"The detectors were installed earlier this month after Arab gunmen shot dead two Israeli policeman at the site known to Jews as the Temple Mount compound and Muslims as the Noble Sanctuary. Their dismantling comes amid a flurry of diplomacy by U.S. and Western officials after a weekend of violence left three Israelis and at least three Palestinians dead. Israel said it would replace the detectors with sophisticated technology. The plan will be implemented in the coming months and include greater police presence around the entrance to the central Jerusalem site." http://on.wsj.com/2tVWGcp

-- AP at 3:58 a.m.: "JERUSALEM (AP) -- Senior cleric says Muslims asked to stay away

from Jerusalem shrine pending review of new Israeli security arrangements."

THE JUICE ...

-- GABRIEL SHERMAN TO JOIN VANITY FAIR - Per a Hadas Gold exclusive in Morning Media: "The tireless chronicler of Fox News and Roger Ailes is leaving his longtime home New York magazine to join Graydon Carter's domain at Condé Nast. Sherman will be a special correspondent, contributing regular features to the magazine while also writing for The Hive, Vanity Fair's business-focused digital site."

-- SPOTTED AT WWE MONDAY NIGHT RAW AT VERIZON CENTER: SBA Administrator Linda McMahon -- who was president and CEO of WWE -- and Andy Surabian, special assistant to the president and deputy to Steve Bannon. They were not seated together, but both were spotted near ringside. Surabian shook hands with D.C. rapper Wale.

-- JILL STEIN FOR PRESIDENT just filed a campaign finance report, which showed her campaign manager made $5,640 in June.

-- REP. ADAM SCHIFF (D-Calif.) is running promoted fundraising Tweets targeting Californians after Trump called him out on Twitter Monday morning by calling him "sleazy" and "totally biased." ***Screenshot*** http://bit.ly/2tyKO0j

-- FIRST IN PLAYBOOK: JOHN GANS, who was chief speechwriter to former Secretary of Defense Ash Carter and is now a lecturer at Johns Hopkins and a resident fellow at the German Marshall Fund, has signed a book deal with Liveright, a division of W.W. Norton, to publish a history of the White House NSC staff. Based on over 60 interviews including Dick Cheney, Zbigniew Brzezinski, Robert Gates and 10,000 original documents from nine presidential archives, "White House Warriors: How the National Security Council has Transformed the American Way of War" will be released next year.

Playbook Reads

PHOTO DU JOUR: President Donald J. Trump poses for photographs with an outgoing group of interns at the White House on July 24. | Chris Kleponis/Pool/Getty

WILLIAM D. COHAN in the NYT, "This Is Not the Mooch I Know": "Anthony has the skills to make a big difference in this White House. He is smart, generous and funny, open-minded and ambitious - but not in an obnoxious way. He cares about being able to disagree without being disagreeable. ... We have shared many beers at Bill's, on East 54th Street, debating our opposing political viewpoints and sharing our life experiences. ... But the Anthony Scaramucci I know and admire was not the Anthony Scaramucci

who stepped up to the lectern in the White House briefing room on Friday afternoon. Dressed to the nines in a navy blue power suit, he was sycophantic. He professed his 'love' for Mr. Trump over and over again -- six times, by one count. It was painful and embarrassing to watch." http://nyti.ms/2v2GA5o

-- ANDREW ROSS SORKIN: "Scaramucci on Trump: 'He's My Client'": "'I was left for dead on the street, and now I'm headed for Air Force One,' Mr. Scaramucci said by phone on Monday, literally on his way toward Air Force One for a quick trip with the president to Beaver, W.Va." http://nyti.ms/2eKuvuS

IN FOGGY BOTTOM -- "After Heated Clash With White House, Tillerson Eyes New Pick For Top Asia Envoy," by BuzzFeed's John Hudson: "Olin Wethington, a former Treasury Department official and a nonresident fellow at the Atlantic Council, is now a contender for the nomination of assistant secretary of state for East Asian and Pacific Affairs, four individuals familiar with the matter said. ... Tillerson originally wanted the job to go to Susan Thornton, a veteran diplomat who speaks Mandarin Chinese, two U.S. officials told BuzzFeed News. But White House officials opposed her due to concerns that her views were out of step with the president's agenda - a claim State Department officials deny." http://bzfd.it/2ut6EFA

BEHIND CLOSED DOORS -- "Source: Nunes likely to attend Kushner interview," by Kyle Cheney: "House intelligence committee chairman Devin Nunes - who stepped aside from the House's Russia probe amid partisan infighting - is expected to attend Tuesday's highly anticipated closed door interview of Jared Kushner, according to a GOP source. Nunes handed off leadership of the probe in April after the House Ethics Committee announced an inquiry into Nunes' handling of classified information, allegations Nunes said were a meritless ploy driven by liberal activists. Rep. Mike Conaway (R-Texas) has led the probe since then, aided by GOP Reps. Trey Gowdy (R-S.C) and Tom Rooney (R-Fla.)." http://politi.co/2vEmLP3

ISAAC DOVERE PODCAST -- The Terminator heads to the Supreme Court -- "Where is your machine?" Arnold Schwarzenegger asked Isaac Dovere, as they got ready to record Tuesday's Off Message podcast. "Go get your machine!" Once the machine was on, he explained how his political philosophy works, by way of how he came to be such a big afterschool program advocate. "There's the Austrian Arnold and the American Arnold. The American Arnold, the Republican, says, 'You've got to go. Don't help those kids. The parents should go home and they should do their job,'" he said. "So then it's the other Arnold, the Austrian Arnold that says, 'No, no. That's not the way we would do it over there.' ... They fight all the time. All the time, it's wild."

And for all his arguments with Trump, he said he hasn't given up hope. Trump has "really great potential, because I think that people still like him and I think that people want him to do well, especially his constituents." Trump can win over converts "by just making some adjustments," he said. The only politician he said he admires: Mike Bloomberg. Isaac suggested their work together was like a Twins sequel, and Schwarzenegger agreed, though "I didn't tell him that because otherwise, he feels like

he's the short guy and Michael Bloomberg doesn't like that." And will he be back? Only if California changes the state constitution to let him run for governor again. Drop the Senate run rumors forever, he said: "Why would I run for Senate? To be one of 100 here? That's not my style." http://politi.co/2uSQkyR

COMING ATTRACTIONS - "CBSN: On Assignment" premieres next Monday at 10 p.m. on CBS and CBSN. The episode will look at "how ISIS leaders turned a generation of kids into potential killers. The episode also will explore how Japan is using robots to repopulate and how foreign contractors are committing visa fraud to expand auto plants across the country." ***Video preview*** http://cbsn.ws/2vSxXqG

MEDIAWATCH -- NEW VARIETY COVER - "The Sinclair Scare: David Smith is building the biggest TV station business in America with an eye to innovating the entire industry. But his company has come under fire as a right-wing propaganda machine". http://bit.ly/2eKB6Wm ... ***The cover*** http://politi.co/2uSTl25

--JOE POMPEO's debut in Vanity Fair, "The Agony and the Anxiety of the New York Times": "As one editor put it, 'The mood at the paper is poisonous in a way I've never seen it in the past 15 years.' The ostensible reason is that the Times is undergoing yet another round of buyouts, set to be finalized on Thursday. ... [T]he Times's midtown Manhattan headquarters is itself being upended, shrinking by eight floors and leaving all but the highest of editors without private offices. ... At its core, the Times's internal transformation focuses on upending the paper's copy desk. ...

"For decades, the copy desk has been an all-seeing, all-powerful enforcer of Times standards and verbal peculiarities. As much as the reporters, writers, and editors, it's what makes the Times the Times. The traditional desk structure allowed for multiple eyes to be placed on every story-checking, tweaking, standardizing, changing 'dads' to 'fathers' and discouraging the use of 'launch' unless it involved a rocket, or perhaps a boat. ... In the reorganization, the copy desk is being eliminated as a freestanding entity. ... The Times's 109 copy editors were invited to re-apply for jobs under the new system, and those who didn't make the cut were encouraged to apply for buyout packages that also were offered to reporters and other editors."

--ANOTHER INTERESTING NUGGET FROM JOE'S STORY: "Insiders say the baton pass from longtime publisher Arthur Sulzberger Jr. to his 36-year-old son, A.G. Sulzberger, is beginning to feel imminent." http://bit.ly/2v2Lb82

Playbookers

SPOTTED: Anthony Scaramucci last night outside the Trump hotel - ***photo credit: David Bossie*** http://bit.ly/2eK16ko (h/t @leslieshedd) ... Sen. Al Franken last night leaving Senart's Oyster & Grill room in Eastern Market ... former Sen. Norm Coleman (R-Minn.) yesterday leaving Speaker Paul Ryan's office with RJC board delegation and

entering Senate Majority Leader Mitch McConnell's office in the Capitol. ***Pic*** http://bit.ly/2ty2lWA

TRANSITIONS -- Paul Brinkley, former deputy undersecretary of Defense in the Bush and Obama administration, is partnering with former Senate Armed Services senior staffer William Greenwalt on a new investment firm that will provide capital and expertise to tech companies that serve the aerospace and defense markets. ... **Robert Scher** has been named head of international affairs at BP America. He has most recently served as the assistant secretary of defense for strategy, plans, and capabilities. ... Express Scripts has promoted **Gary Kline** to VP of federal government affairs. ...

... **Dominique McKay** has been named press secretary for Sen. John Thune (R-S.D.) at the Senate Republican Conference. McKay previously was deputy press secretary at the House Committee on Education and the Workforce. ... **Adam Scheidler** has been named creative director for the Senate Republican Conference. He currently is digital communications director at the House Committee on Financial Services.

ENGAGED - Jason Weinstein, managing director at Targeted Victory, recently proposed to **Jen Harrington,** who runs Conservative Connector, a Nevada and Wisconsin campaign veteran and a Bush 43 WH alum. "Sam Osborne and Matthias Reynolds introduced us in 2015. I asked Sam to make sure she invited Jen to more group outings so we could hang out. We went on our first date in June 2015 and have been together ever since." **How he proposed:** [W]e were playing card games after dinner at our favorite restaurant Epic. As Jen flipped over cards she saw the message 'Will You Marry Me?'." ***Pics*** http://bit.ly/2ty40vc ... http://bit.ly/2eJY4gg

WEEKEND WEDDING -- Becket Adams and **Anneke Green** got married on Sunday at Christ Our Shepherd Church by the Rev. Stuart McAlpine followed by luncheon at Le Diplomate. The bride is senior director at the White House Writers Group, a columnist at RealClearPolitics, and a contributor to BBC News "who broke away from wedding festivities to offer commentary on Sean Spicer's resignation from the White House." The groom is a media critic and political commentary writer at the Washington Examiner "whose access to Twitter is being taken away for the duration of the honeymoon in Southeast Asia. ... Guests left with full bellies and favors of whole coffee beans by Washington, D.C. roastery Small Plains and 'Wedding Tea' by Harney and Sons." ***Pic*** http://bit.ly/2tW6qD8

WELCOME TO THE WORLD - OBAMA ALUMNI: Corey Then, who served for four years in the Obama Administration and is now associate general counsel at Edward Jones Investments, and **Lauren DeSantis-Then,** a partner at Polsinelli law firm, on Bastille Day, July 14, 2017, welcomed their second child, Francesa Lucia Then. "Francesca is pretty and perfect and Mom is doing well." Corey Then served as deputy associate counsel at the White House, special assistant to the President and deputy general counsel at the Department of Agriculture, and the family recently moved to St. Louis, Lauren's hometown. ***Pics*** http://politi.co/2vViarg ... http://politi.co/2uS9mp4

BIRTHDAY OF THE DAY: Amy Holmes, political analyst for Rasmussen Reports. How she's celebrating: "I might take myself to see 'Wonder Woman.' I should also probably get a mani-pedi after a toe nail fell off a few weeks ago from a hiking trip." Read her Playbook Plus Q&A: http://politi.co/2tyWv78

BIRTHDAYS: Robert Zoellick, former World Bank president now a senior fellow at Harvard Kennedy School, is 64 ... Eve Kady is 11. She's celebrating by having a dinner with all three of her grandparents (hat tip: Dad, Marty) ... Grant Allen ... "Capital Tonight" host Liz Benjamin (hat tip: Josh Benson) ... Mike Nizza, editor at Bloomberg View, is 39 ... Arit John, Congress reporter at Bloomberg ... Judy Keen ... Fox News' Katy Ricalde ... Kristin Jones ... Christine Quinn, former NYC Council Speaker, is 51 (h/t Hilary Rosen) ... Erin Seidler ... Andrew Feldman ... Jake Maguire ... Alex Nguyen, comms director for Rep. Linda Sanchez (D-Calif.) ... Rebecca Gale, Roll Call and Commerce alum ... Liz Brown, LD for Rep. Kathy Castor (D-Fla.) (h/t Kurt Bardella) ...

... Katie Martin, communications director of NRSC. "She likes Vernors pop (never ask her to call it soda), which is a problem because it is a Detroit delicacy not easily found in the DC area." (h/t Chris Pack) ... Alan Chartock, WAMC president and CEO, is 76 ... Daily Caller White House correspondent Alex Pfeiffer is 21 ... Caroline Black ... Domenic Recchia ... Kirsten Mork ... TTR Sotheby's David DeSantis ... Anne Lykes ... Steph Korey, co-founder and CEO of Away ... Albany Times Union reporter Matthew Hamilton ... Erica Mills ... Austin Brooks, principal at Red Cedar Management ... Nicholas Evans ... Emily Casarona ... Chris Haas ... USAID's Alison Harding ... Anita Siegfried ... Beneva Schulte ... Tyler J. Wade ... Laura Elizabeth Donovan ... radio talk show host John Gibson is 71 ... Corey Vale ... Tony Welch ... Holly Armstrong ... Sarah Benzing ... Susan Goodwin ... Jesse Harris (h/ts Teresa Vilmain)

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Subject: Morning Media: Crooked Media grows -- Fox & Friends expands -- NBC defends against Trump -- Newsweek retracts -- Weinstein prepares legal team

By Michael Calderone | 10/05/2017 05:40 AM EDT

"WE'RE THE NERDIEST TOURING BAND IN HISTORY," Tommy Vietor told me Wednesday while he, Jon Favreau and Jon Lovett were en route to Madison, Wisconsin. The Obama White House veterans and "Pod Save America" hosts are kicking off their 10-city tour in Madison tonight, a road trip Vietor hopes can help engage people around politics and register voters.

-- "We come from a progressive perspective, but we want to appeal to anyone who is interested in politics and doesn't want to hear the same canned bulls--t you hear on cable," Vietor said. The trio's frank approach to this chaotic political moment has helped propel "Pod Save America" to more than 100 million downloads since its January launch, according to the company.

-- Vietor chalked up the early success of their company, Crooked Media, to "a combination of luck, timing and good content," along with the low barrier to entry in the podcast game. That allowed them to quickly launch shows with journalist Ana Marie Cox and activist DeRay Mckesson. On Wednesday, the company announced its expansion with a new podcast, contributors network and website, Crooked.com.

-- Fellow Obama veterans Alyssa Mastromonaco, Ben Rhodes, and Dan Pfeiffer, who already serves as podcast co-host, are part of the contributors network, which also includes Daily Beast culture writer Ira Madison III, author Julissa Arce, and Republican strategist Tim Miller. New Republic senior editor Brian Beutler has joined as editor-in-chief of the site. Despite hiring a well-known political writer, Vietor said "they're not going to try to get into a big volume journalism game." They wanted Beutler's writing on the site, he said, because it "cuts to the heart" of issues.

-- Though Vietor joked that his touring group is the only one to request WiFi in its rider, the company does boast a business model closer to today's professional musicians than most media companies. In addition to podcast ads, Crooked Media's other two main sources of revenue are merchandise and live events.

Good morning and welcome to Morning Media. Now I'm thinking the newsletter should go on the road. For now, I'll remain tethered to a computer at mcalderone@politico.com and @mlcalderone. Morning Media is edited by Alex Weprin (@alexweprin), with assistance from Daniel Lippman (@dlippman) and Cristiano Lima (@ludacristiano). Archives. Subscribe.

ADAM ENTOUS TO THE NEW YORKER? I'm hearing that star Washington Post national security reporter Adam Entous is heading to The New Yorker as a staff writer. The award-winning journalist joined the Post a year ago from The Wall Street Journal. Entous declined to

comment.

"AN AUDIENCE OF TRUMP": Secretary of State Rex Tillerson made a rare appearance before reporters to push back against an NBC News report claiming he had been on the verge of resigning and that he once referred to Trump as a "moron." Tillerson notably didn't deny calling Trump a "moron," instead saying he didn't want to address "petty stuff." (CNN said it also confirmed the "moron" jab.)

-- "Tillerson basically called a news conference to praise Trump for an audience of Trump," POLITICO's Josh Dawsey noted. The president was indeed watching and jumped on Twitter immediately to claim that Tillerson "totally refuted" the NBC News report and the network "should issue an apology to AMERICA!"

-- Stephanie Ruhle, one of the reporters on the story, responded on MSNBC that Tillerson actually called the president a "f---ing moron," according to her sources. And Hallie Jackson said that it was "safe to say NBC News will not be issuing an apology to America."

SOUND BITE:

"Congrats to NBC News on surpassing CNN on the Trump most dishonest list. We had a good run atop the power rankings." [Andrew Kaczynski]

FOX & FRIENDS, NOW WITH MORE FRIENDS -- Alex Weprin writes: "Fox & Friends," the president's favorite morning show, is expanding to five hours per day, up from the four it currently airs. The new hour will be part of the "Fox & Friends First" franchise, and will start at 4 a.m. The regular edition of "Fox & Friends" starts at 6 a.m.

-- Heather Childers will host the 4 a.m. hour of the program, with Jillian Mele and Rob Schmitt anchoring from 5 to 6 a.m. The new show will start Monday, Oct. 9. When Fox News adds its new 11 p.m. hour hosted by Shannon Bream on Oct. 30, Fox News will have live programming 20 hours per day.

HOW POLITICO TRACKED PRICE'S PLANE -- Dan Diamond and Rachana Pradhan describe their reporting that led to Tom Price's resignation: "It was a tip and little else -- no times, no names of charter services and not even a schedule from a notoriously secretive cabinet secretary. So we embarked on a months-long effort to win the trust of sources, both in and outside of HHS, who were in a position to know about the secretary's travel. This required numerous meetings and phone calls, sometimes after hours, seeking to confirm what the original source acknowledged was just second-hand information. Neither of us had ever reported a story of this difficulty before."

-- "It's a victory...for very narrowly focused beat reporting," The Washington Post's Erik Wemple wrote of the Politico scoop. Columbia professor Bill Grueskin agreed: "Yes. A million times, yes."

FOUR JOURNALISTS ARRESTED COVERING ST. LOUIS PROTEST -- Cristiano Lima

writes: The Young Turks political reporter Jordan Chariton and his cameraman Ty Bayliss were detained overnight after covering protests over the September acquittal of Jason Stockley, a white former cop who fatally shot Anthony Lamar Smith, a black man. Two other members of the media were also detained.

-- "St. Louis PD are out of control and all eyes must be on them," Chariton tweeted. The reporter also said they had not yet been brought on formal charges and have since been released, and alluded to as many as seven other journalists potentially being held overnight, though the claim has not yet been verified. According to the U.S. Press Freedom Tracker, the charges would bring the total number of journalists facing legal action this year to 16.

LOS ANGELES TIMES TRYING TO UNIONIZE, reports NYT's Sydney Ember: "Several people involved in the organizing push, all of whom spoke on condition of anonymity because they feared losing their jobs if they were to speak publicly about the effort, put the number of those who had signed the union cards at roughly 200."

-- The Chandler family, the California paper's longtime stewards before The Tribune Company (and now Tronc), was notoriously anti-union. In retaliation, union activists even bombed the Times' building just over a century ago.

WILL JEFF ZUCKER SURVIVE THE AT&T TAKEOVER? AT&T CEO Randall Stephenson said Wednesday that he aims to keep management as is following the Time Warner merger, but didn't say anything definitive about CNN chief Jeff Zucker. Vanity Fair's Sarah Ellison previously reported that CNN insiders are concerned that Zucker could be ousted from the channel once the deal closes. "We're paying a premium to get Time Warner, and when you pay a big premium, the priority is to not screw it up," Stephenson said at Vanity Fair's New Establishment Summit. "CNN's doing quite well, and the priority is to keep management teams in place... there will invariably be changes, but the hope is to keep the team in place."

RUPERT MURDOCH BATTLES BIG TECH: Back when media prognosticators were saying "information wants to be free" and publishers were still hesitant to charge for journalism, Rupert Murdoch was walling off much of News Corp.'s online content. Once out of step, Murdoch's antagonism toward tech titans has now made him a "hero" in the news business, reports BuzzFeed's Steven Perlberg and Mark Di Stefano.

-- "Murdoch and his chief newspaper lieutenant, News Corp. CEO Robert Thomson, have taken a central role in the news industry's corporate war against Facebook and Google, technology leviathans that have eaten journalism's business model and forever changed how readers consume information," they write.

HARVEY WEINSTEIN PREPARING FOR LEGAL BATTLE: The film mogul is assembling a powerhouse team as The New York Times and The New Yorker ready pieces, according to The Hollywood Reporter: "In addition to his usual attorney David Boies, Weinstein also has engaged Lisa Bloom, a Woodland Hills, Calif.-based lawyer and television personality specializing in sexual harassment cases (and the daughter of Gloria Allred), as well as Charles Harder, the Beverly Hills-based litigator who represented Hulk Hogan in the invasion of privacy

trial that brought down the Gawker website. Other lawyers also are said to be advising the mogul."

LAS VEGAS CONSPIRACY VIDEOS SPREAD ON YOUTUBE -- BuzzFeed's Charlie Warzel: One possible explanation for the glut of conspiracy content in the aftermath of the shooting is that there was simply a lack of reliable information being uploaded - vetted news reports from trusted outlets often take longer. However, the problem persisted long after reliable reports were available: On Tuesday night - nearly 48 hours after the shooting began - YouTube was still surfacing conspiratorial content high in search results.

NEWSWEEK RETRACTS STORY ON SHOOTER'S GIRLFRIEND: The magazine noted: "The initial report was based on the marriage record of [Marilou] Danley, who was known under a different name when she married Geary Danley in Clark County, Nevada. Newsweek mistakenly matched that record to a second public record of a different person."

BEYOND LAS VEGAS: I wrote Tuesday on the "grim routine" of covering mass shootings. At The Columbia Journalism Review, Karen K. Ho and Alexandria Neason are urging news organizations to resist now all-too-common ways of framing such deadly events after finding patterns in coverage. "As mass shootings become an increasingly common fixture of American life, and subsequently of American news coverage," they write, "journalists are uniquely poised to help shake the public discourse as repeat traumas threaten to desensitize us."

REVOLVING DOOR:

Warren Bass, a senior editor at the Wall Street Journal's weekend Review section, is joining Penguin Press as executive editor. He previously worked at the Washington Post and the State Department and served on the staff of the 9/11 Commission.

EXTRAS:

-- Facebook and Twitter to testify before Congress on Russia and the 2016 election.

-- Breitbart's Steve Bannon is reportedly backing Michael Grimm, the former New York Congressman and convicted felon trying to take back his old seat. (Grimm also once threatened to break a NY1 reporter in half for asking questions he didn't like).

-- New York Times political reporter Jeremy Peters returns to St. Thomas -- where he once worked for the Virgin Islands Daily New -- to cover the aftermath of two hurricanes.

-- Malcolm Gladwell edited Car and Driver magazine's package on self-driving cars.

-- ESPN is developing late-night show off the "Pardon My Take" podcast.

KICKER

"One legitimate criticism of the political press over the last two decades has been the appearance

of coziness between people in the media and the political elite. It's a lot easier for me, say, as a sports fan to accept a personal fandom, whereas in politics, I'm not going to tell anybody whom I vote for, not even my kids, who ask me all the time, because their friends ask them." -- *NBC's Chuck Todd to the New York Times Magazine.*

To view online:
http://www.politico.com/tipsheets/morning-media/2017/10/05/crooked-media-grows-fox-friends-expands-nbc-defends-against-trump-newsweek-retracts-weinstein-prepares-legal-team-222647

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/2/2017 6:38:31 PM
Subject: Pruitt dodges questions about Trump's climate beliefs

By Alex Guillén

06/02/2017 02:35 PM EDT

EPA Administrator Scott Pruitt repeatedly declined to say whether President Donald Trump believes in the science of climate change, arguing instead that the administration's focus has been on the disadvantages of the Paris agreement.

Trump has repeatedly dismissed the overwhelming scientific consensus that human activity is causing climate change, calling it a hoax designed to disadvantage U.S. businesses. Trump has not disavowed that view, but the White House refuses to say if he still holds it.

"All the discussions we've had for the last several weeks have been focused on one singular issue: Is Paris good or not for this country? That's the discussions I've had with the president," Pruitt said today at the White House's daily briefing when asked about Trump's views.

"The focus remained on whether Paris put us at a disadvantage, and in fact it did; it put us at an economic disadvantage," he added.

Pruitt did not say whether or how Trump weighed the economic risks posed by climate change itself.

Asked about his personal views, Pruitt repeated his position that human activity's contributions to climate change are difficult to measure with precision, and suggested that his critics are "climate exaggerators."

"What the American people deserve is a debate, objective, transparent discussion about this issue," Pruitt said. "What Paris represents is an international agreement this put this country at a disadvantage with very little benefit environmentally across the globe."

Press Secretary Sean Spicer later declined to answer questions about Trump's position. "I have not had an opportunity to have that discussion," he said.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/pruitt-dodges-questions-about-trumps-climate-beliefs-088566

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 5/24/2017 2:04:02 PM
Subject: POLITICO's Morning Transportation: No, the infrastructure principles were 'among' the bushes — How 'bout that budget — At least one proposal would take a political toll

By Brianna Gurciullo and Tanya Snyder | 05/24/2017 10:01 AM EDT

With help from Kathryn A. Wolfe, Lauren Gardner and Stephanie Beasley

NO, IT WAS 'AMONG' THE BUSHES: For a plan touted as much as the administration's $1 trillion infrastructure vision has been, Tuesday's rollout was surprisingly quiet, posted with no notice alongside the fiscal 2018 budget as a "fact sheet." Is this the "statement of principles" Transportation Secretary Elaine Chao has been promising? (Peanut gallery: It does contain a section called "Key Principles.") On a call with reporters, Chao said the administration expects more details to be forthcoming, including a legislative package later this year, but described the fact sheet as "the main key principles." Lauren Gardner has more for Pros about the low-key bomb dropped with the budget on Tuesday.

THE NITTY GRITTY: So just what are these principles? Targeting federal investments to the "most transformative" projects; supporting states "moving toward a model of independence" from the feds; looking for opportunities to "divest ... certain functions" to the private sector; and leveraging private sector capital. The fact sheet also calls for overhauling the Inland Waterways Trust Fund; expanding the TIFIA program; lifting the cap on private activity bonds and expanding their eligibility; allowing more tolling on existing Interstates and rest area privatization; and, of course, more streamlining.

WE HAVE A WINNER: There are three winners, in fact. MT asked you all to guess when the Trump administration would unveil its infrastructure proposal, and we're counting the principles that were included with the budget release Tuesday. Patrick Wojahn, Bruce Upbin and Scott Harshman all guessed May 23, 2017.

THEIR PRIZE: Coffee and donuts with us.

IT'S WEDNESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. We are your MT hosts today, so please send tips, feedback and lyrics to tsnyder@politico.com or @TSnyderDC and bgurciullo@politico.com or @brigurciullo.

"Let the taxes rise, we'll economize and cut our budget in two / We can trade the car in for a horse or a bicycle built for two."

Want to keep up with MT's song picks? Follow our Spotify playlist.

HOW 'BOUT THAT BUDGET: As expected, the fiscal 2018 budget request hewed to FAST Act-guaranteed levels ($11 billion for transit formula grants and $44 billion for highways, for instance), but the 13 percent in DOT discretionary cuts promised in the earlier "skinny" budget

did indeed materialize. That includes a $1 billion cut to New Starts transit grants and defunding the TIGER grant program, doing away with appropriations for the Essential Air Service (leaving it to rely only on overflight fees), and deep cuts to Amtrak.

Blame it on the train: The budget request would peg Amtrak's Northeast Corridor funding at $235 million, which, as Lauren reports, "the document suggests would be steady funding from fiscal 2017" - but that's the level authorized by the FAST Act; the recently enacted fiscal 2017 spending deal included $328 million for the NEC, which in fact means a cut. And that's as generous as the budget gets when it comes to Amtrak. It also slashes support for the national network by nearly 55 percent, essentially eliminating support for long-distance routes and funding only state-supported routes.

DEM TEMPERATURE: Courtesy of Senate Minority Leader Chuck Schumer (D-N.Y.): "President Trump's campaign promises on infrastructure are crumbling faster than our roads and bridges. The president's proposal to slash American infrastructure investments is a job-killing, 180 degree turn away from his repeated promise of a trillion dollar infrastructure plan. The fuzzy math and sleight of hand can't hide the fact that the president's $200 billion plan is more than wiped out by other cuts to key infrastructure programs."

JUST THE STARTING LINE: "In all the time that I've been here, I've never seen a single president's budget survive the appropriations process," said Sen. Susan Collins (R-Maine).

IT WOULD TAKE A (POLITICAL) TOLL: One of the more explicit - and expected - pieces of the infrastructure "vision" released Tuesday is easing restrictions on tolling existing Interstates - but that's a difficult political proposition (and one that House Transportation Committee Chairman Bill Shuster (R-Pa.) has shied away from in the past.) Why? Because constituents are likely to chafe at the idea of paying to travel on a highway after years of driving on it for free, as Lauren reports.

Dems already wary: Sen. Patty Murray (D-Wash.), a senior member of the Senate Appropriations THUD subcommittee, told MT that the idea is unlikely to gain traction. "If you just tell people, 'You're going to pay a lot more out of your pocket personally for your commute to work,' I don't think that's going to go very far." And the Senate Commerce Committee's top Democrat, Bill Nelson (D-Fla.) told MT that "at the end of the day, the public will not stand for every traffic problem to be solved with a toll."

More pitchforks: The American Trucking Associations executive vice president for advocacy, Bill Sullivan, responded to the tolling proposal by saying the group encourages lawmakers and the administration to "look for more efficient and sustainable funding mechanisms for this investment package," and noted that states like North Carolina and Virginia have deserted efforts to toll existing Interstates. The group that represents truck stop operators, the National Association of Truck Stop Operators, also came out against the tolling idea, as well as one related to rest stop privatization.

'CHRISTMAS MORNING' ALL OVER AGAIN? The administration used the budget as an opportunity to express support for separating air traffic control operations from the FAA - but

went a bit farther than before, explicitly praising Shuster's bill in a separate three-page fact sheet extolling the plan's virtues. The document calls Shuster's plan "an excellent starting point" and asserts it would maintain "this country's sterling aviation safety record." Shuster told reporters Tuesday that he got "smacked around" for saying last time that Trump's budget shout-out to separating air traffic control felt like "Christmas morning," but no doubt Shuster's pleased at the endorsement.

Smooth sailing ahead: The Trump administration also wants to overhaul the governance of the Inland Waterways Trust Fund and increase the user fee paid by commercial navigation. "In 1986, the Congress mandated that commercial traffic on the inland waterways be responsible for 50 percent of the capital costs of the locks, dams, and other features that make barge transportation possible on the inland waterways," the principles document says. "The additional revenue proposed in the budget will finance future capital investments in these waterways to support economic growth."

Everybody loves TIFIA: MAP-21 boosted the TIFIA loan program from about $100 million to $1 billion - but the FAST Act then cut it back down to $275 million for this fiscal year. The infrastructure fact sheet suggests the administration wants to go back to $1 billion a year for 10 years, an investment it says "could leverage up to $140 billion in credit assistance, and approximately $424 billion in total investment." It also says the administration supports expanded eligibility for TIFIA loans, but doesn't specify what requirements it'd like to relax - whether it be project size, creditworthiness or something else.

SIGNED, SEALED, DELIVERED: The CEO of Caltrain signed off on a $647 million full funding grant agreement with FTA at DOT headquarters Tuesday. Expect to hear more about DOT's fiscal 2018 recommendations for projects pending in the Capital Investment Grant program today.

Nothing new: Meanwhile, FTA quietly posted its fiscal 2018 Capital Investment Grant annual report online Tuesday night and, as expected, recommended no funding for any new full funding grant agreements for projects winding through the pipeline. The report proposes funding projects with existing deals at $1.1 billion, with nearly $112 million left over to cover both Caltrain and Maryland's Purple Line project if it's able to move forward.

MAY FLOWERS BRING JUNE FAA BILLS? Rep. Sam Graves (R-Mo.) told MT on Tuesday that he expects the House Transportation Committee to mark up an FAA bill sometime next month, though a timeline is still unclear as Shuster continues working on the measure. We caught up with Shuster off the House floor, too, but he wouldn't comment on a timeline for the bill or elaborate on any changes he's considering to a bill for this year.

NO BUDGING ON TSA CUTS: Besides wanting TSA to hire 382 new airport screeners, the White House doesn't seem to have changed its mind about downsizing the agency's staff since releasing a budget outline in March, our Stephanie Beasley reports. Trump's budget would cut TSA staff at airport exit lanes and reduce the number of bomb-sniffing dog teams from 31 to eight. That's a sharp contrast to Congress' approach. TSA also would be forced to hire at a reduced rate under Trump's plan, which calls for the agency to make only one hire for every two

vacancies.

Another crowd pleaser: Like the skinny budget, Trump's full budget calls for increasing the TSA airline passenger security fee from $5.60 per one-way trip to $6.60. A Department of Homeland Security official told reporters on a call Tuesday that revenues from the fee "would directly go to our ongoing efforts to mitigate current aviation threats."

MO FUNDING, MO FEES: The DHS budget would grow about 7 percent to $44 billion if Trump's proposal became law. Customs and immigrations fees would rise while spending would focus on increasing security along the border with Mexico, with $2.6 billion requested for that purpose. Trump also requested at least $300 million to boost hiring at Customs and Border Protection and Immigration and Customs Enforcement. But as Steph reports, it's remains unknown how much money would go toward hiring Customers offices at airports and seaports.

Cut off: In addition, the White House wants to get rid of BrandUSA. The travel industry has been quick to come to the defense of the U.S. travel advertising program. On Tuesday, the American Bus Association called Trump's proposal "short-sighted," and described BrandUSA as "one of the most successful public-private partnerships out there."

NO LOVE FOR USACE: Under Trump's budget, the Army Corps of Engineers would see its budget cut by more than 16 percent, as Pro Energy's Annie Snider reports. "The nation's builder of locks, dams, levees and ports would receive $5 billion under the Trump budget proposal, with $1.02 billion tagged for its all-important construction account, a cut of more than 50 percent from 2017, when additional disaster funds were appropriated," Annie writes.

PAPERWORK NUGGETS: DOT undersecretary for policy nominee Derek Kan said in his disclosure paperwork for the Senate Commerce Committee that he'll resign from his position on the Amtrak board of directors if he's confirmed by the Senate. And here's a fun fact we dug up from Adam Sullivan's disclosure: The prospective assistant secretary for government affairs donated $1,000 to Sen. Bill Nelson's campaign in 2007. The Florida Democrat is the ranking member of the Commerce Committee.

ON ALERT: Following the bombing earlier this week in Manchester, England, Rep. Michael McCaul (R-Texas), the chairman of the House Homeland Security Committee, said on Fox News on Tuesday that the government needs to take a closer look at people traveling to the United States through Europe. As Steph reports, McCaul's panel recently formed a task force that is studying loopholes in the Via Waiver Program, which lets visitors from some European nations come into the United States with no visa.

A NEW DIESELGATE? The federal government is suing Fiat Chrysler for allegedly selling nearly 104,000 diesel vehicles in which so-called defeat devices were installed. Pro Energy's Alex Guillén writes : "Those defeat devices, consisting of at least eight software features that were undisclosed to EPA during the company's certification process, boost performance under real-world driving conditions by increasing nitrogen oxide emissions, according to DOJ. Fiat Chrysler faces fines of $37,500 to $45,268 per vehicle sold, along with further penalties for each undisclosed software device and for reporting violations, which could add up to billions of

dollars."

2-for-1: 0, Plaintiffs: 1: A lawsuit from three public-interest organizations against Trump's two-for-one rule on regulations can go forward, POLITICO's Josh Gerstein and Alex Guillén report.

THE AUTOBAHN:

- "Bombing suspect is named, and Britain goes on high alert." The New York Times.

- "Trump advisers call for privatizing some public assets to build new infrastructure." The Washington Post.

- "New Jersey's Newark Airport reopens after plane engine fire." The Associated Press.

- "Christie, Cuomo plot out transit plans as 'summer of hell' looms." POLITICO New Jersey/New York.

- "Ryanair ready to step in if Alitalia goes bust." POLITICO Europe.

- "Drone, robot advocates push for automated package delivery." SF Gate.

- "Proposed rules would allow U.S. to track and destroy drones." The New York Times.

- "Uber shortchanged New York City drivers by millions of dollars." The Wall Street Journal.

THE COUNTDOWN: DOT appropriations run out in 130 days. The FAA reauthorization expires in 130 days. Highway and transit policy is up for renewal in 1,226 days.

To view online:
http://www.politico.com/tipsheets/morning-transportation/2017/05/24/no-the-infrastructure-principles-were-among-the-bushes-220488

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Subject: July 26 -- Daily Environment Report

Daily Environment Report

July 26, 2017 - Number 142

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Leading the News

Superfund
Pruitt to Tap Private Sector to Hasten Superfund Cleanups
EPA Administrator Scott Pruitt is embracing public-private partnerships and setting aggressive agency deadlines to move languishing Superfund site cleanups forward.

News

Biofuels
Biofuel Subsidies Axed in New House Legislation
Biofuel subsidy programs at the Agriculture Department would be axed in a bill set for introduction in the House.

Budget
Government Shutdown Odds Grow With Border Wall Funding Bill
By Erik Wasson and Roxana Tiron: House Republicans this week are increasing the possibility of a government shutdown in October by moving forward with a $788 billion spending bill that complies with President Donald Trump's demands to boost the military, reduce clean-energy programs and fund a wall on the U.S.-Mexico border.

Canada
Canada Business Warns Trudeau on Rising Costs, Regulations
Canada's climate-change plan and other government measures are heaping costs on businesses and pushing them to a breaking point, the Chamber of Commerce says in a warning to Prime Minister Justin Trudeau.

Compliance Programs

VW's Liaison to U.S. Regulators Is Preparing Guilty Plea

A Volkswagen AG compliance executive charged in the company's emissions-cheating scandal is preparing to plead guilty.

Contribution

Houston Caterer Can't Foil Superfund Disposal Claim

A Houston catering company remains on the hook for a Superfund contribution claim over contamination at an oil recovery facility, the Southern District of Texas ruled (USOR Site PRP Grp. v. A&M Contractors, Inc., 2017 BL 254960, S.D. Tex., No. 14-CV-2441, 7/21/17).

Disclosure

Most Companies Still Struggle With Source of Conflict Minerals

Companies trying to make sure minerals in computer chips, jewelry, and other products don't fuel conflict in Africa still struggle with identifying their source.

Drinking Water

Saint-Gobain to Fund $20 Million Water Line in Vermont

Saint-Gobain Performance Plastics Corp. will fund a $20 million water line extension for approximately 200 Vermont homes, settling claims that a shuttered factory leached a chemical into area wells.

Emissions Trading

California Regulators Next Up With Cap and Trade Bill Signed

California regulators now need to set new carbon dioxide emissions limits for the coming years after Gov. Jerry Brown (D) signed into law legislation renewing the state's greenhouse gas emissions cap-and-trade program another 10 years.

Energy

Connecticut Keeps Nuclear Subsidy Debate Alive with State Review

Connecticut's governor ordered a study into the "economic viability" of the state's sole nuclear power plant after legislators failed to pass legislation intended to shore up its profitability.

Energy

Dead Bodies Piling Up as Mexico's Stolen-Fuel Market Booms

Buying stolen gasoline in the central Mexican state of Puebla is easy. Pull off the main highway into a busy parking lot, and the black marketeers are waiting in pickup trucks loaded with jerrycans. They'll siphon the fuel into your tank—boasting as they do that unlike a lot of the country's regular gas stations, they don't cheat customers.

Energy

Energy Restrictions Pass House as Part of New Sanctions Bill

U.S. companies may face new restrictions on participating in global energy projects with Russian investment as part of the passage of a broad sanctions package in the House July 25.

Energy

Rick Perry Punked into Fake Interview with Russian 'Jerky Boys'

Energy Secretary Rick Perry thought he was talking about cyberhacking and a biofuel breakthrough in a call with Ukraine Prime Minister Volodymyr Hroisman. Alas, the 22-minute phone call was actually conducted with Russian pranksters.

Mergers and Acquisitions

DuPont Gets Boost From Farmers With Dow Merger Set to Close

DuPont Co.'s agriculture operations gave a boost to second-quarter earnings, buoying prospects for the company's largest business ahead of the planned completion next month of the historic $75 billion merger with Dow Chemical Co.

Natural Gas

Appalachian States Look Past Coal, Ask Trump to Aid Natural Gas

Having lost tens of thousands of coal mining jobs to the rise in natural gas, several states have decided if you can't beat them, join them.

Oil & Gas

America's Biggest Oil Port Looks to Be Hub for Shale Exports

The biggest U.S. oil-import hub wants to grab a piece of surging North American crude exports.

Oil & Gas

Petronas Drops Plan to Build $27 Billion Canada LNG Terminal

Malaysia's Petroliam Nasional Bhd abandoned its long-stalled plans to build a $27 billion liquefied natural gas export terminal on Canada's west coast, citing changes in market conditions.

Pesticides

Democrats Seek Another Bipartisan Push on Toxics to Ban Pesticide

Democratic lawmakers are hoping to re-establish last year's bipartisan push in Congress for chemical oversight reform to ban a common agricultural insecticide, as action to restrict the bug killer stalls in the Trump administration's EPA.

Pesticides

Scientists Say They Were Left Out of Pesticide Drift Research

Farmers could have had better information on handling a new herbicide linked to widespread crop damage in the South and Midwest, but Monsanto Co. limited the scope of research on the pesticide, according to a pair of agricultural scientists.

Renewable Energy

SunEdison Sets Bankruptcy Exit with Nothing for Shareholders

SunEdison Inc. won final approval for a bankruptcy plan that will leave what was once the world's largest renewable-energy firm as a shell of its former self, with nothing for shareholders whose investment had been worth about $10 billion.

Superfund

Chemical Solvent's Risks Drive Small Firms to Innovate

New concerns about the potential health effects of a common chemical solvent are spurring monitoring innovations—and in the process letting small environmental consulting firms compete with industry giants.

Taxes

Little Change in Rates Expected as China Implements Green Tax

Tax rates aren't likely to see much change as China moves to fully implement its Environmental Protection Tax Law, which will go into effect Jan. 1, 2018. Major changes are not expected at first in the amount of taxes companies will have to pay for emissions compared to a previous fee-based system, analysts said, although the exact rates have not been released.

Special Report

Coal-Fired Power Plants

Hopes Rest on Private Firms for Legacy Coal Cleanup

The defining landmark in Hazleton, Pa., when John Quigley was growing up in the 1960s was a giant pile of black, crumbly coal waste that had been there for as long as anyone could remember. Taller than a 20-story building, the heap covered an area the size of four football fields and even had its own name: the Jeansville Coal Bank.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Mon 6/5/2017 9:16:58 PM
Subject: Today on Climate Beat

June 5, 2017

Today on Climate Beat . . .

. . . we watched TV, reporting that EPA Administrator Scott Pruitt appeared on three of the Sunday talk shows to defend President Donald Trump's decision to exit the United Nations Paris Agreement on climate change, but many of his statements are being questioned or criticized.

Our daily news roundup also looked at the takeaways from Pruitt's publicity blast, while offering several don't-miss stories from the weekend.

Speaking of Paris, Secretary of State Rex Tillerson underscored the administration's politically awkward position on climate change, urging observers to keep the Paris deal rejection "in perspective" because "I don't think we're going to change our ongoing efforts to reduce [GHG] emissions in the future."

And in court, the Department of Justice is refusing to answer discovery-related questions from attorneys for youth plaintiffs pursuing a constitutional climate change case against the federal government.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Fri 6/30/2017 2:05:50 PM
Subject: POLITICO's Morning Score: Alabama donor forms anti-Strange PAC — RNC signs off on pro-Strange funding — House Democratic PAC launches research campaign on working-class white voters

By Elena Schneider | 06/30/2017 10:00 AM EDT

With Kevin Robillard and Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

PROGRAMMING NOTE - Due to the July Fourth holiday, Morning Score will not publish on Monday July 3 and Tuesday July 4. Our next Morning Score will publish on Wednesday July 5.

MAKE IT RAIN - "Alabama donor forms anti-Strange PAC," by Campaign Pro's Maggie Severns and Daniel Strauss: "A bombastic Alabama real estate developer has formed a new PAC devoted to defeating GOP Sen. Luther Strange in the upcoming Alabama Senate special election. Stan Pate, a Tuscaloosa Republican and longtime adversary of Strange, on Wednesday registered a PAC called the Swamp Drainers Foundation that he'll use to spend enthusiastically against Strange in the months ahead, Pate told POLITICO. Pate's decision to get involved in the race is the latest twist in an increasingly expensive contest. Strange, who was appointed to replace Attorney General Jeff Sessions in the Senate earlier this year, has the backing of Senate Majority Leader Mitch McConnell, the NRSC and Senate Leadership Fund, the McConnell-aligned super PAC which has already reserved $2 million in pro-Strange advertising. Strange is expected to have a big financial advantage over his opponents in the Aug. 15 GOP primary, including Rep. Mo Brooks and former state Supreme Court Chief Justice Roy Moore, but Pate's riches could rebalance the scales." **Full story.**

- "RNC signs off on funding for Alabama special election," by POLITICO's Alex Isenstadt: "The Republican National Committee has green-lighted funding for the upcoming Alabama special election - a long-delayed move that in recent days had become a point of contention between Senate Republicans and the White House. ... The approval, which was confirmed by three senior Republicans, is rooted in byzantine campaign finance rules - yet it involved weeks of closed-door talks, inflamed tensions between Senate GOP leaders and the administration, and touched on a central issue: how the insurgent-minded Trump White House will approach party primaries." **Full story.**

- DEMOCRATS HOLD OUT SLIVER OF HOPE - "A Democratic Senator in deep red Alabama? At Doug Jones rally, optimism flourishes," via AL.com. Full story.

SUMMER PROJECT - "House Democratic PAC launches research campaign on working-class white voters," by Campaign Pro's Scott Bland: "House Majority PAC, the main Democratic super PAC involved in House races, has launched a major project studying white

working-class voters ahead of the 2018 elections, looking to arrest Democratic losses with the key demographic. The research is a sequel to an effort the super PAC ran in 2016, when it combined focus group interviews and a large-scale series of polls examining the views of whites without college degrees in key congressional districts. ... The follow-up reflects growing recognition among Democrats that their party cannot win back political power in Washington or many states without many more votes from whites without college degrees. 'We have to make a broad economic appeal to working men and women across the country. HMP has been committed to this effort,' House Majority PAC executive director Charlie Kelly said. 'We have ability to make a real economic case this cycle, and our goal is to help focus back on economic issues that have traditionally been the hallmark of the Democratic Party.'" **Full story.**

- HOT DOC - Third Way is out with a new report arguing Democrats need to go beyond suburban districts to take back the house. Full report here.

2018 WATCH - "Uproar over Senate health bill puts Flake's re-election in focus," by The Arizona Republic's Dan Nowicki: State Rep. Randy Friese, "who is perhaps best known statewide for his role in saving the life of then-U.S. Rep. Gabrielle Giffords after a near-fatal 2011 assassination attempt, confirmed to The Arizona Republic he is taking a serious look at challenging Flake. ... Earlier in the week, Phoenix Mayor Greg Stanton, whose name also has started coming up as a possible Democratic Senate candidate, unloaded on the Republican legislation at another Arizona event expressing opposition to the Senate GOP health-care bill. Stanton denounced the bill for pushing back Medicaid funding ... The mayor is expected to make a decision about his 2018 intentions this summer." **Full story.**

- Paul Soglin 'preparing' to run for governor, via The Wisconsin State Journal: "Inching closer to a bid for the state's highest office, Madison Mayor Paul Soglin said he is 'preparing' to both seek re-election and the Democratic nomination for governor."

- GOP state Rep. Mike Miller announces FL-07 run, via the Orlando Sentinel's Steven Lemongello: "The move kicks off what should be a closely-watched race for the Republican nomination in District 7," currently represented by freshman Democratic Rep. Stephanie Murphy. "... State Sen. David Simmons, R-Altamonte Springs, has also said he is considering a run for Congress in District 7. State Rep. Bob Cortes, R-Longwood, said he's sitting this race out." **Full story.**

Days until the 2017 election: 130.

Days until the 2018 election: 494.

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You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

AD WATCH - Judicial Crisis Network spending $140K pushing Stabenow on appeals court

nominee: The ads focus on Michigan Supreme Court Justice Joan Larsen, a Trump nominee to the Sixth Circuit Court of Appeals. The Michigan ad asks "why aren't Senators Stabenow and [Gary] Peters supporting her nomination to the US Court of Appeals? Partisan politics," the narrator says. Stabenow is one of 10 Trump-state Democrats up for reelection in 2018.

IT'S ALWAYS 2016 SOMEWHERE - "Republicans Left Ron Johnson for Dead Last Year, Now He Could Kill Their Health Care Bill," by the Daily Beast's Betsy Woodruff: "Johnson's announcement last week-along with three other lawmakers-surprised Washington insiders. But, according to Wisconsin Republican insiders, it shouldn't have been. After all, less than a year ago, those same Washington insiders left him for dead. ... A person who has discussed the NRSC's move with Johnson after Election Day told The Daily Beast he believes the senator 'is still mega-pissed about what McConnell and Leadership did to him during the Senate race.' 'This has been a long-stewing simmer for him, and after they cut him loose he was like, 'Screw them, I owe them nothing,'" the source continued." **Full story.**

STAFF CHANGES - "Pence to replace his chief of staff," by the New York Times' Maggie Haberman: "Pence's chief of staff, Josh Pitcock, will be replaced by Nick Ayers, a veteran political operative from Georgia who has been working with the vice president for three years. Mr. Ayers was the chief political strategist for Mr. Pence, then the governor of Indiana, when President Trump chose the governor as his running mate. ... Ayers has been one of the leaders of an outside group supporting the White House, America First Policies, which had been preparing a series of ads criticizing Senator Dean Heller, Republican of Nevada, for his anticipated no vote on the Senate's bill to replace the Affordable Care Act, also known as Obamacare." **Full story.**

- LOCAL ANGLE - "Nick Ayers is not running for governor" of Georgia, by the Atlanta Journal Constitution's Greg Bluestein: "Ayers has long been floated as a possible contender for the job, and several influential allies of President Donald Trump encouraged him to run. But he's decided against joining the crowded field." **Full story.**

- "Turner replaces Weaver as Our Revolution president," by Campaign Pro's Daniel Strauss: "Former Ohio state Sen. Nina Turner is taking over as president of Our Revolution, the outside group started by Sen. Bernie Sanders after the 2016 presidential campaign. Turner, who was a top Sanders surrogate during the campaign, replaces Jeff Weaver, Sanders' former presidential campaign manager. Weaver is Sanders' most prominent longtime aide and had been Our Revolution's president since the summer of 2016." **Full story.**

- Perez meets with Democrats for Life: Democrats for Life board member Charles Camosy, a Fordham professor, has an optimistic (from his perspective) account of the meeting in Crux. **Full story.**

SECOND ACT - "After primary loss, Perriello will lead new PAC supporting Democratic candidates for Virginia House," by The Richmond Times Dispatch's Graham Moomaw: "He won't be leading the Democratic ticket as his party's candidate for governor, but Tom Perriello will spend the rest of the 2017 election cycle working on another political dream: taking over the GOP-dominated House of Delegates. After falling short in his whirlwind gubernatorial primary run against Lt. Gov. Ralph S. Northam, the former congressman will lead

a new political action committee, Win Virginia, that will provide financial and strategic support to Democratic House candidates. The PAC is expected to invest about $800,000 to help Democrats try to flip Republican-held seats." **Full story.**

- "Montana governor took too long to report state plane use during campaign, top political cop says," by the Associated Press: "Montana Gov. Steve Bullock's re-election campaign violated state law by failing to make timely reports on expenses stemming from his use of a state aircraft, the state's chief political watchdog reported Thursday. Political Practices Commissioner Jeff Mangan said he was forwarding a report to the Lewis and Clark County attorney for possible prosecution, but said litigation is unlikely. Mangan told The Associated Press that he and the governor's campaign committee, Friends of Steve Bullock, were working toward a financial settlement. 'We expect to settle this with the campaign fairly quickly,' Mangan said. Bullock's spokeswoman, Ronja Abel, called the late reports a 'paperwork error' but said the committee would pay whatever the commissioner deemed an appropriate fine." **Full story.**

ICYMI - "The Governor of Trump's America," by POLITICO Magazine's Tim Alberta: "...Iowa's new governor is talking about the day she bottomed out-August 23, 2000, when, according to court records, she was driving south of Des Moines with an open container of alcohol (Black Velvet whiskey, per one local report) and pulled over for operating while under the influence. It was her second drunk-driving arrest in 18 months, and Reynolds, the treasurer of Clarke County (population at the time: 9,133), felt her life spiraling out of control. Sitting in a jail cell that night, 'scared to death' because of alcoholism's grip on her psyche, Reynolds says she prayed: 'I can't do this on my own anymore. I need help.'" **Full story.**

PRIMARY A-BREWING - Tarkanian goes after Rosen: Republican Danny Tarkaninan, who told CNN he was considering a primary run against Nevada Sen. Dean Heller, released a press release Thursday night attacking Democratic Rep. Jacky Rosen, who's considering her own challenge to Heller. He said her vote against Kate's law "protect[s] violent illegal immigrants over the safety of all us residents." He goes on to accuse her of "court[ing] the Hispanic vote" and following "the marching orders of the far left and Nancy Pelosi."

WEB WARS - Gillespie launches digital buy attacking 'No Show Northam:' Virginia GOP gubernatorial candidate Ed Gillespie's campaign is out with a digital ad attacking Democratic Lt. Gov. Ralph Northam for missing economic development meetings and other panels. Watch the ad here.

DESSERT - "It's Amazing I Haven't Ruined Myself," Esquire profiles former Boston Red Sox pitcher Curt Schilling, who's flirted with a challenge to Sen. Elizabeth Warren: "My thought was, I could run for [the] Senate next year and then I would run for president after Trump's second term. I live in a country where I can say that. That's pretty fucking cool." **Full story.**

CODA - QUOTE OF THE DAY: "Ed, if you're listening to this: Nobody cares that your dad owned a grocery store." - Corey Stewart to his former primary opponent Ed Gillespie, who beat him in the Virginia Republican gubernatorial primary, The Washington Post reported. He also said he had no regrets about his controversial run, adding, "we deliberately were, at times, more

controversial in order to attract mainstream media, in order to attract earned media."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Mon 7/17/2017 9:44:15 AM
Subject: Morning Energy, presented by Growth Energy: EPA alters how information's gathered — Slew of energy bills hit the House floor — EDF Action launches push against EPA cuts

By Anthony Adragna | 07/17/2017 05:42 AM EDT

With help from Darius Dixon

EPA WANTS TO ENFORCE SMARTER, NOT HARDER: In a move that former EPA officials worry could hamper enforcement of environmental rules, the agency's regional offices must now get approval from EPA headquarters before sending many types of requests for information to a company, Pro's Eric Wolff reports . Regions have traditionally had autonomy in requesting information, but now many of those, especially ones applying to companies and facilities with no history of violations, will have to be reviewed in EPA's Washington headquarters under the policy established in the spring. "EPA is working to ... eliminating overly broad and unduly burdensome requests for information," EPA spokeswoman Amy Graham told Eric in a statement. "These changes will enable the agency to efficiently and consistently gather the information it needs to assure compliance with environmental laws."

It's a move long-sought by Sen. Jim Inhofe, the former chair of the Environment and Public Works Committee whose past staffers are sprinkled throughout the agency. Inhofe has said he thinks the agency engages in too many "fishing expeditions."

Critics fear the policy is designed to curb enforcement of environmental laws. "A policy to aggregate all information requests for headquarters approval is more likely to diminish enforcement because you're going to end up with bottlenecks," said Doug Parker, EPA's former head of criminal enforcement and a 27-year veteran of the the agency. Headquarters staff will track information requests in a new database.

HEADED TO A HOUSE FLOOR NEAR YOU! House lawmakers are poised to take up a slew of energy-related measures this week after they clear the Rules Committee. First up is the Ozone Standards Implementation Act H.R. 806 (115), which would delay implementation of the stricter 2015 ozone standard through 2025 and lengthen the period of time between EPA's normal review of the standard from five years to 10. Rep. Pete Olson's bill gets its day before the Rules Committee today at 5 p.m.

Also on the agenda is a bill H.R. 218 (115) that would authorize the transfer of federal land to Alaska to build the state's long-sought (and contentious) road between the isolated southwestern Alaska village of King Cove and a neighboring community with an all-weather airport. There's also legislation H.R. 2883 (115) overhauling the presidential permitting process for electric, natural gas and oil projects that would shift the authority to review cross-border oil pipelines to FERC from the State Department. And there's a separate measure H.R. 2910 (115) aimed at streamlining approvals for interstate natural gas pipelines. The Rules Committee considers the bills Tuesday at 3 p.m.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and State's Jennifer Schaming was first up to identify Holtsville, N.Y. as the holder of the nation's lowest zip code (00501). For today: What's the highest zip code in the U.S. and where is it? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro .

GOTTA LOOK AT THE DATE: A draft version of the grid study sought by Energy Secretary Rick Perry says that renewable power doesn't threaten the power network's reliability, Bloomberg reported Friday evening. Perry called for the study in April, and has said he wanted to see if Washington's policies or federal tax policy were pushing baseload power generation — like coal-fired plants — in retirement prematurely. Renewable power advocates have feared that Perry would slant the report and use it to justify efforts to support coal plants. "The power system is more reliable today due to better planning, market discipline, and better operating rules and standards," the July draft says.

But a DOE spokeswoman said a draft of the study is outdated, and none of the phrases that Bloomberg cited were in the current version. Those draft findings are now under review by DOE leadership and the final product may come out as soon as this week.

MOVING MORE SPENDING PACKAGES: Congress takes another crack at advancing spending measures this week with the full House Appropriations Committee marking up its Interior and EPA package Tuesday at 10:30 a.m. Across the way, a Senate Appropriations subpanel inks up its Energy and Water package Tuesday at 2:30 p.m. ahead of full committee consideration Thursday at 10:30 a.m.

CAP AND TRADE'S CRUCIAL DAY IN CALI: Lawmakers in California are slated today to cast their votes on whether to extend California's cap and trade program through 2030. The Business Council for Sustainable Energy sent a letter Friday endorsing the extension and urging the legislature to "swiftly act" on the measure. But a number of major environmental advocates voiced opposition, arguing the measure gave too many concessions to the oil industry. "California can do better," Masada Disenhouse with 350.org said in a statement. "This plan has Big Oil's fingerprints all over it and doesn't do enough to protect vulnerable communities or to achieve California's ambitious targets for reducing carbon pollution." The Los Angeles Times has a good look at the state-of-play on the bill here.

FORMER SUZUKI EMPLOYEE GUILTY OF MISLEADING EPA: Wayne Powell, a former Suzuki analyst, pled guilty to submitting false reports on vehicle emissions to EPA and therefore enabling thousands of violations of the Clean Air Act on model year 2012 motorcycles, DOJ announced. He faces up to two years in prison and a maximum fine of $250,000.

ZINKE VISITS ANOTHER MONUMENT: After taking two monuments off his review list, Interior Secretary Ryan Zinke headed to Oregon on a beautiful Saturday to look at the Cascade Siskiyou National Monument. He hiked with BLM employees and met with advocates of keeping the monument, huddled with snowmobile industry peeps and talked with timber industry representatives. Energy and Commerce Committee Chairman Greg Walden hosted. Both of the state's Democratic senators — Ron Wyden and Jeff Merkley — have staunchly opposed altering

the monument. On Sunday, Zinke's Twitter feed included posts about meeting with Oregon Gov. Kate Brown and references to his "delish burrito" for lunch.

EDF ADS HIT PRUITT! EDF Action is launching a million dollar ad campaign targeting House GOP lawmakers for not combating deep cuts to EPA's budget. Targets include: Martha McSally, Mike Coffman, Jason Lewis, Barbara Comstock, David Valadao, Mark Amodei, Ann Wagner, Mario Diaz-Balart, Tom Rooney and Ken Calvert. Watch the ads here and here.

WHO KNOWS! French President Emmanuel Macron told a French newspaper Sunday he thinks he may have swayed Trump into returning to the Paris accord in the months ahead, according to Reuters . "(Trump) told me that he would try to find a solution in the coming months," Macron told Le Journal du Dimanche. "We spoke in detail about the things that could make him come back to the Paris accord." But Trump's Homeland Security Adviser Tom Bossert said the topic of climate change was not a major topic of conversation or awkward subject. "We didn't discuss any climate issues in the extended bilateral conversation that I attended," Bossert told reporters on Air Force One. "And the topic didn't chill or affect or any way come up verbally or through nonverbal cues in our conversations."

ILLINOIS JUDGE SIDES WITH NUCLEAR: The nuclear power industry racked up a legal win on Friday when a district court judge in Illinois agreed to dismiss a lawsuit against the state's zero-emissions credit program lawmakers passed last year. The program — estimated to cost consumers $235 million a year over ten years — was created to prop up two money-losing nuclear plants Exelon Corp. threatened to close, which drew multifaceted challenges from consumers and non-nuclear electricity generators in the region. But District Judge Manish Shah said that it wasn't the judiciary's role to instruct state regulators how to tailor their program for state-federal balance, and left the matter in the hands of FERC, despite its lack of a leadership quorum. Shah noted that complaints about the program were filed with FERC several months ago but, in a footnote, stated "FERC's current paralysis does not change the structural limitations on judicial power." Given how big a threat other power generators view the program, expect this to go up to the 7th Circuit Court of Appeals.

** **A message from Growth Energy:** Americans deserve cleaner, more consistent fuel choices at the pump, and Growth Energy is leading efforts to make that a reality. The Consumer and Fuel Retailer Choice Act is a simple fix that will improve air quality, lower prices at the pump, and spur innovations in biofuels. Learn more. **

WHAT'S NEXT FOR METHANE RULE? After federal appeals judges placed a stay of EPA's methane rule back on for two weeks, the agency has a couple of options, Pro's Alex Guillén reports in Energy Regulation Watch. It could seek a rehearing before the original three judges, though at least one judge would have to change their mind, or the agency could try for an en banc review, but that process takes a while.

Arguably more important is what the court's decision signals for other efforts to roll back Obama-era rules. Each case has slightly different legal arguments depending on the statute and how exactly the agency is going about a delay, but the D.C. Circuit's ruling is warning sign to Pruitt that he won't coast by in court challenges to their actions.

MAIL CALL! GROUP OUTLINE TAX REFORM PRIORITIES: The Hearth, Patio & Barbecue Association released Friday a brief letter to the Senate Finance Committee outlining their priorities as tax reform advances. Link here.

REPORT: HOW TO ADJUST TO A BRAVE NEW GRID: Former FERC Commissioner Tony Clark is out with a white paper this morning with how suggestions for states in various electricity markets can adjust to new goals many states have including fuel diversity, security, green energy and job creation. "To the degree policy makers and elected officials have moved the goal posts, it is time to consider the rational pathways forward," the paper notes.

COMING TO TOWN! Members of the American Public Power Association's Policy Makers Council are in town today through Wednesday for meetings on Capitol Hill. Among the topics they'll discuss is maintaining access for public power companies to bonds, building partnerships for grid resiliency and upcoming changes to environmental regulations.

MOVER, SHAKER! William Murray joins R Street Institute as federal energy policy manager; he comes from RealClearPolitics, where he was editor of the site's energy page for two years.

LOOKING GOOD: The Senate Environment and Public Works Committee unveiled a snazzy new, website befitting the 21st century late last week. Take a glance here.

QUICK HITS

— In Chile, Many Regard Climate Change As The Greatest External Threat. NPR.

— How to Invest in Oil Without Taking a Risk. Bloomberg.

— France must define possible scenarios to reduce nuclear: minister. Reuters.

— From $2 Billion to Zero: A Private-Equity Fund Goes Bust in the Oil Patch. Wall Street Journal.

— In Montana, federal BLM drilling permit mandate sparks debate. Billings Gazette.

— Is the most powerful lobbyist in Washington losing its grip? Washington Post.

HAPPENING THIS WEEK

MONDAY

5:00 p.m. — Meeting on the "Ozone Standards Implementation Act of 2017," House Rules Committee, H-313

TUESDAY

10:00 a.m. — "Powering America: Examining the State of the Electric Industry through Market Participant Perspectives," House Energy and Commerce Energy Committee, Rayburn 2123

10:00 a.m. — "Examining Impacts of Federal Natural Resources Laws Gone Astray, Part II," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

10:30 a.m. — Full committee markup of the FY2018 Interior Appropriations Bill, House Appropriations Committee, Rayburn 2359

10:30 a.m. — "Hearing to examine the status and outlook for U.S. and North American energy and resource security," Senate Energy and Natural Resources Committee, Dirksen 366

12:00 p.m. — "The Future of California's Cap-and-Trade Program: Policy Choices and Implications for Cross-Border Linkage," Resources for the Future, Webcast

12:00 p.m. — Sustainable City Solutions, Women's Council on Energy and the Environment, National Geographic Society, 1145 17th Street NW

2:00 p.m. — "Promoting Onshore Oil and Gas Development in Alaska," House Natural Resources Energy and Mineral Resources Subcommittee, Longworth 1324

WEDNESDAY

10:00 a.m. — Full committee hearing on five bills, House Natural Resources Committee, Longworth 1324

10:00 a.m. — Legislative hearing on the the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act, Senate Environment and Public Works Committee, Dirksen 406

10:00 a.m. — "Energy Innovation: Letting Technology Lead," House Science, Space and Technology Committee, Rayburn 2318

10:00 a.m. — Senate Energy and Natural Resources National Parks Subcommittee hears testimony on various bills, Dirksen 366

10:00 a.m. — "Clean Innovation: Why it Makes Business Sense," Microsoft and the Center for Climate and Energy Solutions, Microsoft Innovation & Policy Center, 901 K Street, NW, 11th Floor

10:00 a.m. — "An Update on the Renewable Fuel Standard," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

12:00 p.m. — "Building a 21st Century Infrastructure for America: Implementation of the Water Resources Reform and Development Act of 2014 and the Water Resources Development Act of 2016," House Transportation and Infrastructure Subcommittee on Water Resources and

Environment, Rayburn 2167

2:00 p.m. — "Exploring the Successes and Challenges of the Magnuson-Stevens Act," House Natural Resources Water, Power and Oceans Subcommittee, Longworth 1324

THURSDAY

9:00 a.m. — "Seeking Innovative Solutions for the Future of Hardrock Mining," House Natural Resources Energy and Mineral Resources Subcommittee, Longworth 1324

9:30 a.m. — Executive Business Meeting to consider nominations, including Jeffrey Clark's, Senate Judiciary Committee, Dirksen 226

10:00 a.m. — Full committee hearing on various nominations, Senate Energy and Natural Resources Committee, Dirksen 366

10:00 a.m. — "Innovative Financing and Funding: Addressing America's Crumbling Water Infrastructure," Senate Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife, Dirksen 406

FRIDAY

12:00 p.m. — 2017 BP Statistical Review of World Energy, National Capital Area Chapter of the U.S. Association for Energy Economics, Chinatown Garden, 618 H St. NW

THAT'S ALL FOR ME!

** **A message from Growth Energy:** The Consumer and Fuel Retailer Choice Act is a simple fix to existing, outdated Reid Vapor Pressure (RVP) limits that will improve air quality, lower prices at the pump, and spur innovation and investment in new biofuel technologies while decreasing dependence on oil. Congress can fix this outdated regulation - helping consumers, retailers & the environment - and build a better future for clean energy by supporting S. 517. Learn more about how Growth Energy is protecting fuel choices. **

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Stories from POLITICO Pro

Alaska's long road war Back

By Andrew Restuccia | 04/04/2014 05:00 PM EDT

In the fall of 1998, Frank Murkowski took to the Senate floor to make an impassioned plea for the authority to build a one-lane gravel road from the isolated southwestern Alaska village of

King Cove to a neighboring community with an all-weather airport.

"This is a road to life for the residents of King Cove," he said.

More than 15 years later, his daughter, Republican Sen. Lisa Murkowski — along with the rest of the Alaska congressional delegation — is still fighting for the road, insisting it's the only viable way to ensure that King Cove's 965 largely native Alaskan residents have access to emergency medical care.

(Also on POLITICO: Full transportation and infrastructure policy coverage)

What seems like a simple request is anything but. The proposed road would cut through federally protected wilderness land in the Izembek National Wildlife Refuge, a 315,000-acre sanctuary near the tip of the Alaska Peninsula. And the Interior Department says the road would threaten vulnerable plants and animals that rely on the area's unique ecology.

The oftentimes ugly fight has pitted Alaska politicians against the federal government for decades, sowing mistrust and frustration. It has also reinforced the view of many in Alaska that policymakers in the Lower 48 are out of touch with their needs.

At the same time, the battle has laid bare tensions between Alaskan leaders and conservation groups, which argue that approving the road could set a dangerous national precedent in other protected wilderness areas.

Lisa Murkowski and Alaska Democratic Sen. Mark Begich, who faces a tight reelection fight, are vowing to do everything in their power to win approval for the road, even though the Interior Department rejected the proposal late last year after a four-year analysis.

(PHOTOS: 10 tough Senate races for Democrats)

Murkowski is using her position as the top Republican on the Senate Energy and Natural Resources Committee to elevate the issue, expressing her outrage at hearings and in floor speeches and holding a series of news conferences with King Cove residents. She has also lambasted Interior Secretary Sally Jewell, who announced the most recent rejection of the road just two days before Christmas.

"I am not willing to let a day go by without raising this as an issue," Murkowski said in an interview.

The road would give King Cove residents access to the larger airport in the nearby community of Cold Bay when extreme weather grounds flights at the smaller King Cove airport. King Cove has a medical clinic, but residents often have to travel to Anchorage for major procedures and emergencies.

The road, proponents argue, is the best solution to the transportation problems that have long plagued isolated King Cove.

Besides its small airport, the town has access by boat across the Izembek Lagoon, but foul weather can make air and boat travel difficult, residents say. Supporters of the road say at least 19 deaths over the years have resulted from plane crashes or an inability to obtain adequate medical care.

(Sign up for POLITICO's Morning Transportation tip sheet)

Della Trumble, a King Cove resident and longtime advocate for the road, said its approval is a matter of life and death.

"I just feel strongly that the human factor far outweighs the wildlife," she said. "We will protect the wildlife. It's who we are."

Trumble and other residents have made dozens of trips to Washington to make their case, telling stories of family and friends who have been hurt or killed trying to get out of the community during storms. Trumble said she watched as her niece was flown out for a medical emergency amid winds of 70 to 80 mph. She said another niece was born on the galley table of a crab boat during an evacuation attempt.

Just this week, an injured fisherman was flown out of King Cove by the Coast Guard, marking the fifth medical evacuation of the year, according to King Cove officials.

But opponents say the road would wreak havoc on the refuge and its wildlife. The refuge hosts more than 200 species, including caribou, grizzly bear and, in the fall, about 98 percent of the world's Pacific black brant. It also has one of the largest eelgrass beds on the planet and was one of the first areas in the U.S. to be designated as a wetland of international importance.

"You can't punch a road through there without doing serious damage," said Don Barry, who served as Interior's assistant secretary for fish, wildlife and parks during the Clinton administration.

In addition, the proposed road faces major legal hurdles. In 1980, Congress designated most of the refuge as wilderness, the highest level of public land protection.

Barry, now a senior official at the conservation group Defenders of Wildlife, said it would be unprecedented to allow a road through a wilderness area. Though the refuge has some old military roads, they were built before the conservation laws were enacted.

Several opponents raised concerns that approving the road would lead to a push for development in other protected areas.

"Once you carve a road of this kind right through the middle of a national wildlife refuge, where does it stop?" former Clinton administration Interior Secretary Bruce Babbitt asked.

Babbitt and other opponents have also suggested that the road could be used for commercial

purposes, noting that Peter Pan Seafoods has a cannery in King Cove. "But despite pledges and promises to the contrary, the real purpose for building the road is the same as it ever was: moving fish and workers to and from King Cove's canneries," Babbitt wrote in the Los Angeles Times last month.

Peter Pan has rejected those accusations, and Murkowski notes that her legislation calling for approval of the road specifically bars using it for commercial purposes.

The fight over the road burst into public view in the late 1990s, when then-Sen. Frank Murkowski pushed legislation that would allow for approval of the road as part of a land exchange. The bill passed the Senate in 1998 but never passed the House. President Bill Clinton threatened a veto amid concerns about the road's effect on wildlife.

Soon after, then-Sen. Ted Stevens launched into a tense series of negotiations with the Interior Department. The resulting compromise was a $37.5 million appropriation approved by Congress to improve the King Cove medical clinic and airport and make accommodations for a hovercraft to transport residents to Cold Bay. The hovercraft was used until 2011, but it is being sold because, operators said, it was too expensive to operate.

"Finally it was settled — and now it turns out it isn't," said Babbitt, who worked with Stevens to negotiate the deal and strongly opposed the road.

Within several years, the issue was back on the table. Lisa Murkowski included a provision in a 2009 bill calling on the Interior Department to analyze the road and proposing another land exchange. In exchange for setting aside land in the refuge for the road, the federal government would receive more than 43,000 acres of Alaska state land and more than 13,000 acres of land owned by the King Cove Native Corp.

The provision set off a four-year analysis by Interior that culminated in December with the department's rejection of the road.

"While the proposed land exchange would bring many more acres of land into the Refuge System, the analysis indicates that the increased acreage could not compensate for the unique values of existing refuge lands, nor the anticipated effects that the proposed road would have on wildlife, habitat, subsistence resources and wilderness values of the Refuge," the department said in a statement at the time.

The decision infuriated the Alaska delegation and has strained Murkowski's relationship with Jewell.

After hearing about the decision, Murkowski said she told Jewell, "I cannot forgive the fact that you have delivered this, that you have dashed all hope for the people of King Cove, and the fact that you did this the week of Christmas is absolutely callous and cold-hearted."

Other Alaska lawmakers have similarly taken Jewell to task. "If someone dies out of King Cove, I want you to really think about it and be ashamed of yourself," Rep. Don Young told Jewell at a

hearing Thursday.

The road's opponents say viable alternatives exist — a notion that Murkowski and others reject. Opponents also argue that the road, which would snake through isolated land often battered by extreme weather, would pose its own dangers.

At a recent Senate hearing, Jewell said she is committed to working with King Cove residents to find alternatives. During a recent meeting with Begich, she said she will again listen to the community's concerns.

"Jewell committed to reviewing the information that the community plans to provide on the issue and to provide a response to the senators, State of Alaska and the community on their request to reconsider the final decision," Interior spokeswoman Jessica Kershaw said in an email.

Alaska lawmakers face major hurdles toward changing Interior's mind but say they're not giving up.

Begich said in a recent interview that he hopes to attach his bill approving the road to upcoming Interior appropriations legislation. Murkowski vowed to continue hammering away as well.

"This secretary has made a decision, and I think she thought the people of King Cove were tucked far enough away that nobody would be making a big deal about this," Murkowski said. "But I'm not forgetting them, and it's not just an idle threat."

CORRECTION: A previous version of this story offered an incorrect name for the city where King Cove residents sometimes have to travel for major medical procedures.

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Back

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Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: A tale of two chambers — Opening the Gate(way) — Laptops welcome

By Tanya Snyder and Lauren Gardner | 07/07/2017 10:00 AM EDT

A TALE OF TWO CHAMBERS: It's no secret that House Transportation Committee Chairman Bill Shuster's plan to separate the air traffic control system from the FAA has created deep divisions on Capitol Hill. And Rep. Sam Graves' (R-Mo.) decision to support the House bill (H.R. 2997) - after striking a deal with Shuster to eliminate user fees for general aviation and protect small pilots' access to the airspace - has left some daylight between him and the general aviation community of which he's long been member. That could get awkward later this month, when Graves will pilot World War II planes in the massive annual Oshkosh airshow, and this weekend when he presides over an aviation town hall at a fly-in at his home airport in Tarkio, Mo. As Tanya writes, he's likely to hear from groups that feel wounded by his change of heart on the air traffic control overhaul.

Get in formation: GA groups have kicked their organizing up a notch this week, taking advantage of lawmakers' public events in their home districts to mobilize members against the bill. Mark Baker, president and CEO of the Aircraft Owners and Pilots Association, said general aviation users "are not interested in negotiating this at all" and that Graves "was not representing the general aviation community" when he agreed to Shuster's plan. They worry that any plan to include special protections for their community was not drawn with them in mind. "The idea of giving control of this public asset to a board that is largely airline-centric is dangerous," Baker said.

'Fear of the unknown': For his part, Graves has been dismissive of GA's continued concerns, saying opponents are just "afraid of the unknown" and that "we've put in every protection possible" for general aviation.

DON'T YOU FORGET ABOUT ME: Even as the House bill draws the battle lines, the Senate's FAA legislation (S. 1405) is facing its own obstacles after the Commerce Committee adopted an amendment to give the agency leeway to expand the types of training that can be credited toward the federal 1,500-hour requirement for first officers. That mandate was spurred by the 2009 crash of a regional airliner near Buffalo, N.Y., that raised questions about pilots' training. Since then, those smaller airlines and some rural-state officials have argued that the rule has exacerbated a pilot shortage they blame for reducing air service to rural areas.

Room for movement? Senate Commerce Chairman John Thune (R-S.D.) forced the issue by pushing the amendment's adoption despite Democratic opposition - a major shift from the 2016 FAA debate, when Sen. Mike Rounds (R-S.D.) was the only lawmaker to openly advocate for an amendment related to pilot training during floor debate. At that time, Congress decided to call for a study of the issue instead, and the results were ultimately favorable to the regionals. But while Thune has indicated he's willing to compromise as long as lawmakers can assuage concerns about the pilot pipeline, it's unclear whether lawmakers aligned with the families of

those killed in the 2009 Colgan Air crash can agree to anything that changes the status quo, Lauren writes for Pros.

Real talk: The New York delegation in both chambers has strongly opposed easing the 1,500-hour mandate, and Senate Minority Leader Chuck Schumer (D-N.Y.) has promised to block the bill if there's no deal to his liking. "I'll continue to do everything I can to ensure that any effort to water down these rules never becomes law," he said through a spokesman after the Commerce markup. That unresolved issue, coupled with the dwindling number of legislative days, means getting long-term FAA authorization bills through both chambers before the August recess - and navigating a conference committee before the agency's authority expires Sept. 30 - will be no small feat.

IT'S FRIDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Starting next week, Lauren will be driving the MT-mobile with transportation security reporter-extraordinaire Stephanie Beasley, so send your tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

"Bye, bye Miss American Pie / Drove my Chevy to the levee but the levee was dry / And them good ole boys were drinking whiskey and rye / Singin' this'll be the day that I die / This'll be the day that I die"

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get listening, too!

THIS IS THE BEST HOLIDAY WEEK EVER: Your MT team apologizes for failing Thursday to properly commemorate National Air Traffic Control Day, which we did not know existed until President Donald Trump sent out a statement thanking "the hard working men and women of the Federal Aviation Administration," which his administration hopes will soon be the hard working men and women of a private nonprofit entity. In his missive, Trump touted "his" (or really, Shuster's) plan to "modernize" and "transform" the system. The U.S. Bureau of Air Commerce established the air traffic control system 81 years ago Thursday, and Ronald Reagan made it a holiday in 1986 (five years after he fired all the air traffic controllers).

OPENING THE GATE(WAY): The federal government's latest estimate for a new Hudson River rail tunnel (plus repairs to the existing infrastructure) is nearly $13 billion, according to a draft environmental impact statement released Thursday. The higher cost (previous estimates put the effort in the $8 billion to $10 billion range) comes as Trump's DOT has tried to distance itself from the Obama administration's commitment to split the cost of the multibillion-dollar project with New York and New Jersey, most recently leaving the Gateway project's board of directors.

Definitely, maybe: "It will be the responsibility of the project sponsors to identify their funding sources and plan," DOT said in a news release. "The department notes that all projects that apply for federal funding must meet the appropriate criteria and that all projects will be individually evaluated on their merits, without prejudice against or partiality in favor of particular projects."

Mark your calendars: Page 3 of this handy fact sheet provides a project timeline that estimates the new tunnel could be completed by spring 2026. That would then allow for work to begin on rehabbing the existing tunnel, which would take another four years.

**** A message from Delta Air Lines:** Delta® partners with CLEAR® to offer SkyMiles® Members exclusive rates on CLEAR membership to enjoy a faster way through security at airports nationwide. CLEAR's biometric technology platform gets travelers through security with just the touch of a finger or blink of an eye. Enroll today at clearme.com/delta. **

LAPTOPS WELCOME: It's official: Qatar Airways confirmed rumors Thursday that DHS will allow passengers on its U.S.-bound flights from Hamad International Airport in Doha to carry personal electronic items on board after it implemented security enhancements.

Oh and also: In other Qatar Airways news, the airline said Thursday it would move ahead with plans to build a stake of up to 4.75 percent in American Airlines, despite the "categorical" opposition of American's management. Qatar Airways had previously indicated interest in buying up to 10 percent of the carrier's shares, but said it would not exceed 4.75 percent without the approval of American's board.

PRIVATE PILOT FOR AMTRAK FINALIZED: FRA will publish a final rule today outlining how private companies can apply for an opportunity to provide passenger rail service for existing Amtrak long-distance routes, so long as they can do it for less money than the feds currently have to pay for those services. The program, created by the FAST Act, allows the experiment for up to three routes for four-year periods (that the secretary can re-up for another four years), but which ones the third-party operators might try to tackle are still TBD.

GET IT TOGETHER, STATES: FHWA's inspector general's office is looking into the agency's oversight of state DOT cost estimates for projects that receive federal funding. "[U]nderestimating a project's costs could lead to delays in delivering a project because additional funding will have to be arranged," the IG said in the announcement of the audit Thursday. "Conversely, overestimating a project's cost causes inefficient use of funds that could be used for other projects."

SLICE OF PI: From our friends at POLITICO Influence : "Nearly every member of the Illinois congressional delegation sent a letter last week to Secretary of State Rex Tillerson, Secretary of Transportation Elaine Chao and Secretary of Commerce Wilbur Ross urging them to crack down on three Gulf airlines for violating Open Skies agreements. ... If the letter sounds like it could have been written by a United lobbyist, that's because it was. A draft copy of the letter obtained by POLITICO shows Adam Hepburn, a United lobbyist, as the author. The draft copy is almost identical to the final letter. Isaac Sancken, a spokesman for Rep. Dan Lipinski (D-Ill.), who took the lead in assembling support for the letter, confirmed that United wrote the letter and that American and Delta were involved as well."

SHIFTING GEARS: Curtis Tate on July 24 is joining the North Jersey Media Group to report on New Jersey Transit and the Port Authority of New York and New Jersey for The Record newspaper. He previously covered Kentucky and transportation at McClatchy Newspapers in

D.C.

THE AUTOBAHN:

- "New Jersey Transit Train Derails at Penn Station in New York." The New York Times.

- "Lac-Megantic residents marking 4th anniversary of rail tragedy." CTV.

- "Three injured on Delta flight after passenger tries to enter cockpit." CNN.

- "Investigation finds chaotic evacuation from fiery American flight." USA Today.

- "Millions Meant for Rail Tunnel Subsidize Ferry Rides for a Few." The New York Times.

- "New Amtrak CEO has Texas ties, but can he save state's Eagle route?" Fort Worth Star-Telegram.

- DOT awards $230 million in grants to 104 airports. FAA.

THE COUNTDOWN: DOT appropriations run out in 86 days. The FAA reauthorization expires in 86 days. Highway and transit policy is up for renewal in 1,182 days.

** **A message from Delta Air Lines:** Committed to bettering the travel experience, Delta has partnered with CLEAR®, the biometric identity platform. CLEAR allows SkyMiles® Members to use fingerprint and iris I.D. technology to speed through airport security by offering them exclusive Member-only rates on CLEAR membership. CLEAR is trusted by over one million travelers and by the U.S. Department of Homeland Security. CLEAR's three-step enrollment process takes less than five minutes - CLEAR digitally authenticates your driver's license or passport, confirms your identity, and then creates your biometric account. After enrollment, members can begin using the CLEAR Lanes immediately. Enroll today at clearme.com/delta. **

To view online:
http://www.politico.com/tipsheets/morning-transportation/2017/07/07/a-tale-of-two-chambers-221214

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 6/27/2017 5:46:19 PM
Subject: BREAKING NEWS: Trump invites all Republican senators to White House for health talks

President Donald Trump has invited all Senate Republicans to the White House for a meeting Tuesday afternoon as the GOP struggles to coalesce around its plan to repeal Obamacare.

Senate Majority Leader Mitch McConnell (R-Ky.) made the announcement during a closed-door party lunch on Tuesday. The senators-only meeting is scheduled for 4 p.m. at the White House.

Read more: http://politi.co/2rYCBlp

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/14/2017 12:41:13 PM
Subject: June 14 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 14, 2017 - Number 113

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Arizona

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Quality/Administrative Appeals
Arizona GENERAL ENVIRONMENT AND SAFETY

Notice of the Governor's Regulatory Review Council announces the expiration of Department of Environmental Quality regulations under R18-1-201 through -207 regarding administrative appeals within the department. The expiration is effective April 28, 2017. Contact: Nicole Colyer; GRRC; 602-542-2058

—Arizona Administrative Register (06/09/2017)

Regulatory Update

Colorado

HAZARDOUS WASTE MANAGEMENT
Hazardous Waste/Annual Commission Fee
Colorado HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Public Health and Environment, Hazardous Materials and Waste Management Division, amends regulations under 6 CCR 1007-3, Section 6.04, to maintain current annual Solid and Hazardous Waste Commission fees for fiscal year 2017-2018. The rule is effective June 30, 2017. Contact: Brandy Valdez Murphy; DPHE, Hazardous Materials and Waste Management Division; 303-692-3467; brandy.valdezmurphy@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Boiler and Pressure Vessel Regulations
Colorado OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Employment, Division of Oil and Public Safety, amends regulations under 7 CCR 1101-5 regarding boilers and pressure vessels. The rule clarifies construction, installation, inspection, maintenance, and repair requirements and incorporates new and updated codes and standards. The rule also increases certificate fees to $25 and insurance inspection processing fees to $15. The rule is effective July 1, 2017. Contact: Steve Nelson; DLE, Division of Oil and Public Safety; 303-318-8514; steve.v.nelson@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

RADIATION
Radiation Control/Licensing of Radioactive Material
Colorado RADIATION

Final rule of the Department of Public Health and Environment, Hazardous Materials and Waste Management Division, amends regulations under 6 CCR 1007-1, Part 3, regarding licensing of radioactive materials facilities. The rule revises a provision concerning exemptions for common carriers of radioactive materials to reference a state rather than federal statute. The rule also specifies where incorporated material may be obtained. The rule is effective June 30, 2017. Contact: James Jarvis; DPHE, Hazardous Materials and Waste Management Division; 303-692-3454; james.jarvis@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

RADIATION
Radiation Control/Physical Protection of Radioactive Material
Colorado RADIATION

Final rule of the Department of Public Health and Environment, Hazardous Materials and Waste Management Division, amends regulations under 6 CCR 1007-1, Part 22, regarding physical protection of Category 1 and 2 quantities of radioactive material. The rule updates provisions referencing the Nuclear Regulatory Commission organizational structure, contact information, addresses, and websites. The rule also specifies where incorporated material may be obtained. The rule is effective June 30, 2017. Contact: James Jarvis; DPHE, Hazardous Materials and Waste Management Division; 303-692-3454; james.jarvis@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

RADIATION
Radiation Control/Standards for Protection Against Radiation
Colorado RADIATION

Final rule of the Department of Public Health and Environment, Hazardous Materials and Waste Management Division, amends regulations under 6 CCR 1007-1, Part 4, regarding radiation protection requirements. The rule corrects the threshold value for protactinium-230 to align with federal requirements. The rule also specifies where incorporated material may be obtained. The rule is effective June 30, 2017. Contact: James Jarvis; DPHE, Hazardous Materials and Waste Management Division; 303-692-3454; james.jarvis@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

WATER
On-site Wastewater Treatment Systems
Colorado WATER

Final rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-42, Rules 43.1 through .16, regarding on-site wastewater treatment systems. The rule clarifies requirements concerning site and soil evaluation, wastewater flow and strength, minimum distances between components of wastewater treatments systems and physical features, and design criteria. The rule also addresses conflicting requirements, replaces technical language with plain language, and replaces the term "shall" with "must" or "will." The rule is effective June 30, 2017. Contact: David Kurz; DPHE, Water Quality Control Commission; 303-692-3552; david.kurz@state.co.us

—Colorado Register (06/10/2017)

Regulatory Update

Maryland

AIR
Architectural Coatings
Maryland AIR

Proposed rule of the Department of the Environment repeals regulations under COMAR 26.11.33.01 through .14 regarding architectural coatings. The provisions have been superseded by an April 15, 2016, final rule that adopted regulations under COMAR 26.11.39 regarding architectural and industrial maintenance coatings. The rule will be submitted to the EPA as a revision to the state implementation plan. A hearing is scheduled for July 17, 2017, in Baltimore. Comments are due July 17, 2017. Contact: Randy Mosier; MDE, Air and Radiation Management Administration; 410-537-4488; randy.mosier@maryland.gov

—Maryland Register (06/09/2017)

Regulatory Update

AIR

Control of Fuel Burning Equipment, Stationary Engines
Maryland AIR

Proposed rule of the Department of the Environment amends regulations under COMAR 26.11.09.01, .04, and .06 and repeals regulations under COMAR 26.11.09.11 regarding control of fuel-burning equipment, stationary internal combustion engines, and certain fuel-burning installations. The rule eliminates emission and operating standards and compliance procedures for small wood boilers to remove conflicts with new federal residential hydronic heater requirements under 10 CFR 60, Subpart QQQQ. The rule also revises the definition for "clean wood" to remove the list of substances the wood cannot be treated with to be considered clean wood. A hearing is scheduled for July 17, 2017, in Baltimore. Comments are due July 17, 2017. Contact: Randy Mosier; MDE, Air and Radiation Management Administration; 410-537-4488; randy.mosier@maryland.gov

—Maryland Register (06/09/2017)

Regulatory Update

AIR
SIP Revision/Regional Haze
Maryland AIR

Notice of the Department of Environment, Air and Radiation Management Administration, announces a proposed revision to the regional haze state implementation plan (SIP) for a five-year look back to review the adequacy of the regional haze SIP for meeting the 10-year visibility goals. The revision will be submitted to the EPA for approval. A hearing is scheduled for July 17, 2017, in Baltimore. Comments are due July 17, 2017. Contact: Mary Jane Rutkowski; MDE, Air and Radiation Management Administration; 410-537-4163; maryjane.rutkowski@maryland.gov

—Maryland Register (06/09/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Consumptive Water Use Projects
Maryland WATER

Notice of the Susquehanna River Basin Commission announces the availability of a list of projects approved for consumptive use of water during the period April 1-30, 2017. The notice addresses projects approved under 18 CFR 806.22(e) and (f) for consumptive use, including uses related to unconventional natural gas and other hydrocarbon development. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net

—Maryland Register (06/09/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Projects Rescinded for Consumptive Uses of Water
Maryland WATER

Notice of the Susquehanna River Basin Commission announces the availability of a list of projects rescinded during the period April 1-30, 2017. The notice addresses projects being rescinded for the consumptive use of water pursuant to the commission's approval by rule under 18 CFR 806.22(e) and (f). Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net

—Maryland Register (06/09/2017)

Regulatory Update

North Carolina

WATER
NPDES General Wastewater Permit
North Carolina WATER

Notice announces the intention of the Environmental Management Commission to reissue a National Pollutant Discharge Elimination System (NPDES) wastewater discharge permit. The permit addresses treated wastewater resulting from seafood packing and rinsing operations and from fish farms and hatcheries defined as concentrated aquatic animal production facilities with production levels above specified minimums (NCG530000). Comments are due July 17, 2017. Contact: Brianna Young; Department of Environmental Quality, Division of Water Resources; 919-807-6333; brianna.young@ncdenr.gov

—North Carolina Register (06/15/2017)

Regulatory Update

WATER
NPDES Industrial General Permit/Furnishing Transportation by Air or Operating Airports
North Carolina WATER

Notice announces the intention of the Environmental Management Commission to revise and reissue a National Pollutant Discharge Elimination System (NPDES) industrial general permit for establishments primarily engaged in furnishing transportation by air or operating airports (NCG15000). The permit is proposed to be reissued on Sept. 1, 2017. Comments are due July 15, 2017. Contact: Mike Randall; Department of Environmental Quality, Division of Energy, Mineral, and Land Resources; 919-807-6374; mike.randall@ncdenr.gov

—North Carolina Register (06/15/2017)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT

Underground Storage Tanks
Ohio HAZARDOUS WASTE MANAGEMENT

Notice of the Department of Commerce, Division of State Fire Marshal, announces changes to a May 22, 2017, proposed rule to amend regulations under OAC 1301:7-9-01 through -19 (nonconsecutive); rescind and readopt regulations under OAC 1301:7-9-05, -06, and -07; and rescind regulations under OAC 1301:7-9-09 and -14 to revise underground storage tanks (UST) standards and conform to a July 15, 2015, EPA final rule. The rule updates provisions concerning requirements for reporting hazardous substances, the list of hazardous substances, UST registration and permitting, and definitions. The rule also updates provisions concerning financial responsibility for petroleum USTs; design, construction, installation, operation, and maintenance requirements; release detection methods and requirements; and installer certification and training. In addition, the rule updates out-of-service, closure-in-place, permanent removal, change-in-service, and closure assessment requirements; delegations of authority for inspection; contaminated soil, sampling, and analysis of soil; delivery prohibitions; and operator training requirements. Finally, the rule deletes provisions concerning sensitive areas and voluntary corrective actions. The changes establish a fee for UST installer training offered by the State Fire Marshal and correct a statutory reference. Contact: David Sauer; Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations; 614-752-7096; David.Sauer@com.state.oh.us

—Ohio Regulations (06/12/2017)

Regulatory Update

RADIATION
General Licenses and Licenses for Manufacturing and Distribution of Radioactive Material
Ohio RADIATION

Final rule of the Department of Health, Radiation Control, amends regulations under OAC 3701:1-46-01, -08, -36, and -43 concerning general licenses and licenses for manufacturing and distribution of radioactive material. The rule deletes the definition of "consumer risk" and updates references and terminology. The rule is effective June 16, 2017. Contact: Kaye Norton; Department of Health; 614-644-8184; Kaye.Norton@odh.ohio.gov

—Ohio Regulations (06/12/2017)

Regulatory Update

South Dakota

AIR
Air Pollution Control Program
South Dakota AIR

Proposed rule of the Department of Environment and Natural Resources, Board of Minerals and Environment, amends regulations under ARSD 74:36:01 through :21 concerning the air pollution control program. The rule clarifies requirements for air quality monitoring and incorporates by reference federal standards as of June 30, 2016. Hearings are scheduled for July 20, 2017, via videocast in specified locations. Comments are due July 19, 2017. Contact: Marlys Heidt; DENR,

Air Quality Program; 605-773-3151

—South Dakota Register (06/12/2017)

Regulatory Update

Texas

GENERAL ENVIRONMENT AND SAFETY
Agricultural and Silvicultural Water Quality Management
Texas GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the State Soil and Water Conservation Board amends regulations under 31 TAC 523.6 regarding cost-share incentive funding for soil and water conservation land improvement measures. The rule specifies that state board members and state board employees are prohibited by board policy from entering into a cost-share (financial assistance) agreement while employed or serving on the board. The rule also clarifies the procedures district directors and district employees must follow to avoid a conflict of interest. Comments are due July 16, 2017. Contact: Lee Munz; TSSWCB; 254-773-2250; lmunz@tsswcb.texas.gov

—Texas Register (06/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Bloodborne Pathogen Control
Texas OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of State Health Services amends regulations under 25 TAC 96.101, .201, .202, .203, and .401 regarding bloodborne pathogen control. The rule adds hepatitis C to the list of bloodborne pathogens. The rule also revises the reporting period for each contaminated sharps injury to no later than 30 days after it occurs. In addition, the rule updates the resource for universal and standard precautions practices to the Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings. Finally, the rule adds acronyms, updates definitions, and updates other provisions for clarity and consistency. The rule is effective June 21, 2017. Contact: Nadia Bekka; DSHS, Division for Disease Control and Prevention Services; 512-776-6972; Nadia.Bekka@dshs.texas.gov

—Texas Register (06/16/2017)

Regulatory Update

West Virginia

AIR

Control of Air Pollution from Municipal Solid Waste Landfills

West Virginia AIR

Proposed rule of the Department of Environmental Protection, Division of Air Quality, amends regulations under 45 WVCSR 23 regarding municipal solid waste landfills (MSLWs) to incorporate by reference Aug. 29, 2016, performance standards and emission guidelines for new and existing MSWLs under 40 CFR 60, Subparts XXX and Cf. The rule includes standards of performance, emission guidelines, and compliance times for the control of certain designated pollutants from MSLWs. The rule also sets forth definitions and recordkeeping and reporting requirements. A hearing is scheduled for July 11, 2017, in Charleston. Comments are due July 11, 2017. Contact: DEP, Public Information Office; 304-926-0440

—West Virginia Register (06/09/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Sun 8/27/2017 8:40:06 PM
Subject: President Trump to visit Texas on Tuesday

President Donald Trump will visit Texas, which continues to be pulverized by Hurricane Harvey, on Tuesday.

"The President will travel to Texas on Tuesday. We are coordinating logistics with state and local officials, and once details are finalized, we will let you know. We continue to keep all of those affected in our thoughts and prayers," the White House announced Sunday afternoon.

See http://www.politico.com/story/2017/08/27/hurricane-harvey-texas-abbott-fox-242072 for more coverage of Hurricane Harvey.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Wed 7/5/2017 2:07:16 PM
Subject: POLITICO's Morning Score: Wagner declines Missouri Senate race — Q2 FEC preview: Democrats who raised big money online in May — NRSC digital ads attack Dems on single-payer

By Daniel Strauss | 07/05/2017 10:00 AM EDT

With Scott Bland and Kevin Robillard

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

NO GO - "Wagner won't challenge McCaskill for Senate in Missouri," by Campaign Pro's Kevin Robillard: "Republican Rep. Ann Wagner has decided not to challenge Missouri Democratic Sen. Claire McCaskill in 2018, instead opting to stay in the House.Wagner had long been expected to run against McCaskill, the two-term incumbent, but said she wanted to focus on her family and her home district. ... Wagner, a prolific fundraiser, had been U.S. ambassador to Luxembourg under President George W. Bush, and was also a former co-chair of the Republican National Committee and chair of the Missouri GOP. She's served in Congress since 2012 and already had $2.7 million in her federal campaign account."

- **"But now, Republicans will turn their attention to other potential McCaskill challengers, including state Attorney General Josh Hawley and Reps. Blaine Luetkemeyer and Vicky Hartzler**. Hawley, in particular, had emerged as a potential primary challenger to Wagner before the congresswoman decided not to run for Senate." **Full story.**

FEC FILING PREVIEW - "Democratic campaigns raised big money online in May," by Campaign Pro's Scott Bland: "Seven Democratic Senate candidates raised $500,000 or more online in April and May, according to recent campaign finance disclosures - providing a first hint at what will be in second-quarter FEC reports when they come out later this month. The disclosures from ActBlue, the widely used Democratic online fundraising platform, also show more than $3 million raised into escrow accounts for Democratic nominees in GOP-held House districts around the country, as well as several individual House challengers poised to disclose large second-quarter fundraising hauls later this month. Sen. Kirsten Gillibrand 's (D-N.Y.) campaign raised over $1.6 million online in the first two months of the second quarter, including over $965,000 in May, according to aggregated earmarked contributions in ActBlue's FEC filings. Democratic Rep. Beto O'Rourke, who is running for Senate against GOP Sen. Ted Cruz in Texas, also raised over $1 million online via ActBlue in April and May, including $513,000 in May." **Full story.**

- **"Kaine raised $2.6M in second quarter, had $7.3M on hand," by Campaign Pro's Kevin Robillard:** "The 2016 Democratic vice presidential nominee has now raised $10.6 million over the course of his six-year election cycle. Republicans don't have a clear candidate to face Kaine in 2018, but Rep. Barbara Comstock, former presidential candidate Carly Fiorina, radio host

Laura Ingraham and Prince William County Board of Supervisors Chairman Corey Stewart have all been discussed as possible challengers." **Full story.**

CUTTING THE ANCHOR - "Lt. Gov. takes unusual dig at Christie over being on closed beach," by the Star-Ledger's Matt Arco: "Lt. Gov. Kim Guadagno, the second-in-command to Gov. Chris Christie and the Republican nominee to succeed the governor, blasted Christie on Monday over the controversial photo of him taking in the sun at the closed Island Beach State Park. 'It's beyond words. If I were governor, I sure wouldn't be sitting on the beach if taxpayers didn't have access to state beaches,' Guadagno said in a statement issued by her campaign. ... Guadagno is vying for the governorship against Democratic nominee Phil Murphy." **Full story.**

FIRST IN SCORE - NRSC launches digital ads hitting Democrats on single-payer: The National Republican Senatorial Committee is launching digital ads targeting all 10 Democrats up in states won by President Donald Trump next year linking them to Massachusetts Sen. Elizabeth Warren and the Democratic push for single-payer health care. The 15-second ads, which autoplay on users' Facebook feeds, feature Warren saying "single-payer" is the next step before noting how frequently a Senator votes with Warren before directing viewers to sign a petition against single-payer. The ads are backed by significant statewide buys, and will run throughout recess and the rest of July. "Socialized medicine would be disastrous for the economy and devastating for American families, yet Red State Democrats continually side with Elizabeth Warren," NRSC communications director Katie Martin said. "Red State Democrats need to own up to whether or not they'll follow their leader's extreme plan over the well-being of folks at home." **Watch the ads here.**

Days until the 2017 election: 125.

Days until the 2018 election: 489.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

TICKET TROUBLE - "San Diego Mayor Kevin Faulconer says he won't run for governor," by the Los Angeles Times' Phil Willon and Seema Mehta: "Republican San Diego Mayor Kevin Faulconer, who has been lobbied intensely by GOP leaders to run for California governor, on Friday rejected the idea and vowed to serve out his second term at city hall. Both House Majority Leader Kevin McCarthy (R-Bakersfield) and state Republican Party Chairman Jim Brulte had urged Faulconer to run. A fiscal conservative and social moderate who has demonstrated crossover appeal by winning over Democrats, Faulconer has been seen as the GOP's strongest potential gubernatorial candidate, and one who could help Republicans in down-ballot races if he was at the top of the ticket in 2018. ... Faulconer's decision not to run could impact some hotly contested congressional races in California, and potentially affect Republican efforts to retain control of the House of Representatives." **Full story.**

HOUSE WATCH - Mark Harris files FEC papers to challenge Pittenger again: Harris, a pastor who ran for Senate in 2014 and came just 134 votes short of Rep. Robert Pittenger in the 2016 NC-09 Republican primary, has formed a committee to run for Congress again in 2018. The FEC paperwork was filed on July 4.

- **Former Democratic Rep. Pete Gallego** also formed a TX-23 exploratory committee on July 4, via the FEC. Gallego lost a rematch for his old seat to GOP Rep. Will Hurd last year and has said he could be interested in running again if the district lines shift (a federal court has ruled that several Texas districts, including this one, were illegally gerrymandered by race when they were drawn earlier this decade.)

DIGITAL DOINGS - "Trump campaign's Parscale moves political operation to Florida," by the San Antonio Express-News' Samantha Ehlinger: "Trump campaign adviser Brad Parscale is moving his firm's political data and marketing operation from San Antonio to Florida in pursuit of an airport with more direct flights. ... It's too difficult to get to the East Coast, namely Washington, D.C., and New York City, from San Antonio because of the lack of direct flights, Parscale said. It's also difficult to attract talent when a three-hour flight to New York takes seven hours and includes a layover or two, he said. ... The political operation will be based north of Miami, he said, to take advantage of the Miami and Fort Lauderdale airports. He's already found office space in north Miami, declining to disclose details." **Full story**.

- **"Kamala Harris maneuvers to help 2018 Democrats -- and build a national profile," by CNN's Eric Bradner:** "Harris is using her newfound progressive stardom to raise money for her Democratic colleagues -- and amplifying buzz about the California freshman as a prospect for the party's 2020 presidential nomination in the process. In the first six months of 2017, Harris has raised more than $600,000 for a dozen Senate colleagues -- including $365,000 from small-dollar online contributions, her aides said. The email list Harris has used to raise the bulk of that money is 10 times the size it was at this time last year, during her Senate campaign. She's used that list to raise money for incumbents up for re-election in the 2018 cycle, including Missouri Sen. Claire McCaskill, Montana Sen. Jon Tester and Massachusetts Sen. Elizabeth Warren. Harris is also planning a travel schedule in the fall to raise money for Democratic Senate incumbents as well as the challengers for seven Republican-held House seats in California that the party is targeting." **Full story.**

ADMINISTRATION SPEED READ - "Inside the White House's policy-making juggernaut," by POLITICO's Nancy Cook and Andrew Restuccia: "For decades, the National Economic Council has been a home for wonks who quietly helped grease the policy gears in the White House. But under director Gary Cohn, a former Goldman Sachs banker, the once-staid and process-oriented NEC has become a central force in the vicious policy battles playing out in President Donald Trump's White House ... In the run-up to this week's G-20 summit in Germany, Cohn has been among the White House aides trying to prevent Trump from imposing broad and strict trade restrictions on steel imports. Trump is warming to a more targeted approach, administration officials say - an outcome that would be a win for Cohn, and a setback for the nationalist wing of the White House, including White House National Trade Council director Peter Navarro." **Full story**.

- "Forty-four states have refused to give certain voter information to Trump commission," by CNN's Liz Stark and Grace Hauck: "Forty-four states have refused to provide certain types of voter information to the Trump administration's election integrity commission, according to a CNN inquiry to all 50 states.State leaders and voting boards across the country have responded to the letter with varying degrees of cooperation -- from altogether rejecting the request to expressing eagerness to supply information that is public. Kansas Secretary of State Kris Kobach, vice chairman of the Presidential Advisory Commission on Election Integrity, which President Donald Trump created by executive order in May, sent a letter to all 50 states last Wednesday requesting a bevy of voter data, which he notes will eventually be made available to the public...Just three states -- Colorado, Missouri and Tennessee - commended Kobach's attempt to investigate voter fraud in their respective statements." **Full story**.

CODA - QUOTE OF THE DAY: "If I start thinking about the future like that or engaging in that stuff ... I think it would make me a lesser of a senator." - Sen. Cory Booker to David Axelrod on possibly running for president in 2020, via The Hill.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/05/wagner-declines-missouri-senate-race-221157

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Tue 7/25/2017 10:13:09 AM
Subject: Morning Media: Gabriel Sherman to join Vanity Fair -- The president's Washington Post tweet-storm deconstructed -- MSNBC's ratings win

By Hadas Gold | 07/25/2017 06:10 AM EDT

With Alex Weprin

EXCLUSIVE -- GABRIEL SHERMAN TO JOIN VANITY FAIR: The tireless chronicler of Fox News and Roger Ailes is leaving his longtime home New York magazine to join Graydon Carter's domain at Condé Nast. Sherman will be a special correspondent, contributing regular features to the magazine while also writing for The Hive, Vanity Fair's business-focused digital site.

-Carter says: "Gabe is one of the finest and gutsiest reporters at work today, and I've admired his achievements for years...We're thrilled to welcome him to Vanity Fair and the Hive." And Sherman says: "Having avidly read Vanity Fair for years, I'm beyond excited to be joining their talented roster of writers and reporters,"

PRESIDENT DONALD TRUMP ONCE AGAIN TOOK AIM AT THE WASHINGTON POST on Twitter last night. "The Amazon Washington Post fabricated the facts on my ending massive, dangerous, and wasteful payments to Syrian rebels fighting Assad.....So many stories about me in the @washingtonpost are Fake News. They are as bad as ratings challenged @CNN. Lobbyist for Amazon and taxes?... Is Fake News Washington Post being used as a lobbyist weapon against Congress to keep Politicians from looking into Amazon no-tax monopoly?"

Wow, that's a lot to digest, but here are a few takeaways:

-Many of people were confused as to why the president was tweeting about this subject. After a quick search for "Syria" in our TV tracker I landed on this segment from Tucker Carlson's show on Fox News on Monday night, where Carlson was talking about the Syria program ending and how that's a good thing, but that The Washington Post story from July 19 framed it as something Moscow wanted.

-It's possible the president confirmed on Twitter what was a supposed to be a secret, covert CIA operation. Now that he may have done so, reporters (like Vice's Jason Leopold) are scrambling to re-up FOIA's on the program because of the president's public disclosure of the program.

-The president is threatening a news organization and its owner, whose other company would be affected by tax policy. (FYI, Amazon does not own The Washington Post. Jeff Bezos, the founder and CEO of Amazon, does). "Certainly makes it sound like the Post's news coverage decisions could impact the admin's view on tax issues of interest to Amazon," tweeted my colleague Josh Gerstein.

The Post did not have a comment as of this morning.

Good morning and welcome to Morning Media! I always want to hear from you -- hgold@politico.com / @Hadas_Gold. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**. (clima@politico.com / @ludacristiano). Archives. Subscribe.

SOUNDBITE: "They're not supposed to do that ... Be quiet." [President Donald Trump to reporters shouting questions during a photo spray with White House interns]

A DAILY BEAST WRITER HAS APOLOGIZED after calling newly-appointed White House Press Secretary Sarah Huckabee Sanders a "butch queen." Ira Madison was widely slammed, including by White House Communications Director Anthony Scaramucci, after sending the tweet (which he subsequently deleted). Though the tweet was sent on Friday, it seemed to pick up steam on Monday when it was cited by the Media Research Center and Fox News. Madison tweeted an apology late Monday, writing "Apologies to Sarah H. Sanders for the ill-judged joke tweeted Fri, deleted this AM. I didn't mean to offend anyone & I'm sorry that I did!"

THE CAMERAS ARE BACK ON, per a Scaramucci tweet with corresponding emojis. He's referring to the on-camera press briefings, though the daily guidance sent by the White House on Monday evening gave the usual "The briefing schedule will be updated in the morning."

THE FOX NEWS-NY TIMES FIGHT CONTINUED INTO MONDAY AFTERNOON, with both sides sending out dueling statements . It got a little surreal as each accused the other of hypocrisy and at one point, of being unpatriotic. On Monday "Fox & Friends" updated their viewers by saying that the Pentagon never objected to the information the Times was about to publish. But the Times did not get the apology it sought, and said in a statement that the segment "wasn't an apology, nor did it begin to address the larger issues with the Fox & Friends Weekend segment, one of which was sheer hypocrisy. The host railed against The New York Times for covering a raid stating that the U.S. government 'would have had al-Baghdadi based on the intelligence that we had except someone leaked' to The New York Times when Fox News had covered the same raid three weeks earlier in a segment in which their correspondent said, 'The newly recovered intelligence may bring U.S. closer to Baghdadi's kill or capture,'" a Times spokesperson said. "According to the curious logic of the Fox & Friends host, Fox News itself was unpatriotic."

Fox then hit back through a spokesperson , saying that "Neither Fox News' report nor the subsequent on-air coverage was inaccurate." The channel then linked to a recent piece in the Times that explained why the newspaper decided to name a CIA operative in one of its recent stories, arguing that the Times was seeing an apology to distract from the article. "We find it beyond disappointing that the New York Times, in an attempt to distract from their recent debacle, decided to blame Fox News for comments made publicly by General Thomas during a widely viewed panel at the Aspen Security Forum. It might behoove the Times to actually check in with their reporter Eric Schmitt to see whether Gen. Thomas' comments have merit and whether Schmitt's reporting in 2015 revealed intelligence that allowed ISIS leader Abu Bakr al-

Baghdadi to slip away."

SINCLAIR IS FEATURED ON YET ANOTHER MAGAZINE COVER, the second in two weeks after last week's Bloomberg Businessweek feature! This time Sinclair is profiled by Variety , which interviewed Sinclair CEO Christopher Ripley, who says that Sinclair has no plans to launch a Fox News rival. "If there's an agenda near and dear to the hearts of Sinclair management, it's more technological than political. The company is aggressively pushing fellow TV station owners to adopt a bold new tech standard known as ATSC 3.0 (or Next Gen TV) that Ripley says is aimed at 'moving the broadcasting industry into the current century.'"

JOE POMPEO'S VANITY FAIR DEBUT: "The Agony and the Anxiety of the New York Times," where the great Morning Media and POLITICO alum writes that despite soaring successes in its reporting under Trump, "the glory is hollow" because of major changes hitting the paper.

-"Unlike past buyouts, though, the human toll is now only part of the sinking mood," Pompeo writes. "A major newsroom reorganization is upending a time-honored method of producing the Times's signature journalism while simultaneously making an entire class of employees feel obsolete. Additionally, the Times's midtown Manhattan headquarters is itself being upended, shrinking by eight floors and leaving all but the highest of editors without private offices. Open floor plans have long been increasingly popular among publishers, particularly given how important cross-desk collaboration has become in the social-media age, but this, too, amounts to a decisive and, for some, painful break with the news organization's past."

-And there's this piece of juicy gossip: "Insiders say the baton pass from longtime publisher Arthur Sulzberger Jr. to his 36-year-old son, A.G. Sulzberger, is beginning to feel imminent." Read the full piece here.

DOJ STARTS TALKING AT&T-TIME WARNER TIE-UP, by Alex Weprin: According to Bloomberg , AT&T is starting to talk with the Department of Justice about concessions that may be tied to its pending acquisition of Time Warner. The talks are unusual because the DOJ antitrust unit responsible for approving the merger is without a chief (the nominee, Makan Delrahim, is awaiting confirmation by the Senate), and because President Trump himself has expressed concern with the deal, and with Time Warner's subsidiary CNN. For now, however, Trump does not appear to be getting involved. "The White House is closely monitoring the deal because Trump is worried about media concentration, according to one official. At the moment, Trump is leaving the review in the hands of the Justice Department, the official said."

-Speaking of AT&T, the telecom company's CEO, Randall Stephenson, also serves as president of the Boy Scouts of America. He did not attend Trump's speech to the Boy Scout Jamboree Monday night.

MSNBC IS TOUTING A RATINGS VICTORY as the most-watched cable channel during weekday primetime last week for the first time in its 21 year history. The network averaged 2.34 million viewers from July 17-21 in primetime while Fox News averaged 2.25 million. More from The Wrap here, and keep an eye out for the final weekly ratings, which will be released today.

WHICH REPORTERS DO MEMBERS OF CONGRESS FOLLOW ON TWITTER? A fun analysis from the group Rational 360 catalogued which reporters and which outlets members of Congress follow. The Hill and POLITICO are the two most followed news outlets, while Fox News' Chad Pergram (who we noticed has no 'likes' on Twitter and tweets straight news bulletins and does not engage with others) and Axios' Mike Allen are the two most followed reporters. (POLITICO's Jake Sherman and Seung Min Kim are all in the top 20.) Check out the full rankings here.

SAVE SNOPES - One of the internet's original fact checking and fake news debunking websites says it is in danger of closing because of rising legal fees relating to a fight with a contractual vendor who is essentially holding the website "hostage," they say, meaning they can't touch their revenue streams. Read more, and donate if you'd like here.

REVOLVING DOOR:

-- David Halbfinger is the New York Times' next Jerusalem bureau chief. Halbfinger is currently deputy national editor and is a 20-year veteran of the Times.

-- Jean Yoon has been appointed executive editor, editorial strategy at Reuters. Yoon is currently Regional Editor, Asia and Global Editor, Strategic Centers for the wire service.

TIL: The sitting U.S. president is always honorary president of the Boy Scouts. [National Geographic]

EXTRAS:

-- First look at Meryl Streep as Katharine Graham for the movie The Post. [Town & Country]

-- The Democratic lawmakers trying to break through on Fox News. [Business Insider]

-- Splinter, the new Gizmodo/Fusion/Univision website, has officially launched. [Splinter]

-- McClatchy quarterly results and forecast show more stormy weather ahead for newspaper organizations. [Poynter]

-- The late (literally) scoop wars between the newspapers keep throwing off cable news' primetime shows. [AP]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/07/25/gabriel-sherman-to-join-vanity-fair-the-presidents-washington-post-tweet-storm-deconstructed-msnbcs-ratings-win-001317

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EHS State Regulatory Alert

June 09, 2017 - Number 110

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Delaware

RADIATION
Radiation Control
Delaware RADIATION

Proposed rule of the Department of Health and Social Services, Division of Public Health, amends regulations under 16 DEAC 4465 regarding radiation control requirements. The rule updates safety requirements for diagnostic and interventional X-ray equipment and imaging systems and nonhealing arts radiation-generating devices to align with current health care and industry standards and state and federal requirements. The rule also revises definitions for "qualified medical physicist" and "licensed practitioner." A hearing is scheduled for June 23, 2017, in Dover. Comments are due June 14, 2017. Contact: Jamie Mack; DHSS, Division of Public Health; 302-744-4951; jamie.mack@state.de.us

—Delaware Register of Regulations (06/01/2017)

Regulatory Update

Idaho

OCCUPATIONAL SAFETY AND HEALTH
Minimum Safety Standards and Practices for Logging/Cable-Assisted Logging Systems
Idaho OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Division of Building Safety adopts regulations under IDAPA 07.08.17 regarding minimum safety standards and practices for cable-assisted logging systems. The rule establishes machine and equipment, line tethers, and operational safety standards applicable to cable-assisted logging. The rule is adopted concurrently as a temporary rule, effective May 1, 2017. Hearing requests are due June 21, 2017. Comments are due June 28, 2017. Contact: Larry Jeffres; Division of Building Safety; 208-332-4014; larry.jeffres@dbs.idaho.gov

—Idaho Administrative Bulletin (06/07/2017)

Regulatory Update

Iowa

RADIATION
Safety Requirements for the Use of Radiation Machines and Radioactive Materials
Iowa RADIATION

Final rule of the Department of Public Health amends regulations under 641 IAC 41.1 concerning safety requirements for the use of radiation. The rule deletes the prohibition against operation of handheld devices for intraoral radiography without a waiver from the department. The rule also applies the existing waiver operating requirements to the use of handheld X-ray equipment. The rule is effective July 12, 2017. Contact: Angela Leek; DPH, Bureau of Radiological Health; 515-281-3478; angela.leek@idph.iowa.gov

—Iowa Administrative Bulletin (06/07/2017)

Regulatory Update

TOXIC SUBSTANCES
Lead-Based Paint Activities
Iowa TOXIC SUBSTANCES

Final rule of the Department of Public Health amends regulations under 641 IAC 70.2, .3, .4, .5, .6, .7 and .10 regarding lead-based paint activities. The rule replaces the annual certification renewal cycle with a three-year renewal cycle. The rule also provides for transition to an online application database for individual and firm certification. In addition, the rule updates the definition for "high-efficiency particulate air vacuums," specifies that the department no longer provides curricula to training providers, and eliminates an obsolete reporting requirement. The rule is effective July 12, 2017. Contact: Kane Young; DPH; 515-242-6335; kane.young@idph.iowa.gov

—Iowa Administrative Bulletin (06/07/2017)

Regulatory Update

Kentucky

OCCUPATIONAL SAFETY AND HEALTH
Maritime Employment/Occupational Exposure to Beryllium
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Workplace Standards, Division of Occupational Safety and Health Education and Training, amends regulations under 803 KAR 2:500 regarding occupational safety and health standards for maritime employment. The rule updates the incorporation by reference of federal standards under 29 CFR 1915, 1917, 1918 and 1919, as of July 1, 2016, and 29 CFR 1915.1000 and 1915.1024, as of Jan. 9, 2017. The rule adopts federal amendments that reduce the permissible exposure limit for beryllium to 0.2 micrograms per cubic meter and require employers to implement beryllium medical surveillance and engineering controls and to add related training and supervision requirements. The rule is effective June 2, 2017. Contact: Kristi Redmon; DWS; 502-564-3504; Kristi.redmon@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Occupational Controls/Occupational Exposure to Beryllium
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Workplace Standards, Division of Occupational Safety and Health Education and Training, amends regulations under 803 KAR 2:403 regarding occupational health and environmental controls to update the incorporation by reference of federal standards under 29 CFR 1926, as of Jan. 9, 2017. The rule adopts federal amendments that reduce the permissible exposure limit for beryllium to 0.2 micrograms per cubic meter and require employers to implement beryllium medical surveillance and engineering controls and to add related training and supervision requirements. The rule is effective June 2, 2017. Contact: Kristi Redmon; DWS; 502-564-3504; Kristi.redmon@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Toxic and Hazardous Substances/Occupational Exposure to Beryllium
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Workplace Standards, Division of Occupational Safety and Health Education and Training, amends regulations under 803 KAR 2:425 regarding toxic and hazardous substances in construction to update the incorporation by reference of federal standards under 29 CFR 1926, as of Jan. 9, 2017. The rule adopts federal amendments that reduce the permissible exposure limit for beryllium to 0.2 micrograms per cubic meter and require employers to implement beryllium medical surveillance and engineering controls, to add related training and supervision requirements, and to have a written beryllium control plan. The rule is effective June 2, 2017. Contact: Kristi Redmon; DWS; 502-564-3504; Kristi.redmon@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

SOLID WASTE
Special Waste Management/Definitions
Kentucky SOLID WASTE

Final rule of the Department for Environmental Protection, Division of Waste Management, amends regulations under 401 KAR 45:010 to exclude coal combustion residuals (CCRs) from the definition of management of special wastes. A concurrent final rule establishes requirements for CCRs under 401 KAR 46. The rule is effective May 5, 2017. Contact: Louanna Aldridge; DEP; 502-782-6538; Louanna.Aldridge@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

SOLID WASTE
Special Waste/Coal Combustion Residuals
Kentucky SOLID WASTE

Final rule of the Department for Environmental Protection, Division of Waste Management, adopts regulations under 401 KAR 46:101 to set forth definitions related to the coal combustion residuals permit-by rule, which is established in a concurrent rule. The rule is effective May 5, 2017. Contact: Louanna Aldridge; DEP; 502-782-6538; Louanna.Aldridge@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

SOLID WASTE
Special Waste/Coal Combustion Residuals Disposal
Kentucky SOLID WASTE

Final rule of the Department for Environmental Protection, Division of Waste Management, adopts regulations under 401 KAR 46:110 to establish standards for the disposal of coal combustion residuals. The rule specifies location restrictions and design, structural integrity, and operation criteria. The rule also establishes requirements for capacity, inspections, groundwater monitoring, closure, recordkeeping, and notification. The rule is effective May 5, 2017. Contact: Louanna Aldridge; DEP; 502-782-6538; Louanna.Aldridge@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

SOLID WASTE
Special Waste/Coal Combustion Residuals Surface Impoundments
Kentucky SOLID WASTE

Final rule of the Department for Environmental Protection, Division of Water, adopts regulations under 401 KAR 4:070 to establish standards for coal combustion residuals (CCR) surface impoundments. The rule adds definitions for "coal combustion residuals surface impoundment" and "CCR surface impoundment" and incorporates by reference federal standards under 40 CFR 257 concerning structural integrity, hydrologic and hydraulic capacity, inspections, recordkeeping, and notifications. The rule is effective May 5, 2017. Contact: Carole Catalfo; DEP, Division of Water; 502-782-6914; water@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

SOLID WASTE
Special Waste/Permit-By-Rule
Kentucky SOLID WASTE

Final rule of the Department for Environmental Protection, Division of Waste Management, amends regulations under 401 KAR 45:060 regarding the permit-by-rule for special wastes. The rule excludes disposal of coal combustion residuals (CCRs) in mining operations from being a permit-by-rule. The rule also removes certain beneficial reuses of CCRs, including product ingredients such as cement, concrete, paint, plastics, antiskid material, highway base course, blasting grit, and roofing granules. In addition, the rule clarifies that generators are only required to report annually on coal combustion by-products. A concurrent final rule establishes a permit-by-rule for CCRs under 401 KAR 46. The rule is effective May 5, 2017. Contact: Louanna Aldridge; DEP; 502-782-6538; Louanna.Aldridge@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

WATER
Onsite Sewage Disposal Systems
Kentucky WATER

Final rule Cabinet for Health and Family Services, Department for Public Health, amends regulations under 902 KAR 10:085 regarding requirements for onsite sewage disposal systems. The rule updates the daily waste flow table to account for technological improvements in water-using fixtures and appliances and greywater systems that reduce water usage. The rule also provides for the use approved alternative systems for on-site sewage disposal and updates sizing requirements for drip treatment and disposal systems and residential greywater waste systems. In addition, the rule updates definitions and incorporates related forms. The rule is effective May 5, 2017. Contact: Tricia Omre; CHFS, Office of Legal Services; 502-564-7905; Tricia.Omre@ky.gov

—Administrative Register of Kentucky (06/01/2017)

Regulatory Update

Nebraska

OCCUPATIONAL SAFETY AND HEALTH
Elevators, Escalators, and Other Conveyances
Nebraska OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor amends regulations under 230 NAC 1 regarding the safety code for elevators, escalators, and other conveyances used for passengers or materials. The rule

reduces the annual inspection fee for conveyances to $120. The rule is effective June 7, 2017. Contact: Katie Thurber; DOL, Legal Division; 402-471-9912; katie.thurber@nebraska.gov

—Nebraska Regulations (06/06/2017)

Regulatory Update

Rhode Island

AIR
Air Pollution Control/Fugitive Dust
Rhode Island AIR

Notice of the Department of Environmental Management, Office of Air Resources, announces a technical revision to recodify Air Pollution Control Regulation No. 5 regarding fugitive dust as 250-RICR-120-05-5 to reflect the reformatting of the state administrative code. The revision is effective June 29, 2016. Contact: DEM, Office of Air Resources; 401-222-6800

—Rhode Island Regulations (06/04/2017)

Regulatory Update

AIR
Air Pollution Control/General Definitions
Rhode Island AIR

Notice of the Department of Environmental Management, Office of Air Resources, announces a technical revision to recodify the Air Pollution Control General Definitions Regulation as 250-RICR-120-05-0 to reflect the reformatting of the state administrative code. The revision is effective Jan. 9, 2017. Contact: DEM, Office of Air Resources; 401-222-6800

—Rhode Island Regulations (06/05/2017)

Regulatory Update

AIR
Air Pollution Control/Sulfur Content of Fuels
Rhode Island AIR

Notice of the Department of Environmental Management, Office of Air Resources, announces a technical revision to recodify Air Pollution Control Regulation No. 8 regarding sulfur content of fuels as 250-RICR-120-05-8 to reflect the reformatting of the state administrative code. The revision is effective Jan. 9, 2017. Contact: DEM, Office of Air Resources; 401-222-6800

—Rhode Island Regulations (06/04/2017)

Regulatory Update

AIR

Air Pollution Control/Volatile Organic Compounds from Surface Coating

Rhode Island AIR

Notice of the Department of Environmental Management, Office of Air Resources, announces a technical revision to recodify Air Pollution Control Regulation No. 19 regarding the control of volatile organic compounds from surface coating operations as 250-RICR-120-05-19 to reflect the reformatting of the state administrative code. The revision is effective Jan. 9, 2017. Contact: DEM, Office of Air Resources; 401-222-6800

—Rhode Island Regulations (06/04/2017)

Regulatory Update

Texas

HAZARDOUS MATERIALS TRANSPORTATION

Statewide Transportation Improvement Program

Texas HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Department of Transportation announces a hearing on the May 2017 Quarterly Revisions to the Statewide Transportation Improvement Program (STIP). The STIP reflects federally funded transportation projects in fiscal years 2017-2020 Transportation Improvement Programs for each metropolitan planning organization (MPO) in the state. The STIP includes transportation projects for the Dallas Forth-Worth, El Paso, and Houston nonattainment areas and information on projects in rural areas that are not included in an MPO area. The hearing is scheduled for June 27, 2017, in Austin. Comments are due July 10, 2017. Contact: Peter Smith; TDOT, Transportation Planning and Programming; 512-486-5001

—Texas Register (06/09/2017)

Regulatory Update

Virginia

RADIATION

Radiation Protection Regulations/Fee Schedule

Virginia RADIATION

Final rule of the Department of Health, State Board of Health, amends regulations under 12 VAC 5-490-10 and -20 regarding the fee schedule for the radiation protection standards. The rule increases the registration fee for X-ray machines and additional tubes inspected every three years to $60. The rule also adds fees for the registration and inspection of three categories of nonmedical X-ray equipment (baggage, cabinet or analytical, and industrial). In addition, the rule specifies the inspection frequencies for each type of X-ray machine. The rule is effective July 12,

2017. Contact: Steve Harrison; DOH, Division of Radiological Health; 804-864-8151; steve.harrison@vdh.virginia.gov

—Virginia Register (06/12/2017)

Regulatory Update

West Virginia

AIR
Ambient Air Quality Standards
West Virginia AIR

Proposed rule of the Department of Environmental Protection, Division of Air Quality, amends regulations under 45 WVCSR 8 regarding ambient air quality standards. The rule incorporates by reference national ambient air quality standards under 40 CFR 50 and ambient air monitoring reference methods and equivalent methods under 40 CFR 53, as of June 1, 2017. If adopted, the rule will be submitted to the EPA as a revision to the state implementation plan. A hearing is scheduled for July 11, 2017, in Charleston. Comments are due July 11, 2017. Contact: DEP, Public Information Office; 304-926-0440

—West Virginia Register (06/06/2017)

Regulatory Update

AIR
Control of Air Pollution from Hazardous Waste TSD Facilities
West Virginia AIR

Proposed rule of the Department of Environmental Protection, Division of Air Quality, amends regulations under 45 WVCSR 25 regarding standards for control of air pollution from hazardous waste treatment, storage, and disposal (TSD) facilities. The rule incorporates by reference federal standards under 40 CFR 260, 261, 262, 264, 265, 266, 270, and 279, as of June 1, 2017, regarding the export and import of hazardous wastes from and into the U.S. and the RCRA hazardous waste generator program. A hearing is scheduled for July 11, 2017, in Charleston. Comments are due July 11, 2017. Contact: DEP, Public Information Office; 304-926-0440

—West Virginia Register (06/06/2017)

Regulatory Update

AIR
Emission Standards for Hazardous Air Pollutants
West Virginia AIR

Proposed rule of the Department of Environmental Protection, Division of Air Quality, amends regulations under 45 WVCSR 34 regarding emission standards for hazardous air pollutants. The rule incorporates by reference new and revised national emission standards for hazardous air

pollutants for various source categories under 40 CFR 61, 63, and 65 as of June 1, 2017. A hearing is scheduled for July 11, 2017, in Charleston. Comments are due July 11, 2017. Contact: DEP, Public Information Office; 304-926-0440

—West Virginia Register (06/06/2017)

Regulatory Update

MINING
Surface Mining Reclamation
West Virginia MINING

Proposed rule of the Department of Environmental Protection, Division of Mining and Reclamation, amends regulations under 38 WVCSR 2 regarding surface mining reclamation. The rule relocates and revises requirements for blasting, certification of blasters, and blasting damage claim and arbitration. The rule also relocates provisions that specify a 0.25 cent per pound fee for explosive material used for any purpose on surface mining operations and a 0.125 cent per pound fee for operators exempt from specified surface mining operation requirements. In addition, the rule revises requirements for preblast survey notification; incremental bonding; and replacement, release, and forfeiture of bonds. Finally, the rule aligns mining reclamation requirements with federal standards. A hearing is scheduled for July 18, 2017, in Charleston. Comments are due July 18, 2017. Contact: Charles Sturey; DEP, Division of Mining and Reclamation; 304-926-0499

—West Virginia Register (06/06/2017)

Regulatory Update

Wyoming

OIL AND GAS INDUSTRY
Oil and Gas Conservation Commission/Practice and Procedure
Wyoming OIL AND GAS INDUSTRY

Proposed rule of the Oil and Gas Conservation Commission amends regulations under Chapters 1 and 5 and adopts regulations under Chapter 6 regarding the commission's practices and procedures. The rule clarifies the process of abandoning oil field equipment and establishes procedures and fees for inspecting, copying, and producing public records. The rule also updates definitions and administrative provisions concerning hearings, notice requirements, and evidentiary standards. Comments and hearing requests are due July 28, 2017. Contact: Mark Watson; OGCC; 307-234-7147; mark.watson@wyo.gov

—Wyoming Regulations (06/06/2017)

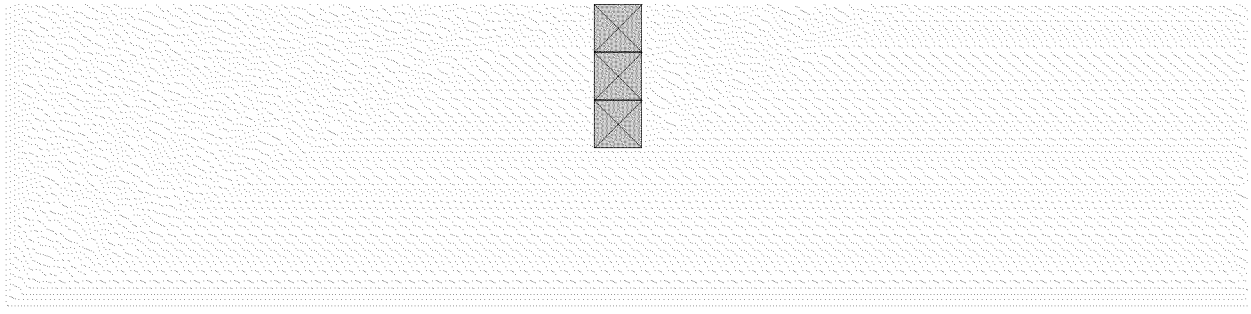
Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Thur 7/27/2017 11:56:13 AM
Subject: [SPAM] OH Lethal Injection, NYPD's Baby Born Yrs after His Death, New US Carry-On Screening (Multi-Videos)





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 6/1/2017 4:17:51 PM
Subject: BREAKING NEWS: Comey will testify before Senate committee next Thursday

Former FBI Director James Comey will testify before the Senate Intelligence Committee on Thursday, June 8, regarding Russian interference in the U.S. election, committee leaders announced on Thursday.

After an open session in the morning, the committee will then be further briefed by Comey behind closed doors.

Read more: http://www.politico.com/story/2017/06/01/comey-will-testify-before-senate-committee-next-thursday-239023

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Wed 5/24/2017 2:03:44 PM
Subject: POLITICO's Morning Score: Montana 'closer than it should be' on eve of special, Republicans say — New Handel TV ad, CLF radio ad, DCCC investment in Georgia — Democrats flip Northeastern state legislative seats

By Kevin Robillard | 05/24/2017 10:00 AM EDT

With Elena Schneider and Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

THE FINAL COUNTDOWN - "Republicans: Montana special election 'closer than it should be,'" by POLITICO's Elena Schneider and Gabriel Debenedetti: "It's a recurring nightmare of a pattern for Republicans around the country, as traditional GOP strongholds prove more difficult and expensive for the party to hold than it ever anticipated when President Donald Trump plucked House members like Ryan Zinke, the former Montana Republican now running the Interior Department, for his Cabinet. Gianforte is still favored to keep the seat red, but a state Trump carried by 20 percentage points last year became a battleground in the last few months. ... 'I remember talking to people when it first started who said this was a slam dunk, Gianforte's it. And it's not there anymore,' said Jim Larson, the Montana Democratic Party chairman. 'It is a lot closer than people ever thought it would be.' Gianforte has led consistently in polls of the special election, but Quist has narrowed that lead to single digits in recent weeks, according to private surveys." **Full story.**

- Updates: Quist has raised more than $6 million for his campaign as of yesterday, including $1 million in the past week. Meanwhile, Pence recorded a robo-call for Gianforte. "With Greg Gianforte's help, we will make America great again," he says on the call. **Full story here.**

AND IN GEORGIA - NEW THIS MORNING - On the heels of new Democratic investments, Handel adds a new TV ad: Republican Karen Handel is adding a new TV and digital ad that goes after Democrat Jon Ossoff on "to hide his lack of experience and misleading resume," per a statement from her campaign. "No experience, no record of success, so he intentionally misled us to get our vote," the ad's narrator says. "The problem is, he got caught. Now Jon Ossoff and his liberal allies have been caught lying about Karen Handel too." **Watch the ad here**.

- CLF releases new radio ad, grows field program in GA-06: The Congressional Leadership Fund is bringing on 45 new door-knockers, expanding its field program to 135 paid staffers on the ground. It also added a new goal of reaching an additional 100,000 doors. The Republican group is also out with a new radio ad that hits on the same themes as its TV ads: "San Francisco will have Nancy Pelosi as our Congresswoman and Jon Ossoff as our Congressman," the radio ad's narrator says. **Listen to the ad here**.

- The moves come after the DCCC announced they would be spending an additional $2 million in the district on Tuesday. Of the investment, $1.5 million would go to television ads, with the remaining half-million aimed at get-out-the-vote digital ads and African-American print and radio ads.

BETA NO MORE - The FEC's beta website is now just its new website. Feast your eyes, fellow campaign finance nerds: FEC.gov

WAY, WAY DOWNBALLOT - Democrats flip state legislative seats in New Hampshire, New York: Let's get the caveats out of the way first - the two Republican-to-Democrat special election flips on Tuesday featured approximately 10,000 voters between the two of them. But Democratic candidates did manage to pull off wins in consistently Republican territory, the type of special election result that is contributing to GOP anxiety ahead of the Montana House race despite the fact that Republican Greg Gianforte has led in every poll of the closely-watched race. In New Hampshire, Democrat Edie DesMarais won a special election and flipped a seat last night in Republican-leaning Wolfeboro, winning a district Trump won with 51 percent of the vote in November. In New York, labor-backed teacher Christine Pellegrino won a normally Republican Long Island seat (Trump won approximately 60 percent there) in the state Assembly. Democrats excitedly noted that they are the first seats to flip this year after a series of special election performances running ahead of the 2016 results but shy of wins. (Republicans, meanwhile, have already flipped a formerly Democratic-held state legislative seat in a Louisiana special earlier this year.)

Days until the 2017 election: 168.

Days until the 2018 election: 532.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

WOMEN RULE PODCAST: Fran Townsend, the former homeland security adviser for President George W. Bush, confirms that the Trump administration has approached her about replacing ousted FBI Director James Comey. In this week's must-listen episode, we hear directly from Townsend about being thrust into the middle of the controversial job search and how her candidacy for the job is itself "history-making." Townsend joins two other prominent women from the Bush White House - Candi Wolff, Assistant for Legislative Affairs, and Julie Cram, Deputy Assistant and Director of the Public Liaison Office - to reflect on their stints in the executive branch and offer up advice for the current Republican administration. Listen and subscribe iTunes | Soundcloud | Stitcher

ROLL TIDE - Strange claims NRA endorsement: Speaking on radio station in Mobile on Tuesday, Alabama Sen. Luther Strange said the NRA informed him earlier in the day that they

are endorsing him in the state's contested special election to permanently replace Attorney General Jeff Sessions. "I just got a letter from the NRA today announcing they've endorsed my campaign for the Senate," Strange said.

TECH UPDATE - "Republicans want to leave you more voicemail - without ever ringing your cellphone," by Recode's Tony Romm: "The GOP's leading campaign and fundraising arm, the Republican National Committee, has quietly thrown its support behind a proposal at the Federal Communications Commission that would pave the way for marketers to auto-dial consumers' cellphones and leave them prerecorded voicemail messages - all without ever causing their devices to ring. Under current federal law, telemarketers and others, like political groups, aren't allowed to launch robocall campaigns targeting cellphones unless they first obtain a consumer's written consent. But businesses stress that it's a different story when it comes to 'ringless voicemail' - because it technically doesn't qualify as a phone call in the first place." **Full story.**

- "Top hacker conference to target voting machines," by POLITICO's Edward-Isaac Dovere: "Hackers will target American voting machines - as a public service, to prove how vulnerable they are. When over 25,000 of them descend on Caesar's Palace in Las Vegas at the end of July for DEFCON, the world's largest hacking conference, organizers are planning to have waiting what they call 'a village' of different opportunities to test how easily voting machines can be manipulated. Some will let people go after the network software remotely, some will be broken apart to let people dig into the hardware, and some will be set up to see how a prepared hacker could fiddle with individual machines on site in a polling place through a combination of physical and virtual attacks." **Full story.**

RANK IN THE TANK - "Maine Supreme Judicial Court rules ranked-choice voting unconstitutional," by the Bangor Daily News' Michael Shepherd: "Maine's high court said Tuesday that the state's first-in-the-nation ranked-choice voting system is unconstitutional, throwing the voter-approved law into jeopardy ahead of the key 2018 campaign when it was supposed to be implemented. In a unanimous, 44-page opinion issued Tuesday, the Maine Supreme Judicial Court's seven justices agreed with Attorney General Janet Mills, Secretary of State Matthew Dunlap and Republican legislators that the system violates a provision of the Maine Constitution that allows elections to be won by pluralities - and not necessarily majorities - of votes." **Full story.**

2018 WATCH - "A 'Draft Lynn' for governor campaign surfaces," by the Atlanta Journal-Constitution's Greg Bluestein: "'Georgia needs Lynn.' So ends a lengthy plea sent to droves of Georgia Republicans on Tuesday urging former U.S. Rep. Lynn Westmoreland to join the 2018 race for governor. One of the most colorful personalities in Georgia politics, the Coweta County Republican embarked on a 'reconnect tour' after his decision last year not to run for another term in Congress. But he hasn't yet jumped in the race - or ruled it out." **Full story.**

ADMINISTRATION SPEED READ - "Trump undermines Senate GOP's Medicaid backers," by POLITICO's Burgess Everett and Adam Cancryn: "By proposing hundreds of billions of dollars in Medicaid cuts in combination with the House-passed health care bill's more than $800 billion in Medicaid spending reductions, President Donald Trump is effectively

throwing in with fiscal conservatives looking to constrain the program's growth and wind down its coverage as quickly as possible. And that could be perilous for more than a dozen GOP senators who have been meeting for months over how to preserve the law's benefits." **Full story.**

- "Pence planning to hold rally in Louisiana," by POLITICO's Kyle Cheney: "Vice President Mike Pence on Wednesday has scheduled a free rally in Louisiana on Wednesday that is being promoted by the state's Republican Party. An advisory from the Louisiana GOP says that Pence is headlining the event at Cajun industries in Port Allen, just outside of Baton Rouge, where he's also slated to hold a roundtable with small business leaders." **Full story.**

- Pence will also hit the trail in GA-06 on June 9, per the Atlanta Journal Constitution.

CODA - QUOTE OF THE DAY: "I just wanted to congratulate you because I am hearing of the unbelievable job on the drug problem." - Trump to Phillipine President Rodrigo Duterte, according to a leaked transcript of their phone call obtained by The Intercept. Duterte has been widely criticized for human rights abuses in his war on drugs.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/05/24/montana-closer-than-it-should-be-on-eve-of-special-republicans-say-220479

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/30/2017 2:01:07 PM
Subject: EPA moving ahead with 'red team' climate science review

By Alex Guillén

06/30/2017 09:58 AM EDT

EPA is preparing to create a "read team/blue team" exercise to review climate change science, an agency spokeswoman confirmed today.

"Climate science like other fields of science is constantly changing. A new, fresh, and transparent evaluation is something everyone should support doing," EPA spokeswoman Liz Bowman said in a statement.

Pruitt and other Trump administration officials in recent weeks have hinted at some kind of climate science review after Obama-era undersecretary of Energy Steve Koonin wrote in The Wall Street Journal that climate science could benefit from a "red team" review. Such a review program is now formally in the works, and likely will include the Energy Department.

The "red team" concept has been used in other fields as a sort of devil's advocate system meant to find flaws in a theory or plan.

But scientists have pushed back on applying the idea to climate change science, saying the adversarial nature of peer-reviewed science means climate change science has already faced decades of rigorous review — and that a "red team" review here would give out-sized weight to a small subset of scientists who do not agree with mainstream conclusions.

Critics of the climate science "red team" approach also noted that it could also be a first step toward an EPA review and repeal of its 2009 endangerment finding, the underlying scientific document that concluded climate change poses a threat to human health and welfare and created legal obligations for EPA to regulate carbon dioxide.

Climatewire first reported today that EPA is definitely moving ahead with a "red team" review.

WHAT'S NEXT: EPA will recruit individuals to provide input as part of the climate science review, but the full process is still being finalized.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-moving-ahead-with-red-team-climate-science-review-089982

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/27/2017 5:32:47 PM
Subject: House bill would eliminate ARPA-E, bar future DOE loan guarantees

By Nick Juliano

06/27/2017 01:26 PM EDT

House appropriators are calling to eliminate a popular late-stage research program and bar the Energy Department from issuing new loan guarantees while proposing to cut spending on energy efficiency and renewables nearly in half.

The cuts reflect House Republicans' preference for DOE's nuclear and fossil energy programs, which would receive much smaller reductions. The House plan would not cut most programs as steeply as President Donald Trump called for in his budget — but lawmakers made exceptions for the Advanced Research Projects Agency-Energy and the loan-guarantee program.

The energy and water spending bill House appropriators released today does not include any funding for ARPA-E, which the Trump administration also proposed zeroing-out in its budget request.

For the loan-guarantee program, the spending bill would rescind nearly $161 million in money available to underwrite loan guarantees as well as DOE's authority to issue any new loans after Oct. 1. The bill would provide $2 million for administrative costs to be drawn from fees DOE has collected, a 95 percent reduction from the equivalent sum this year.

DOE's Energy Efficiency and Renewable Energy office would receive about $1.1 billion in the House bill. That's down from nearly $2.1 billion the office received this year.

But the fossil and nuclear energy offices would not see anything close to that magnitude of cuts. The fossil office would receive about $635 million, down $33 million from this year, while nuclear would see $969 million, a $48 million reduction.

WHAT'S NEXT: The House Appropriations energy and water subcommittee will mark up its bill on Wednesday. Lawmakers on both sides of the aisle are likely to resist the call to cut ARPA-E as the appropriations bill moves through Congress in the coming months.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/house-bill-would-eliminate-arpa-e-bar-future-doe-loan-guarantees-089762

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/14/2017 12:40:57 PM
Subject: June 14 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 14, 2017 - Number 113

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
California SIP/Imperial County APCD New Source Review Permitting Program
AIR

Final rule of the EPA amends regulations under 40 CFR 52.220 to approve revisions to the Imperial County Air Pollution Control District portion of the California SIP regarding the new source review permitting program. The rule approves revisions concerning application requirements and processing of applications. The rule also approves a technical correction concerning exemptions. A June 12, 2017, proposed rule (82 FR 26883) addresses revisions concerning new and modified stationary source review and would grant conditional approval pending the district's commitment to submit a SIP revision that regulates ammonia as a fine particulate matter (PM-2.5) precursor. The rule is effective July 14, 2017. Contact: Thien Nguyen; EPA Region 9; 415-947-4120; nguyen.thien@epa.gov

82 FR 27125 (06/14/2017)

Regulatory Update

AIR
New Mexico SIP/Regional Haze
AIR

Final rule of the EPA amends regulations under 40 CFR 52.1620 to approve a revision to the New Mexico SIP. The revision includes a progress report concerning federal regional haze requirements and an adequacy determination for achieving reasonable progress goals regarding visibility improvement and emission reductions for Class I areas affected by sources in the state. The rule is effective July 14, 2017. Contact: James Grady; EPA Region 6; 214-665-6745; grady.james@epa.gov

82 FR 27127 (06/14/2017)

Regulatory Update

AIR
Oklahoma SIP/Infrastructure and Interstate Transport Requirements
AIR

Final rule of the EPA amends regulations under 40 CFR 52 to partially approve and partially disapprove revisions to the Oklahoma SIP concerning infrastructure and interstate transport requirements for the 2012 fine particulate matter (PM-2.5) NAAQS. The rule approves revisions related to interference with prevention of significant deterioration. The rule disapproves interstate transport provisions for visibility protection (prong 4). The rule takes no action regarding 2010 sulfur dioxide or the 2012 PM-2.5 NAAQS, which will be addressed at a later date. The rule is effective July 14, 2017. Contact: Wendy Jacques; EPA Region 6; 214-665-7395; jacques.wendy@epa.gov

82 FR 27121 (06/14/2017)

Regulatory Update

AIR
Risk Management Program/Accidental Release Prevention
AIR

Final rule of the EPA further delays the effective date of a Jan. 13, 2017, final rule (82 FR 4594) that amends regulations under 40 CFR 68.3 through 68.210 (nonconsecutive) and adopts regulations under 40 CFR 68.59, 68.80, 68.93, 68.96, and 68.205 to revise accidental release prevention requirements under the Risk Management Program (RMP). The rule requires all facilities with Program 2 or 3 processes to conduct a root cause analysis as part of an incident investigation of a catastrophic release or possible catastrophic release and to contract with an independent third-party to perform a compliance audit after a reportable release. The rule also requires owners or operators of Program 3 facilities in North American Industrial Classification System codes 322, 324, and 325 to conduct a safer technology and alternative analysis as part of their process hazard analysis and to evaluate the feasibility of any inherently safer technology (IST) identified. In addition, the rule requires owners or operators of Program 2 or 3 facilities to coordinate with the local emergency response agencies at least once per year, to conduct notification exercises annually, and to conduct a full field exercise at least once every five years and one tabletop exercise annually in the other years. Finally, the rule requires all facilities to provide basic chemical hazard information to the public; to provide local emergency response agencies with summaries of their activities on compliance audits, emergency response exercises, accident history and investigation reports, and any ISTs implemented at the facility; and to hold a public meeting for the local community within a specified time frame after an RMP reportable accident. The EPA previously delayed (82 FR 13968; 03/16/2017) the effective date of the final rule until June 19, 2017, and now further delays the effective date until Feb. 19, 2019. Petitions for judicial review are due Aug. 14, 2017. Contact: James Belke; EPA, Office of Land and Emergency Management; 202-564-8023; belke.jim@epa.gov

82 FR 27133 (06/14/2017)

Regulatory Update

AIR
Texas SIP/Dallas-Fort Worth Ozone Nonattainment Area

AIR

Direct final rule of the EPA amends regulations under 40 CFR 52.2270 to approve revisions to the Texas SIP regarding the 2008 8-hour ozone NAAQS for the Dallas/Fort Worth moderate ozone nonattainment area. The revisions concern requirements for vehicle inspection and maintenance and nonattainment new source review. The rule is effective Sept. 12, 2017, unless adverse comments are received by July 14, 2017. Contact: Carl Young; EPA Region 6; 214-665-6645; young.carl@epa.gov

82 FR 27122 (06/14/2017)

Regulatory Update

AIR
Texas SIP/Dallas-Fort Worth Ozone Nonattainment Area
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52.2270 to approve revisions to the Texas SIP regarding the 2008 8-hour ozone NAAQS for the Dallas/Fort Worth moderate ozone nonattainment area. The revisions concern requirements for vehicle inspection and maintenance and nonattainment new source review. A concurrent direct final rule adopts the provisions, effective Sept. 12, 2017. Comments are due July 14, 2017. Contact: Carl Young; EPA Region 6; 214-665-6645; young.carl@epa.gov

82 FR 27221 (06/14/2017)

Regulatory Update

AIR
West Virginia SIP
AIR

Final rule of the EPA amends regulations under 40 CFR 52.2520 to update materials submitted by West Virginia that are incorporated by reference into their SIP. The rule affects SIP materials that are available for public inspection. The rule is effective June 14, 2017. Contact: Sheila Martinez; EPA Region 3; 215-814-2035; martinez.sheila@epa.gov

82 FR 27118 (06/14/2017)

Regulatory Update

ENDANGERED SPECIES
California/Long Wharf Maintenance and Efficiency Project
ENDANGERED SPECIES

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces the issuance of an incidental harassment authorization to Chevron, of San Ramon, Calif., for authorization to take marine mammals incidental to pile driving and removal associated with the Richmond Refinery Long Wharf Maintenance and Efficiency Project in San Francisco Bay, Calif. The authorization allows take in the form of Level B harassment of the harbor seal and the California gray sea lion. The authorization is effective Jan. 1, 2018, and

expires Dec. 31, 2018. Contact: Robert Pauline; NMFS, Office of Protected Resources; 301-427-8401

82 FR 27240 (06/14/2017)

Regulatory Update

FOOD SAFETY
Color Additive Certification Requests and Recordkeeping
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding certification requests and recordkeeping for color additives manufactured for use in foods, drugs, cosmetics, or medical devices (21 CFR 80). The collection addresses the submission of data to the FDA including a manufacturer's name, address, color additive sample batch number and weight, storage information, intended use information, and a statement of the fee on a certification request to help the agency determine whether a color additive is safe for use and to assess a certification fee. Comments are due Aug. 14, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794

82 FR 27259 (06/14/2017)

Regulatory Update

FOOD SAFETY
Recordkeeping Requirements for Food Facilities
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning recordkeeping and records access requirements for food facilities (21 CFR 1.337, 1.345, and 1.352). The collection addresses requirements for persons who manufacture, process, pack, hold, receive, distribute, transport, or import food to establish and maintain records identifying the immediate previous sources and immediate subsequent recipients of food to enable response to contamination. Comments are due Aug. 14, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794

82 FR 27263 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Abuse-Deterrent Opioid Formulation Impact Workshop
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a workshop to discuss data and methods for evaluating the impact of opioid formulations with properties designed to deter abuse in the postmarket setting. The workshop will address ways to improve the analysis and interpretation of existing data and opportunities and challenges for collecting and/or linking additional data to improve national surveillance and research capabilities on the subject. The notice specifies that, to supplement the workshop, the FDA is making available an issues paper which summarizes key methodological issues and outlines the issues for discussion during the workshop, including

enhancing existing resources, applying new methodology, and creating new resources. The workshop is scheduled for July 10-11, 2017, in Silver Spring, Md. Comments are due Sept. 11, 2017. Contact: Cynthia Kornegay; FDA; 301-796-0187; Cynthia.Kornegay@fda.hhs.gov

82 FR 27271 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Device Good Manufacturing Practice Advisory Committee
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration seeks nominations for nonvoting industry representatives on the Device Good Manufacturing Practice Advisory Committee. The agency also seeks to identify industry organizations interested in participating in the selection of nonvoting industry representatives. The committee makes recommendations regarding proposed regulations relating to good manufacturing practices governing the methods used in, and the facilities and controls used for, the manufacture, packaging, storage, installation, and servicing of devices. The committee also makes recommendations on proposed guidelines for the medical device industry in meeting the good manufacturing practice requirements and advises the agency regarding manufacturer petitions for exemptions or variances from good manufacturing practice regulations. Statements of interest and nominations are due July 14, 2017. Contact: Margaret Ames; FDA, Center for Devices and Radiological Health; 301-796-5960; margaret.ames@fda.hhs.gov

82 FR 27265 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Disclosures in Professional and Consumer Prescription Drug Promotion
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a new information collection request concerning disclosures in prescription drug promotion. The collection addresses a study of the effectiveness of clear and conspicuous disclosures in both health care professional and consumer prescription drug promotion, including disclosures regarding scope of treatment, ease of use, and statistical significance. The study will include eye-tracking studies and questionnaires conducted with health care professionals and consumers recruited from internet panels. Comments are due Aug. 14, 2017. Contact: Jonnalynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 27268 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Drug Regulatory Review Period/Hetlioz
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a determination of the regulatory review

period for the human drug product Hetlioz (tasimelteon) in response to an application submitted by Vanda Pharmaceuticals Inc., of Washington, D.C. The notice specifies that the product is indicated for the treatment of non-24-hour sleep-wake disorder. Comments are due Aug. 14, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due Dec. 11, 2017. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 27261 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Drug Regulatory Review Period/NeuroPace RNS System
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a determination of the regulatory review period for the NeuroPace RNS® System medical device in response to an application submitted by NeuroPace Inc., of Mountain View, Calif. The notice specifies that the device is indicated as an adjunctive therapy in reducing the frequency of seizures in individuals 18 years of age or older with partial onset seizures who have undergone diagnostic testing that localized no more than two epileptogenic foci, are refractory to two or more antiepileptic medications, and currently have frequent and disabling seizures. Comments are due Aug. 14, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due Dec. 11, 2017. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 27266 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Vermont Yankee Nuclear Power Station
GENERAL ENVIRONMENT AND SAFETY

Notice of the Nuclear Regulatory Commission announces the issuance of an exemption in response to a request from the Entergy Nuclear Operations Inc., of Buchanan, N.Y., for the Vermont Yankee Nuclear Power Station, in Vernon, Vt. The exemption allows Entergy to load certain lower enriched fuel assemblies with higher enriched fuel assemblies in the same HI-STORM 100 multipurpose canister using Certificate of Compliance No. 1014, Amendment No. 10. Contact: Yen-Ju Chen; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-1018; Yen-Ju.Chen@nrc.gov

82 FR 27297 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Virginia/North Anna Power Station Unit 3
GENERAL ENVIRONMENT AND SAFETY

Notice of the Nuclear Regulatory Commission announces the issuance of combined license no.

NPF-103 to Virginia Electric and Power Co., doing business as Dominion Virginia Power, for North Anna Unit 3 at the North Anna Power Station in Louisa County, Va. The notice also announces the availability of a summary record of decision, a final environmental impact statement, a final safety evaluation report, and the commission's memorandum and order. The combined licenses are effective June 2, 2017. Contact: James Shea; NRC, Office of New Reactors; 301-415-1388; James.Shea@nrc.gov

82 FR 27296 (06/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Washington State/Colville Indian Reservation
GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Indian Affairs, in cooperation with the Confederated Tribes of the Colville Reservation and the EPA, announces the availability of a draft programmatic environmental impact statement (DEIS) for the 2015 Colville Reservation integrated resource management plan. The plan specifies management goals and objectives for the commercial forest, rangeland, and agricultural lands of the reservation located in north central Washington state. The document addresses five management alternatives, including the preferred alternative of enhancing and improving the current reservation management strategy. Comments are due 45 days after the EPA publishes a notice of availability of the DEIS in the Federal Register. Contact: Debra Wulff; BIA, Colville Agency; 509-634-2316; debra.wulff@bia.gov

82 FR 27278 (06/14/2017)

Regulatory Update

PESTICIDES
Bed Bug Pesticide Products Test Guidance
PESTICIDES

Notice of the EPA announces the availability of final test guidelines under OCSPP Series 810.3900 regarding laboratory product performance testing methods for bed bug products. The guidance applies to liquids, aerosols, fogs and impregnated fabrics that are intended to attract, repel, or kill the common bed bug. The guidance does not apply to repellent products applied to human skin or products that are exempted from FIFRA registration. The document is part of a series of test guidelines issued by the Office of Chemical Safety and Pollution Prevention (OCSPP) for use in testing chemical substances under TSCA, FIFRA, and the Federal Food, Drug, and Cosmetic Act. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 27254 (06/14/2017)

Regulatory Update

PESTICIDES
EPA Human Studies Review Board Meetings
PESTICIDES

Notice of the EPA, Office of the Science Advisor, announces two meetings of the Human Studies Review Board, which advises the agency on the ethical and scientific reviews of research with human subjects. The first meeting will address the field evaluation of three topically applied insect repellent products containing IR3535 against mosquitoes in Florida. The second meeting will include the review and finalization of the board's draft final report from the first meeting. The first meeting is scheduled for July 26, 2107, via webinar. The second meeting is scheduled for Sept. 15, 2017, via teleconference. Comments are due July 19, 2017, and Sept. 8, 2017, respectively. Contact: Jim Downing; EPA, Office of the Science Advisor; 202-564-2468; downing.jim@epa.gov

82 FR 27255 (06/14/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerances/Isofetamid
PESTICIDES

Final rule of the EPA amends regulations under 40 CFR 180.681 to establish tolerances for residues of the fungicide isofetamid in or on multiple commodities. The rule also removes the existing time-limited tolerances for residues in or on caneberry subgroup 13-07A and bushberry subgroup 13-07B. The rule is issued in response to a petition by ISK Biosciences Corp., of Concord, Ohio. The rule is effective June 14, 2017. Objections and hearing requests are due Aug. 14, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 27149 (06/14/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerances/Spirotetramat
PESTICIDES

Final rule of the EPA amends regulations under 40 CFR 180.641 to establish tolerances for residues of the insecticide spirotetramat and its metabolites in or on sugar beet molasses at 0.30 parts per million (ppm), sugar beet roots at 0.15 ppm, carrot roots at 0.15 ppm, the stone fruit group 12-12 at 4.5 ppm, and the nut tree group 14-12 at 0.25 ppm. The rule also removes existing tolerances for the stone fruit group 12 and the nut tree group 14, which are superseded by the new tolerances. The rule is in response to petitions filed by Bayer CropScience LP, of Research Triangle Park, N.C., and IR-4 Project Headquarters, of Princeton, N.J. The rule is effective June 14, 2017. Objections and hearing requests are due Aug. 14, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 27144 (06/14/2017)

Regulatory Update

RADIATION
ACRS Advanced Power Reactor 1400 Subcommittee Meeting
RADIATION

Notice of the Nuclear Regulatory Commission announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Advanced Power Reactor 1400 (APR1400). The agenda includes presentations by NRC staff and Korea Hydro & Nuclear Power Co., of Gyeongju, South Korea, concerning Chapters 7 and 18 of the APR1400 Design Control Document on instrumentation and controls, and human factors engineering. The meeting is scheduled for June 20-21, 2017, in Rockville, Md. Comments are due June 20, 2017. Contact: Christopher Brown; NRC, Advisory Committee on Reactor Safeguards; 301-415-7111; Christopher.Brown@nrc.gov

82 FR 27295 (06/14/2017)

Regulatory Update

RADIATION
Nondiscrimination in NRC Programs
RADIATION

Notice announces the intention of the Nuclear Regulatory Commission to seem OMB approval for a continuing information collection request concerning nondiscrimination in federally assisted commission programs (10 CFR 4.331). The collection addresses compliance and pre-award reviews and other similar procedures that permit investigation and correction of violations by recipients of federal financial assistance (Forms 781 and 782). Comments are due Aug. 14, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@nrc.gov

82 FR 27291 (06/14/2017)

Regulatory Update

WATER
Effluent Limitations and Standards for Dental Facilities
WATER

Final rule of the EPA adopts regulations under 40 CFR 441.10, 441.20, 441.30, 441.40, and 441.50 concerning the dental office point source category. The rule establishes pretreatment standards for discharges of mercury from dental offices into municipal sewage treatment plants and requires dental offices to use amalgam separators. The rule also incorporates best management practices recommended by the American Dental Association and addresses oversight and reporting requirements for general pretreatment. The rule is effective July 14, 2017. Contact: Karen Milam; EPA, Office of Water; 202-566-1915; milam.karen@epa.gov

82 FR 27154 (06/14/2017)

Regulatory Update

WATER
Louisiana/Lower Mississippi River Anchorages
WATER

Interim rule of the U.S. Coast Guard amends regulations under 33 CFR 110.195 to modify and establish anchorages for the Lower Mississippi River below Baton Rouge, La. The rule establishes the Point Michel and Plaquemines Point anchorages and increases the size of the

existing Cedar Grove and White Castle anchorages to address increased waterway congestion. The rule is effective June 14, 2017. Comments are due Oct. 12, 2017. Contact: Howard Vacco; USCG Sector New Orleans, Waterways Management Division; 504-365-2281; howard.k.vacco@uscg.mil

82 FR 27112 (06/14/2017)

Regulatory Update

WATER

Minnesota/Cross-Media Electronic Reporting

WATER

Notice of the EPA announces the approval of a request from Minnesota concerning cross-media electronic reporting requirements. The approval authorizes the state to revise its EPA-authorized programs to allow electronic reporting under its national primary drinking water regulations implementation program (40 CFR 142). The approval is effective July 14, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov

82 FR 27253 (06/14/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 6/15/2017 5:04:22 PM
Subject: Playbook Power Briefing: SCALISE faces a third surgery, was visited by Pence -- JIM DEMINT setting up a new conservative group -- Digging into lawmakers' financial disclosures -- SPOTTED at the UAE Embassy last night

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06/15/2017 01:00 PM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Thursday afternoon. NEWS -- JIM DEMINT is in the process of setting up a NEW conservative group that will be announced in the next few weeks. He and his allies have been talking around town about it in recent days. Wesley Denton, his spokesman, said: "We'll be announcing in a few weeks and we're excited to get started. Our goal isn't to replicate things other great organizations are doing, but rather to fill a void and advance the conservative movement in a meaningful way."

THE LATEST ON SCALISE -- "Scalise faces third surgery after being wounded in mass shooting," by Rachael Bade: "House Majority Whip Steve Scalise, shot Wednesday during a congressional baseball practice, was undergoing his third surgery Thursday morning as his colleagues gathered to discuss the horrific shooting and share cautiously optimistic statements about Scalise's recovery.

"The Louisiana Republican remained in critical condition early Thursday as doctors at MedStar Washington Hospital Center began a third operation. The bullet had fractured bones and torn through internal organs, according to a late Wednesday night hospital statement. And Scalise, who suffered severe blood loss, had been receiving multiple units of blood transfusion. According to sources familiar with Scalise's condition, the third surgery was routine for gunshot victims. Doctors went in to check on the work they performed the night before.

"On the Hill, lawmakers grappled with the severity of Scalise's condition, with some Republicans even speculating that Scalise could be out commission for some time. Speaker Paul Ryan (R-Wis.) and his leadership team called an emergency conference Thursday morning to give lawmakers an update. Scalise's chief deputy whip Patrick McHenry (R-N.C.), who's visited him in the hospital, gave a moving speech about faith in dark times - and about Scalise's strength as an individual. Sources in the room said people tried to stay optimistic, even as some members who witnessed the horrific shooting stood and told their stories. Lawmakers signed jumbo cards for Scalise and the other victims." http://politi.co/2ssSDXU

-- NOTE: Rachael and Jake were reporting through last night and early this morning and we've been told that the likelihood is Scalise will be out of commission for some time.

-- **"Pence visits Scalise in hospital as he recovers from shooting wound,"** by Nolan D. McCaskill: "A spokesman said Pence checked on Scalise and spoke to Crystal Griner, one of two Capitol Police officers who were wounded during the incident." http://politi.co/2tqqfme

PRESIDENT DONALD TRUMP said Scalise's situation has "been much more difficult than people even thought at the time," per pooler Jordan Fabian of The Hill. "Trump said 'he's in some trouble' but [added], 'he's going to be OK, we hope.'"

FINANCIAL DISCLOSURE SEASON ...

-- HOUSE MINORITY LEADER NANCY PELOSI'S husband lost at least $10 million on his investment in the United Football League and the Sacramento Mountain Lions team. But Pelosi and her husband remain very rich, with a net worth of between $32 million and $149 million.

-- HOUSE MAJORITY LEADER KEVIN MCCARTHY'S wife has picked up a job at the California Republican Party.

-- NEW YORK REP. CHRIS COLLINS disclosed between $25 million and $50 million in Innate Immunotheraputics, the company he has been advising other lawmakers to invest in. He had between $5 million and $25 million last year.

-- REP. DARRELL ISSA (R-CALIF.) has picked up a building right across from the Capitol. He now owns 25 D Street, SE through a limited partnership, according to his financial disclosure. He bought it in April 2016.

-- REP. CHARLIE CRIST (D-FLA.) took quite the pay cut to come to Congress. He made $604,596 from the law firm Morgan and Morgan in 2016.

WHITE HOUSE STATEMENTS -- from **@realDonaldTrump** at **6:55 a.m.**: "They made up a phony collusion with the Russians story, found zero proof, so now they go for obstruction of justice on the phony story. Nice" ... **at 7:57 a.m.:** "You are witnessing the single greatest WITCH HUNT in American political history - led by some very bad and conflicted people! #MAGA"

TRUMP'S CLIMATE POLICY -- "Energy Department Closes Office Working on Climate Change Abroad," by NYT's Brad Plumer: "The Energy Department is closing an office that works with other countries to develop clean energy technology, another sign of the Trump administration's retreat on climate-related activities after its withdrawal from the Paris agreement this month.

"The 11 staff members of the Office of International Climate and Technology were told this month that their positions were being eliminated, according to current and former agency employees. The office was formed in 2010 to help the United States provide

technical advice to other nations seeking to reduce greenhouse gas emissions. The small office also played a lead role preparing for the annual Clean Energy Ministerial, a forum in which the United States, China, India and other countries shared insights on how best to promote energy efficiency, electric vehicles and other solutions to climate change." http://nyti.ms/2ssOCTk

IN THE VALLEY -- "Tim Cook on Donald Trump, the HomePod, and the Legacy of Steve Jobs," by Bloomberg Businessweek editor Megan Murphy on the cover of the magazine: Cook on Trump: "I feel a great responsibility as an American, as a CEO, to try to influence things in areas where we have a level of expertise. I've pushed hard on immigration. We clearly have a very different view on things in that area. I've pushed on climate. We have a different view there. There are clearly areas where we're not nearly on the same page.

"We're dramatically different. I hope there's some areas where we're not. His focus on jobs is good. So we'll see. Pulling out of the Paris climate accord was very disappointing. I felt a responsibility to do every single thing I could for it not to happen. I think it's the wrong decision. If I see another opening on the Paris thing, I'm going to bring it up again. At the end of the day, I'm not a person who's going to walk away and say, 'If you don't do what I want, I leave.' I'm not on a council, so I don't have those kind of decisions. But I care deeply about America. I want America to do well. America's more important than bloody politics from my point of view." https://bloom.bg/2ssFn5A

-- Bloomberg Businessweek has also launched a new redesign that's anchored by a print magazine that will have three editions (Asia, Europe and the Americas), a new email newsletter, and a redesigned app and website. They're also rolling out a two-tiered membership model -- a digital only subscription and an "all access" one that includes the weekly magazine. http://bit.ly/2ssMrPF ... ***Some of the magazine's 2017 covers*** http://bit.ly/2rvkY0u

FRIENDLY RELATIONSHIP -- "Leaked audio reveals Malcolm Turnbull roasting Donald Trump over 'fake polls' and Russia," from 9News's (an Australian news network) Laurie Oakes: "Prime Minister Malcolm Turnbull isn't known for being a comedian but he tried some daring Donald Trump material on a room full of journalists in Canberra last night. He gave a tongue-in-cheek speech, which Nine's Political Editor Laurie Oakes has decided to reveal, at Parliament House's annual Mid Winter Ball. ... He even does a Donald Trump impersonation.

"'The Donald and I, we are winning and winning in the polls. We are winning so much, we are winning, we are winning like we have never won before,' he says. He also alludes to the probe into the Trump campaign's links with Russia, adding: 'I have this Russian guy... Believe me, it's true, it is true.'" http://bit.ly/2ssvBAj

ON TO CANADA -- @GovMattBevin: "Proud of my dear friend, Kelly Knight Craft, the next Ambassador to America's largest trading partner, Canada" ... **@UKCoachCalipari:** "I'm so happy for Kelly Knight Craft and this opportunity for her and Joe Craft as she

gets set to become the American ambassador to Canada."

MEDIAWATCH -- The New York Times editorial board was pilloried online for its editorial about yesterday's shooting. In the editorial, they connect the shooting of then-Rep. Gabby Giffords to a map put up by Sarah Palin's PAC -- even though extensive Times reporting from the time showed no such connection, and the ABC News story they linked to said that "no connection has been made" between the shooting and the map. National Review's David French on the editorial: "Let's be blunt. In its zeal to create moral equivalencies and maintain a particular narrative about the past, the Times flat-out lied. ... The Times editorial board didn't have far to go to understand Loughner's motivations; it could have asked ... New York Times reporters." http://bit.ly/2ssVfoG The New York Times has since issued a rare correction to the editorial, saying in part that "no such link was established." ***The NYT editorial*** http://nyti.ms/2ssS0gK

-- Kaitlan Collins, Daily Caller's White House correspondent, will be a White House reporter at CNN starting on Monday (scooped by Kelsey Sutton at Mic http://bit.ly/2st7gui). **Alex Pfeiffer** is being promoted back at Daily Caller to be their new White House correspondent (a Maxwell Tani scoop at BI http://read.bi/2stkQxO). Pfeiffer is just 20 years old.

SPOTTED at last night's Interfaith Iftar dinner at the stunning UAE embassy, hosted by Ambassador Yousef Al-Otaiba: Wolf Blitzer, Jordanian Amb. Dina Kawar, Martin Indyk, Jason greenblatt, Jim Zogby, Jeremy Katz, Rep. Tom Suozzi (D-N.Y.), Kim Dozier, Andrew Exum, Emma Green, Laura Whitefield, Fred and Kim Kagan, Nahal Toosi, Afghan Amb. Dr. Hamdullah Mohib (a loyal Playbooker) and Azerbaijan Amb. Elin Suleymanov, Husain Haqqani. ***Pics of the embassy*** http://bit.ly/2sesfyl ... http://bit.ly/2seIpYT ... http://bit.ly/2seUuNG

OUT AND ABOUT -- Lanny Griffith was honored as the new president of the Miss America Foundation last night at BGR. **SPOTTED:** Miss America 2017 Savvy Shields, former Gov. Haley Barbour, Dan Murphy, Bill Viney, Chris Henick, Rod Windham, Tammy Haddad, Dan Meyers, William Crozer, George Nassar, Kimble Ratliff, Sam Haskell, Josh Randle, Eli Popicg and Lynn Weidner.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 11/1/2017 4:59:42 PM
Subject: Playbook Power Briefing, presented by BP: TRUMP wants to call tax bill: 'Cuts, Cuts, Cuts' -- POTUS bashes SCHUMER less than 24 hours after deadliest terror attack in NYC since 9/11 -- NYPD: Attack done 'in the name of ISIS'

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Today's Playbook Power Briefing presented by BP

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Wednesday afternoon.

THE TAX BILL'S NAME? -- PRESIDENT DONALD TRUMP wants to name the tax bill "Cuts, Cuts, Cuts," according to sources familiar with internal discussions. This is running into a tad bit of resistance among some on Capitol Hill, who don't exactly favor the name. The 1986 tax bill was called, quite plainly, the "Tax Reform Act of 1986." Oh, and by the way: lawmakers don't want to call this a tax cut bill. They want to call it TAX REFORM!

HOT DOC -- START PLANNING YOUR VACATION -- The 2018 House legislative calendar is out. Time to start your vacation planning! http://politi.co/2zZ4X2G

HMM -- "Special counsel: Manafort's stated wealth fluctuated wildly; he keeps 3 passports," by WaPo's Spencer Hsu: "Onetime Trump campaign chairman Paul Manafort keeps three U.S. passports with different identification numbers and submitted 10 passport applications in as many years, the office of special counsel Robert S. Mueller III disclosed in a new court filing Tuesday arguing that Manafort poses a significant flight risk." http://wapo.st/2iQap4x

-- CNN's "MOSCOW" MANU RAJU and **JIM ACOSTA: "Trump didn't dismiss idea when foreign policy adviser suggested setting up Putin meeting":** "Candidate Donald Trump did not dismiss the idea of arranging a meeting with Russia's president when it was suggested in a meeting with his campaign foreign policy advisers last year, according to a person in the room.

"The idea was raised by George Papadopoulos as he introduced himself at a March 2016 meeting of the Republican candidate's foreign policy advisers, according to a court filing. 'He didn't say yes and he didn't say no,' the official said, declining to be more specific about Trump's response to Papadopoulos.

"But the chairman of Trump's national security team, then Alabama senator and

now attorney general Jeff Sessions, shut down the idea of a Putin meeting at the March 31, 2016, gathering, according to the source. His reaction was confirmed with another source who had discussed Sessions' role." http://cnn.it/2iRIGQM

THE LATEST ON THE NYC TERROR ATTACK -- "NYPD: NYC bike path attack 'in the name of ISIS,' planned for weeks," by Newsday's Bart Jones, with reporting from 16 different reporters: "The suspected lone wolf terrorist who drove a rented pickup truck down a lower Manhattan bike path, killing eight people, attacked 'in the name of ISIS' and it appears he 'had been planning it for a number of weeks,' an NYPD official said Wednesday. Investigators found notes, handwritten in Arabic, that Sayfullo Saipov, 29, left behind which said, 'The Islamic State would endure forever,' NYPD Deputy Police Commissioner John Miller said at a late morning news conference.

"A law enforcement source said Saipov came to Manhattan four times before the attack in what were believed to be reconnaissance missions. Miller said Saipov, an Uzbekistan immigrant who came to the United States in 2010 and is a legal permanent resident, appeared to follow ISIS instructions put out on social media 'almost to a T.' ... Miller said Saipov had never been the subject of an FBI or NYPD probe. Six of the people killed Tuesday were foreign tourists, officials said." https://nwsdy.li/2iRWJWE

TRUMP said during a pool spray that he'd "consider" sending the terrorist from the New York City attack to Guantanamo Bay and that he is "starting the process of terminating the diversity lottery program ... I am going to ask Congress to immediately initiate work to get rid of this program." He also said U.S. immigration laws are "a joke."

-- @realDonaldTrump at 7:24 a.m.: "The terrorist came into our country through what is called the 'Diversity Visa Lottery Program,' a Chuck Schumer beauty. I want merit based." ... **at 7:30 a.m.:** "We are fighting hard for Merit Based immigration, no more Democrat Lottery Systems. We must get MUCH tougher (and smarter). @foxandfriends" ... **at 7:40 a.m.:** "'Senator Chuck Schumer helping to import Europes problems' said Col.Tony Shaffer. We will stop this craziness! @foxandfriends".

-- @JeffFlake: "Actually, the Gang of 8, including @SenSchumer, did away with the Diversity Visa Program as part of broader reforms. I know, I was there ... In fact, had the Senate Gang of 8 bill passed the House, it would have ended the Visa Lottery Program AND increased merit based visas."

-- QUICK NOTE: Less than 24 hours after a terrorist incident, the president is bashing the senior senator whose home state was attacked.

****** **A message from BP: We operate the largest renewables business of any major oil and gas company in the world.** *Learn more in our Economic Impact Report.* ******

VP MIKE PENCE is going to the CIA today, and will deliver remarks to agency employees and participate in briefings with CIA Director Mike Pompeo.

UPDATE ON THE NAVY'S SUMMER COLLISIONS -- "Navy crews at fault in fatal collisions, investigations find," by Defense News' David Larter: "Two accidents that claimed the lives of 17 sailors and wounded dozens more resulted from complete breakdowns in standard Navy procedures and poor decision making by officers and sailors on the bridge of the two warships, according to a Navy report obtained by Defense News. The Navy plans to release on Wednesday its first official report on the specific causes of the two unrelated collisions this summer when both the destroyers Fitzgerald and John S. McCain struck commercial vessels in crowded sea lanes in the Pacific.

"The report reveals that both collisions came after critical failures of officers and sailors on the bridge and raise troubling questions about the basic proficiency of the Japan-based 7th Fleet and the surface Navy as a whole. In both incidents, sailors on the bridge failed to sound a ship-wide alarm notifying the crew of danger, which is a standard Navy procedure." http://bit.ly/2iRte7m

****** **A message from BP: From coast to coast, we spent $16 billion with local businesses last year.** *Take 30 seconds to see how we're supporting jobs across the U.S.* ******

ANOTHER IDEA FOR TAX REFORM -- @realDonaldTrump at 10:59 a.m.: "Wouldn't it be great to Repeal the very unfair and unpopular Individual Mandate in ObamaCare and use those savings for further Tax Cuts....." ... **at 11:03 a.m.:** "....for the Middle Class. The House and Senate should consider ASAP as the process of final approval moves along. Push Biggest Tax Cuts EVER"

-- @RichardRubinDC: "It raises money because fewer people would be insured, so the government spends less money on subsidies for them. ... So yes, they COULD use it to 'pay for' more tax cuts. But it introduces health politics into taxes. And Brady trashed the idea yesterday."

YOU'RE INVITED -- REMINDER: JAKE and **ANNA** will sit down **FRIDAY** with **HOUSE WAYS AND MEANS CHAIRMAN KEVIN BRADY** -- Kevin Brady is the House's top tax writer, putting him in the middle of Republicans' biggest and most important legislative push. He will explain the tax bill to us -- and to Washington -- in a Playbook Interview. **LOCATION:** The Newseum (555 Pennsylvania Avenue, NW). **TIME:** Doors open at 11:30 a.m., and the event starts at noon. **RSVP:** http://bit.ly/politicobrady **EMAIL US** if you have questions for the chairman.

VALLEY TALK -- "Burr downplays Russian Facebook ad targeting of Michigan, Wisconsin," by Li Zhou, Nancy Scola and Ashley Gold: "Senate Intelligence Committee Chairman Richard Burr (D-N.C.) on Wednesday sought to downplay reports that Russian-linked actors targeted Facebook ads at two key battleground states in the 2016 election. Quoting from a news story that Russian-linked Facebook ads were aimed at Michigan and Wisconsin, with some of the ads targeting specific demographic groups,

Burr said the situation wasn't that simple. ...

"But Burr later emphasized the continuing threat of Russian meddling. 'We can't afford to kid ourselves about what happened last year and continues to happen today,' he said. 'This is about national security ... deliberate and multifaceted manipulation of the American people by agents of a hostile foreign power.'

"**Sen. Mark Warner (D-Va.),** ranking member of the Intelligence committee, echoed concerns about the ongoing nature of the Russian threat. Russians are using social media to 'set us against ourselves and to undermine our democracy,' he said. 'They did it during the 2016 U.S. presidential campaign. They are still doing now.' Warner called on Facebook, Google and Twitter to 'commit more resources' to identify those who exploit their networks for nefarious purposes." http://politi.co/2iUXeiV

-- HAPPENING TODAY -- FLASH BRIEFING on Facebook, Google Hearings: POLITICO and The Information are partnering to offer an insider flash briefing for real-time analysis, key takeaways, and the impact that Congressional testimony about Russian involvement in the 2016 Election by representatives of Facebook, Google, and Twitter will have. Jessica Lessin will moderate a discussion and Q&A featuring POLITICO's Nancy Scola and The Information's Cory Weinberg on the hearings and their impact on legislation, the latest intel about possible connections to the Trump and Clinton campaigns, and insight into how these tech giants are responding to Russian propaganda arms like RT. Sign up for today's Flash Briefing ***($1 trial offer for The Information*** http://bit.ly/2iREi4k), and sign up for POLITICO's Morning Tech for all latest tech news in your inbox each morning (http://politi.co/2iRxBPZ).

WHAT A TIME -- "John McCain Is Liked By More Democrats Than Republicans, WSJ/NBC News Poll Finds," by WSJ's Joshua Jamerson: "Among Republicans, 44% hold a negative view of Mr. McCain, and 35% held a positive view in the poll. This is a stark difference from the 79% of Republicans who had a positive opinion of Mr. McCain in the run-up to the 2008 election, when only 9% of Republicans in the survey said they had a negative view of the senator. Mr. McCain's image among Democrats has also changed. In the most recent survey, 52% of Democrats held a positive opinion of the longtime senator. In 2008, 69% of Democrats polled reported a negative view." http://on.wsj.com/2iUgCw7

OBAMA ON OFFENSE -- "Obama goes to bat for health law on first day of sign-ups," by Rachana Pradhan: "Former President Barack Obama sought to boost his namesake health law Wednesday by appearing in a video urging people to sign up for coverage on the first day of the 2018 enrollment season. Obama's call comes as the Trump administration has taken numerous actions to undermine the law while doing almost nothing to publicize the start of the six-week enrollment season that wraps up on Dec. 15." http://politi.co/2z4ZPut ... ***The video*** http://bit.ly/2z5XaAS

HOLLYWOODLAND -- "Six women accuse filmmaker Brett Ratner of sexual harassment or misconduct," by the Los Angeles Times' Amy Kaufman and Daniel

Miller http://lat.ms/2z4mSWp

NOW HIRING! -- "The Trump Campaign's Data Firm Is Hiring Up Staffers For Mexico's Elections," by BuzzFeed's Rafael Cabrera: "Cambridge Analytica, the data company that claims at least partial credit for President Donald Trump's 2016 win, is hiring staffers to work on campaigns throughout Mexico in 2018. ... [T]he company will be working on the campaigns for governor in seven of Mexico's 31 states: Chiapas, Guanajuato, Morelos, Puebla, Quintana Roo, Tabasco, and Veracruz. It is also looking for someone based in Mexico City." http://bzfd.it/2yjoqyz

SPORTS BLINK -- THE FIRST AP TOP 10 for NCAA men's basketball: 1) Duke ... 2) Michigan State ... 3) Arizona ... 4) Kansas ... 5) Kentucky ... 6) Villanova ... 7) Wichita State ... 8) Florida ... 9) North Carolina ... 10) West Virginia. ***The top 25*** http://bit.ly/2iRZmaY

MEDIAWATCH -- "The Gender Pay Gap Happened to Me. Now What?," by Elva Ramirez in Lenny: "Last August, I celebrated working ten years at The Wall Street Journal. I also quit, because I was making about $13,000 less than some of my male colleagues." http://bit.ly/2z5TMWH

-- AP at 11:58 a.m.: "NEW YORK (AP) - NPR News Chief Michael Oreskes says he's resigning following sexual harassment allegations."

-- JEFF STEIN will join WaPo's Wonkblog as a reporter covering policy on Nov. 20. He is currently at Vox.

SPOTTED Bill Kristol and Scott Pattison on the Acela to New York this morning ... Russ Vought waiting to pick up his coffee this morning at Peet's on Pennsylvania Ave. near the White House

SPOTTED at a book party hosted by Michael and Afsaneh Beschloss yesterday for Sally Quinn's new book "Finding Magic" -- ***$20.68 on Amazon*** http://amzn.to/2g7zmV0 : Alan Fleischmann, Don Baer, Andrea Mitchell, Kathleen Kennedy Townsend, Susan Blumenthal, Katherine Bradley, Amanda Downes, Tammy Haddad, Dafna Tapiero, Bernard Aronson .

TRANSITIONS -- Liz Bartolomeo started today as director of communications at the Democracy Alliance. She was most recently comms director and senior adviser for Rep. Ro Khanna (D-Calif.) ... **Nicole Tieman** has been hired as press secretary for Sen. Chuck Grassley (R-Iowa). This is her last week as Rep. Jim Sensenbrenner's communications director.

Sean Simons is joining the ONE Campaign as its U.S./Canada press secretary. He most recently served as deputy press secretary to Gabrielle Giffords and Mark Kelly at their gun violence prevention organization. ...

... Paul F. Wight joined Bracewell as a partner in the firm's energy regulatory group. He was previously a partner at Skadden, Arps, Slate, Meagher & Flom. ... **Maia Comeau** joined the Center for the Study of the Presidency and Congress as a senior fellow.

-- LISA MONACO, former homeland security and counterterrorism adviser to President Barack Obama, and **DAVID COHEN,** former CIA deputy director, have joined GMU Law School's National Security Institute.

ENGAGED - Logan Pernikoff, who works in business development at Morning Consult, proposed to **Kathryn Quijano,** director of studios for barre3 DC studios. "We met in college at GWU. He proposed on the Georgetown Waterfront after eating our fave waffles at Blue Bottle!" ***Pic*** http://politi.co/2imJCJ1

WELCOME TO THE WORLD -- Grace Evans, a legislative analyst at RAND and alum of former Rep. Frank Kratovil (D-Md.), and **Jameson Ma,** patent attorney at Bookoff McAndrews, welcomed Sarah Alexandra Ma. ***Pic*** http://politi.co/2xG0GAb

-- Laura Zuckerman Kirkham, associate VP at AT&T Federal Relations and alum of former Rep. Steve Buyer, and **Brandon Kirkham,** founder of Four Rivers Consulting LLC, on Sunday welcomed Willa Rose Kirkham, at 7lbs, 10 oz, 19.5 inches. "Mom and Dad are over the moon..." ***Pic*** http://politi.co/2A2x7ui

BONUS BIRTHDAY OF THE DAY: Interior Secretary **Ryan Zinke** is 56. **A fun fact about Zinke:** "I love the Lincoln Memorial. After the work day I like to walk over to the Lincoln, grab a family who is visiting D.C., and take them on a quick tour. We go down in the basement caverns -- which looks like a cathedral -- and then up on the top for a view of the mall. The Lincoln Memorial, and all it stands for, never ceases to be a special place to me." Read his Playbook Plus email Q&A: http://politi.co/2xKiL0f

-- BIRTHDAY -- Noel Eisenberg, former New York City Mayor Bill De Blasio appointee and founder of RockCorps

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Wed 7/5/2017 2:07:28 PM
Subject: POLITICO's Morning Energy, presented by ExxonMobil: Climate confrontation awaits Trump in Europe — Court blocks delay of EPA's methane rule — Top EPA union official speaks out

By Anthony Adragna | 07/05/2017 10:00 AM EDT

With help from Esther Whieldon, Ben Lefebvre, Sara Stefanini and Alex Guillén

TRUMP FACES CLIMATE CONFRONTATION: President Donald Trump sets off today for Europe ahead of the G-20 summit in Hamburg later this week and it's clear climate change and Trump's decision to withdraw from the Paris accord will be a topic of significant contention. Trump held an "extensive" conversation with German Chancellor Angela Merkel on Monday about climate change, and Merkel warned last week one "cannot expect any easy conversations" about Paris during the gathering. The two leaders are expected to meet sometime on Thursday before the formal kick-off of the G-20 sessions. As POLITICO Europe's Matthew Karnitschnig notes, Merkel's reputation for careful preparation and delving into the smallest detail in negotiations offers a stark contrast with Trump's inclination to follow his gut based on his rudimentary grasp of issues like climate change.

But first up on the trip is friendlier turf for Trump in the form of Poland, whose leaders also harbor doubts about climate change and have long worked to protect the nation's coal mining operations, one of its major economic engines. The White House said last week Trump would deliver remarks on "energy security" at the Three Seas Conference and would highlight the first delivery of U.S. liquefied natural gas to Poland earlier this month. "We are committed to the energy security of our allies and partners, and to the diversification of energy sources, supplies and routes," National Security Adviser H.R. McMaster said ahead of the trip. POLITICO Europe's Micha?? Broniatowski with more on what awaits Trump in Poland.

Obama touts Paris' importance: Speaking in South Korea on Monday, former President Barack Obama touted the importance of the Paris climate accord even while lamenting Trump's decision to withdraw the U.S. from the deal. "The Paris agreement, even with the temporary absence of US leadership, will still be a critical factor in helping our children solve the enormous challenge in civilization," Obama said, according to CNN.

U.N. official says U.S. may hit targets anyways: United Nations chief Antonio Guterres told a conference in Lisbon, Portugal there's been a "global push" toward climate action since Trump's announcement and a "clear" commitment from key developing powers like China and India to address the problem. According to AFP, Guterres said Monday former New York Mayor and current U.N. climate envoy Mike Bloomberg "is convinced that the United States will be able to reach the targets it set itself under the Paris accord" through the efforts of cities and the business community.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and welcome back to a shortened July 4th week! Hope everyone enjoyed some grilling, fireworks and relaxation! Growth Energy's Chris Bliley was first up to identify Austin and Boston as the two state capitals

that share no vowels but rhyme nevertheless. For today: Which state capital shares its name with one of NASA's earliest space shuttles? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

METHANE STAY REBUFFED IN COURT: Environmental advocates won an early victory against EPA Administrator Scott Pruitt's deregulation efforts Monday when a federal appeals court reinstated the agency's methane emissions rule for future oil and gas wells, Pro's Alex Guillén reports . "[This] ruling makes clear that Scott Pruitt lacks the authority to slam the brakes on common-sense methane pollution rules that help protect the climate and communities living near oil and gas wells," Earthjustice attorney Tim Ballo said in a statement. The D.C. Circuit Court of Appeals' decision means that new oil and gas wells and those drilled since the methane rule was implemented last August must comply with all its requirements, though Pruitt continues to pursue separately suspending enforcement of the rule through 2019 in a move considered more likely to pass legal muster.

Oil production is unlikely to be affected much though the American Petroleum Institute said a new stay on the regulation was needed to reduce uncertainty for its members, Alex and Pro's Ben Lefebvre report. Few wells are likely to be shut even as Pruitt's broader deregulatory push largely remains on track. "Most large oil and gas companies have already worked to comply with the rule, either because they saw this coming or because they have shareholders who care" about wasting gas, Amy Myers Jaffe, executive director for energy and sustainability at University of California Davis, said.

ENERGY WEEK RETURNS! July 4th tweet at 3:55 p.m. from the president: "Gas prices are the lowest in the U.S. in over ten years! I would like to see them go even lower."

EPA'S TOP UNION OFFICIAL SPEAKS OUT: Alex is out this morning with an interview with John O'Grady, president of the American Federation of Government Employees Council 238. O'Grady thinks EPA will successfully get around 400 employees to take early retirement or buyout packages this summer (not the 1,200 Pruitt hopes for). He says agency workers are "pretty sick and tired of being beat up as federal employees" but that they are devoted to the agency's mission and busier than ever. "This idea that you can do more with less," O'Grady said. "Well excuse me - you can't. We're at the point where we're at bare bones, we can't do more for less."

O'Grady's takeaway on what's next for EPA: "The outlook is not good. The outlook is that I plan on being in a fight for the next four years. And why this administration cannot understand that EPA does good work for the American people, that the American people want it - it's just hurting the Republican party and this administration."

WHITE HOUSE RELEASES SALARY DATA: Information released late Friday with the full breakdown of White House salaries shows Mike Catanzaro, a top energy and environmental policy aide for Trump, is drawing an annual salary of $115,000. George David Banks is taking home $140,000, according to the document. Chief of Staff Reince Priebus, chief strategist and senior counselor Steve Bannon, press secretary Sean Spicer, counselor Kellyanne Conway,

spokeswoman Hope Hicks and social media director Dan Scavino are all earning $179,700. POLITICO's Nolan D. McCaskill with more here.

O REALLY? ORALLY? Pruitt only issued his "directive" to stop the practice called "sue and settle" orally rather than in writing, Pro's Alex Guillén reports, citing EPA's response to a FOIA request. EPA did not say when Pruitt issued the oral directive to employees to avoid reaching settlements in lawsuits brought by environmental groups, which he and other Republicans have long criticized as a way for environmental groups to force new regulations.

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MAJOR ANNOUNCEMENT PLANNED: Interior Secretary Ryan Zinke today makes an announcement at 11:30 a.m. near the Antietam National Battlefield Visitor Center about what project Trump's donated presidential salary will support. You may remember the White House announced in April Trump would donate the first quarter of his annual salary - totaling $78,333 - to the National Park Service. The Battle of Antietam was of course the site in September 1862 of the single bloodiest battle in U.S. history with some 23,000 soldiers killed, wounded or missing in just 12 hours of combat.

STUCK IN THE MIDDLE WITH YOU: For years the National Economic Council has been a sleepy home to wonks but it's taken center stage in a host of major policy battles during the Trump administration, especially among those who want Trump to moderate his positions on certain campaign promises, POLITICO's Nancy Cook and Andrew Restuccia report . Led by director Gary Cohn, the NEC held a series of meetings with fossil fuel companies in hopes of building support for sticking with the Paris agreement but weakening U.S. domestic commitments. Cohn seemed more confident during May's G-7 meetings that Trump's was coming around on the issue, but the president ultimately was swayed by others that the accord was a bad deal for the U.S.

WELCOME TO THE POST-CRA WORLD! Months after Trump signed a Congressional Review Act resolution nullifying updated land-use planning and environmental review processes, BLM is accepting comments through July 24 in an online questionnaire on ways to speed up and decrease the costs of the processes, Pro's Esther Whieldon reports. That feedback will in turn become a report for Zinke on possible approaches, though it's worth remembering use of the CRA bars the agency from writing another rule that is substantially the same.

THANKS OBAMA: Prior to the July 4 break, the Center for American Progress released a new analysis arguing policy actions taken during the Obama administration have fueled the rapid growth in the clean energy sector. It argues the approach taken by Trump's White House will decide whether the U.S. will "win the technology race to produce affordable, sustainable energy" globally.

GREENS HIT G-20 ON FOSSIL FINANCING: Oil Change International, Friends of the

Earth U.S., the Sierra Club and WWF European Policy Office are out with a report today finding the U.S. provides $6 billion annually in fossil fuel public financing and G-20 nations spend nearly four times as much on fossil fuel public support than clean energy. Just 15 percent of financing from those G-20 nations is earmarked for clean energy projects, which the environmental groups argue goes against the goals of the Paris agreement. "Our research shows that the G-20 still hasn't put its money where its mouth is when it comes to the clean energy transition," Alex Doukas, senior campaigner at Oil Change International, said in a statement.

FRANCE EYES CARBON NEUTRALITY BY 2050: Prime Minister Edouard Philippe said in his general policy speech to the National Assembly on Tuesday. The government will equalize gasoline and diesel taxes by 2022, increase its existing carbon tax, halve the waste put into landfills and recycle all plastics by 2025.

SHAKING IT UP: The National Oceanic and Atmospheric Administration is extending by 15 days the public comment period on applications to conduct seismic surveys in federal waters off the Atlantic coast. Comments are now due by July 21, NOAA says in a document to be published in the federal register today. The proposed review of five companies' applications has caught criticism from governors of East Coast states and environmentalists, who worry that the surveys could harm marine animals and eventually lead to oil and gas drilling puncturing the region's tourist trade.

GRIJALVA SEEKS REPORT ON THREATS AGAINST FEDERAL EMPLOYEES: Ahead of a July 10 retrial for four officials in the 2014 Cliven Bundy ranch standoff, House Natural Resources Ranking Member Raul Grijalva asked GAO in a letter for a report on threats and attacks against federal land management officials and property.

TIME TO REANALYZE? DOE hinted Monday it may rewrite certain documents related to the agency's efficiency standards for air compressors issued at the end of the Obama administration, Pro's Darius Dixon reports. In a request for information, DOE said small businesses had expressed "concern about the economic burden" of a final version of so-called test procedures for industrial and air compressor efficiency and pledged to collect information about compressors for 60 days.

BLM SEEKS COMMENT ON NEW MEXICO SOLAR STRATEGY: The Interior Department's Bureau of Land Management has taken another step toward eventually offering solar leases in southern New Mexico. BLM is asking for comments by July 21 on its landscape-scale review of the Afton Solar Energy Zone that covers about 30,000 acres. By creating "regional mitigation strategies" for solar zones before offering leases, BLM gives potential developers an idea of what they may be ordered to do under a lease to reduce, or make up for, their impact on such things as local plants and wildlife. The agency has completed strategies for eight SEZs in Arizona, Colorado and Nevada and is developing ones for three zones in Utah.

MOVER, SHAKER: Geoffrey Barnes, a veteran Squire Patton Boggs attorney who in recent years represented coal producer Murray Energy in various lawsuits against EPA, including the Clean Power Plan litigation, retired on Friday.

Chris Kelley has started on API's federal relations team as a director focused on international and corporate issues. He most recently was deputy chief of staff for Rep. Brad Ashford (D-Neb.) (h/t POLITICO Playbook).

QUICK HITS

- A dam could derail the Chesapeake Bay cleanup. Washington Post.

- 'Babe' actor James Cromwell sentenced to jail for N.Y. plant protest. AP.

- US nuclear inspection results now concealed. AP.

- White House Denies Report That Part of Its Science And Technology Office Is Empty. Huffington Post.

- New Florida law lets any resident challenge what's taught in science classes. Washington Post.

- Dispute over Dakota Access handling of artifacts to linger. AP.

THAT'S ALL FOR ME!

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Subject: Oct. 05 -- Daily Environment Report



Daily Environment Report

October 05, 2017 - Number 192

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Leading the News

Climate Regulation
Transportation Officials Move to Scrap Obama Climate Rule
The Trump administration is working to roll back another Obama-era climate regulation—this time a provision that would require state transportation planners to account for greenhouse gas emissions.

Water Pollution
Cities Pitch Affordability, Innovation in Curbing Sewer Overflows
When it rains, it flows—a nasty soup of stormwater and sewage spilling into local streams. Controlling these sewer system overflows costs a lot of money and can require tricky engineering: some cases require the construction of large storage tunnels burrowing hundreds of feet underground. Many cities want more time to clean up the problem, and they're getting it. Washington, D.C., is among the cities that have taken advantage of the EPA's integrated planning policy, which ...

News

Agriculture
Brazil to Tap Green Bonds, Fueling Agricultural Expansion
Brazil plans to tap green bonds to finance a significant expansion of agricultural exports.

Appropriations
House GOP Planning for Hurricane Aid Vote in Week of Oct. 9
House Republican leaders plan to quickly pass a $29 billion hurricane relief package the week of Oct. 9, lawmakers said.

Climate Regulation

Trump Said to Begin Repeal of Obama Power Plant Emission Cuts

The Trump administration will propose repealing former President Barack Obama's signature plan for combating climate change by asserting that its expansive approach to addressing carbon emissions exceeds legal limits, according to a person familiar with the deliberations.

Coal-Fired Power Plants

Perry's Coal Proposal Seen Unlikely to Reverse Historic Decline

U.S. Energy Secretary Rick Perry's plan to reward coal-fired power plants that keep large stockpiles of fuel won't be enough to reverse the industry's long-term decline, analysts say.

Contribution

Feds Must Chip In on Superfund Cleanup Tab, 9th Circuit Says

The federal government shouldn't have been let off the hook for hazardous waste cleanup costs at a California aeronautical manufacturing plant, the Ninth Circuit ruled Oct. 4 (TDY Holdings, LLC v. United States, 9th Cir., No. 15-56483, 10/4/17).

EPA

EPA Chemical Office Pick Demurs Questions of Recusal on Past Work

EPA chemicals office nominee Michael Dourson defended his consulting for chemical, tobacco, and oil industries Oct. 4 as Democrats and environmentalists challenged him to recuse himself from certain decisions on chemicals he worked on.

Energy

Army of Women Tackles Electricity Thieves in Indian Slums

India's power companies have a problem largely responsible for $10 billion a year in losses. Slum dwellers steal electricity and refuse to pay their bills. But company officials often can't go in without being chased by mobs—and sometimes beaten, tied up, urinated on, even murdered.

Energy

Electricity, Fossil Fuel Energy Nominees Head to Senate Floor

Energy Department nominees to lead the electricity and fossil fuel offices are headed for full Senate consideration after favorable votes by the Energy and Natural Resources Committee on Oct. 4.

Energy

Japan Regulator Clears Restart of World's Largest Nuclear Plant

Tokyo Electric Power Co. Holdings Inc. moved a step closer to resuming operations of the world's biggest nuclear facility after Japan's atomic regulator gave its tacit approval, delivering a much-needed boost for a company still strapped with the cost to clean up its wrecked Fukushima plant.

Energy

Nuclear Regulatory Panel Nominees Caught in Partisan Senate Spat

The nomination of a Democrat to continue on the Nuclear Regulatory Commission has become caught in a partisan disagreement over whether his nomination should be combined with those of two Republican nominees awaiting Senate action.

Energy

Theresa May's U.K. Energy Price Cap Signals Wafer Thin Margins

Britain's utilities are the new political punching bag after Theresa May proposed a price cap

to insulate customers from higher prices.

Enforcement
Mining Giant Sherritt Fined $840,000 for Coal Mine Effluent Leak
Sherritt International Corp., a major nickel miner, faces a C$1.05 million ($840,000) fine for leaking up to 500,000 liters (132,000 gallons) of contaminated wastewater into nearby streams inhabited by an at-risk fish species.

Motor Vehicles
Western Governors Envision Electric Vehicle Corridor
Governors in seven Western states hope to coordinate an electric vehicle charging network that connects their major thoroughfares—and possibly boosts some the presence of some states in the electric vehicle industry.

Natural Resources
Energy Royalty Advisory Panel Starts Charting New Rules
A royalty policy committee that includes major oil companies will develop new Interior Department regulations on payments companies make for energy development on federal and tribal lands, an Interior official said at the committee's first meeting Oct. 4.

Oil & Gas
Here's the Hot Canadian Oil Play You Probably Never Heard About
There's a land grab quietly taking place in a little-known corner of the Canadian oil sands.

Oil & Gas
Interior Wants to Freeze Obama-era Methane Limits
The Interior Department wants to temporarily stop enforcing an Obama-era rule that limited methane emissions from oil and gas drillers operating on federal lands.

Oil & Gas
Private Oil Made a Big Find in Mexico, Now State Oil Wants a Cut
When private drillers struck oil off Mexico's coast this year, they didn't anticipate sharing it with the state oil company. It looks like they'll have to.

Pesticides
Draft EU Endocrine Disruptor Pesticide Ban Exterminated
Germany's Bayer AG, Dow AgroSciences, Syngenta and other chemical companies are breathing a sigh of relief after the European Parliament vetoed a draft EU regulation Oct. 4 that could have banned up to 70 pesticides with endocrine disrupting properties.

Pipeline Safety
Pipeline Safety Agency Nominee Wins Senate Panel's Approval
A Senate committee approved Howard "Skip" Elliott as head of the Pipeline and Hazardous Safety Materials Administration Oct. 4, sending his nomination to the full Senate.

Real Property
Trans-Pecos Pipeline Will Proceed for Now
A Texas property owner whose land was taken by a natural gas utility can't stop its pipeline project for now, the U.S. Court of Appeals for the Fifth Circuit ruled Oct. 3 (Boerschig v. Trans-Pecos Pipeline, LLC, 2017 BL 354426, 5th Cir., No. 16-50931, 10/3/17).

Renewable Energy
Dawn of Solar Age Declared as Sun Power Beats All Others

Solar power blossomed faster than for any other fuel for the first time in 2016, the International Energy Agency said in a report suggesting the technology will dominate renewables in the years ahead.

Renewable Energy

Storms Spur $22 Billion Investment in Battery-Backed Grids

Growing demand for more resilient power supplies will spur $22.3 billion of global investment in battery-backed local energy systems over the next decade, according to Navigant Research.

Toxic Substances

EPA Not Liable for Property Damage During Superfund Cleanup

An Alabama industrial park owner can't pursue claims against the federal government for damage to its property that occurred during a Superfund cleanup, the Northern District of Alabama ruled (Gadsden Indus. Park, LLC v. United States, N.D. Ala., No. 15-cv-0956, 10/3/17).

Toxic Substances

Saint-Gobain to Pay $20M for Vermont Water Chemical Contamination

Saint-Gobain Performance Plastics will pay an estimated $20 million to pipe clean municipal water to Vermont residents impacted by chemical contamination of their private drinking water wells in a settlement approved by a state superior court Oct. 3.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/9/2017 12:10:38 PM
Subject: EPA sends Clean Power Plan review to OMB

By Alex Guillén

06/09/2017 08:00 AM EDT

EPA has sent its proposed review of the Clean Power Plan to the White House Office of Management and Budget for review, according to a notice on OMB's website.

The notice submitted Thursday gives no indication of the proposal's details, it is expected to seek to repeal the rule. Environmental and industry groups likely will flood OMB with meeting requests to make their cases for or against keeping the rule.

EPA Administrator Pruitt said last month that he has not yet decided whether to craft new climate rules. The lawsuit over the Clean Power Plan is on hold, and the court is mulling whether to keep it that way or remand the rule to EPA outright.

WHAT'S NEXT: OMB will spend the next several weeks or months reviewing EPA's proposal and meeting with interested parties before it is released.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-sends-clean-power-plan-review-to-omb-088860

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Subject: The magnitude of rooftop solar subsidies and why it matters

The magnitude of rooftop solar subsidies and why it matters?

November 2017

Ronald M. Barone and Benjamin Zycher

Key points

- **Rooftop solar power is substantially more costly than either conventional electricity or utility-scale solar power.**
- **The various subsidies and other favoritism bestowed on rooftop solar power create an investment bias in its favor of about 20 percent of the costs of rooftop systems.**
- **That bias subsidizes the wealthy and upper middle class at the expense of those in lower income classes.**

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Also of interest

The high cost of unreliable power

Benjamin Zycher | The Washington Times | August 7, 2017

Wasteful subsidies for me and thee, not for that fossil guy behind the tree

Benjamin Zycher | Washington Examiner | August 3, 2017

Do federal energy-related tax policies improve economic wellbeing?

Benjamin Zycher | House Committee on Energy and Commerce, Subcommittee on Energy | March 29, 2017

Questions or comments? Contact Hao-Kai Pai at Hao-Kai.Pai@AEI.org. To book an interview or for other media inquiries, contact MediaServices@aei.org (202.862.5829).

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From: Morning Energy
Sent: Fri 7/14/2017 2:04:55 PM
Subject: POLITICO's Morning Energy: Trump makes final FERC pick — House Republicans save climate provision in defense bill — No moves yet toward U.S. Paris renegotiation

By Anthony Adragna | 07/14/2017 10:00 AM EDT

FINALLY!: The White House has made official what Pros learned months ago, announcing Thursday night that veteran Jones Day attorney Kevin McIntyre is Trump's pick for FERC chairman, Pro's Darius Dixon reports . The veteran attorney has represented companies across a wide cross-section of the energy industry with Jones Day since early 1994. The announcement should be welcome news for Trump's other two GOP FERC nominees, who have been awaiting confirmation in the Senate since breezing through committee a month ago - not to mention any utilities or pipeline companies with business before FERC. The commission has been unable to do much since it lost its quorum back in February and is now down to just one member.

Buying time: The White House still has to send over McIntyre's nomination paperwork to the Energy and Natural Resources Committee, and it still has not done so for Democratic FERC candidate Rich Glick, whose nomination was announced two weeks ago. Before McIntyre's nomination, FERC-watchers were beginning to worry the paperwork delay would prevent Glick's nomination from advancing before recess. And a day before the announcement, ENR Chairwoman Lisa Murkowski said Majority Leader Mitch McConnell had not promised her floor time for any FERC nominees this work period.

But now that there is an opportunity to restore FERC to full strength - with a Republican majority - we'll see if that situation changes. McConnell announced earlier this week that he was canceling two weeks of recess, which may give the energy committee enough time to process a comprehensive package of FERC nominees, including Glick and McIntyre, so long as the White House can deliver their paperwork soon. Fellow GOP FERC nominees, Neil Chatterjee, a top aide to McConnell, and Pennsylvania regulator Robert Powelson are also waiting in the wings. Trump wants to confirm McIntyre to two consecutive terms, letting him stay at FERC into 2023.

Added pressure: A coalition of 25 groups released a letter Thursday calling on Senate leadership to schedule votes on vacant posts that have left FERC without a quorum for months. "The present lack of a FERC quorum is unnecessarily delaying vitally needed energy infrastructure projects, and is threatening jobs, investments, economic growth, America's environment and our energy security," the letter says. It was signed by groups including the Energy Equipment and Infrastructure Alliance, Associated General Contractors of America and United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry.

ROVER PIPELINE PROBE COMING: FERC will probe alleged "misstatements" from Energy Transfer Partners associated with its $4.08 billion Rover natural gas pipeline project, Darius reports . In a one-page Notice of Alleged Violations, the agency said it had "preliminarily determined" that Rover "did not fully and forthrightly disclose all relevant information to the Commission in its Application for a Certificate of Public Convenience and Necessity and attendant filings." In response, the company said "we will continue to work with FERC to

address any remaining" issues.

NOT SO FAST! President Donald Trump may have said "something could happen" on the U.S. negotiating its re-entry into the Paris climate agreement on Thursday in France, but back in D.C. a White House official said there's been no real effort toward that end in the administration, Pro's Eric Wolff reports. "There hasn't been, to my knowledge, any conversations" about reopening the deal, the official told reporters. The president has a few broad ideas about what the country would need to return to the deal, but has not asked for specific changes or provisions.

Meanwhile, Trump misstated key details about a pipeline he approved and said the decision was part of his strategy to undercut Russia, Pro's Ben Lefebvre reports . "Dakota Access takes it to the Pacific," Trump told reporters on Air Force One Wednesday night, according to excerpts released by the White House of what was originally an off-the-record conversation. "Who do they compete with? Russia." That pipeline of course goes nowhere close to the Pacific on its North Dakota-to-Illinois route. Trump also misstated when he revived the Keystone XL pipeline and overstated the number of permanent jobs that would be created from both projects.

Quotable Trump: "There is a very good chance we could do a solar wall. One of the things with the wall is you need transparency. You have to be able to see through it. In other words, if you can't see through that wall - so it could be a steel wall with openings, but you have to have openings because you have to see what's on the other side of the wall."

IT'S FRIDAY EVERYBODY! I'm your host Anthony Adragna, and the Glover Park Group's Hayley Moller was first to identify Lowell, Mass. as the first city to assign individual phone numbers way back in 1879. Your end-of-the-week puzzler: In what state is the lowest zip code in the U.S. and what is it? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

HOLD UP! Sen. Dean Heller confirmed Thursday he has a hold deputy Energy secretary nominee Dan Brouillette over his support for Yucca Mountain, Pro's Darius Dixon reports. The hold, Heller said, "is to send a message" about a nuclear waste bill approved 49-4 by the House Energy and Commerce Committee last month, and funding for the project in the House fiscal 2018 energy and water appropriations bill. Asked whether he sought to stop the House bill or get money out of the spending bill, Heller answered, "all of the above."

REPUBLICANS SAVE CLIMATE PROVISION: Bucking their party's normal position on the issue, 46 House Republican joined the entire Democratic caucus to defeat an amendment to the annual defense authorization bill that would've stripped out language directing the Defense Department to prepare for the effects of climate change, Pro's Nick Juliano reports. The section of the bill they decided to keep declares "climate change is a direct threat to the national security of the United States and is impacting stability in areas of the world." Rep. Scott Perry's amendment to strip that section failed 185-234. Among those voting against the amendment were Energy and Commerce Chairman Greg Walden and E&C Energy Subcommittee Chairman Fred Upton. E&C Environment Subcommittee Chairman John Shimkus backed the amendment, while Natural Resources Chairman Rob Bishop didn't vote.

House Climate Solutions Caucus Co-chairman Carlos Curbelo , a Florida Republican, hailed the amendment's defeat as a sign of progress on climate change policy solutions. "This is a great step forward for all who accept the reality of climate change and know Congress needs to act to address it," Curbelo said in a statement. "A bipartisan majority of members are on the record saying climate change and sea level rise must be taken into account when planning for our national defense." Environmental advocates expressed relief in the effort's defeat. "Acknowledging climate change as a national security threat is a step, but this Congress has a long way to go and we need real climate action," the League of Conservation Voters said in a statement.

Side note: Earlier in the debate, House lawmakers defeated an amendment prohibiting the Pentagon from entering into new biofuels contracts while the Budget Control Act remains law, Pro Defense's Connor O'Brien reports. Another amendment from Rep. Ken Buck, which would've blocked the purchase of alternative fuels unless they were found to be cost competitive as traditional fuels, also failed on the floor.

METHANE STAY BACK ON! A federal appeals court temporarily granted EPA's request Thursday to place on hold for two weeks key leak requirements under EPA's methane emissions rule for new oil and gas wells, Pro's Alex Guillén reports . The decision by the D.C. Circuit Court of Appeals gives the agency two weeks to decide whether and how to appeal the court's earlier ruling to overturn Administrator Scott Pruitt's 90-day stay of key regulatory requirements. "To stay issuance of the mandate for longer would hand the agency, in all practical effect, the very delay in implementation this panel determined to be" unlawful, the court said in its order.

SANCTIONS BILL THREATENS BP PIPELINE: Lobbyists are pointing to a BP-led natural gas drilling and pipeline project as an example of why they want tweaks to a Russian sanctions package currently stalled in the House, Pro's Ben Lefebvre reports . BP is the lead operator in a $40 billion project that would take natural gas from a deepwater Shah Deniz gas field near Baku, Azerbaijan, and transport it to Eastern Europe via a South Caucasus Pipeline still under construction. But Russia's Lukoil has a 10 percent stake in the pipeline project, enough to run afoul of the sanctions as currently written. Energy companies want changes to the bill to insulate such projects from the sanctions.

MEADOWS PLEASED BY PRUITT: Count House Freedom Caucus Chairman Mark Meadows among those pleased by what he's seen out of the Scott Pruitt-led EPA. "They're obviously working very hard to make sure the appropriate rules and regulations promulgated by the EPA do one of two things," he told ME. "Either make sure the economy continues to thrive as it should or that it has a fundamental priority for cleaning up our environment. As long as we keep those two primary factors as our main focus and balance those out, I think we'll be in a good place."

FEINSTEIN ENDORSES STATE CAP AND TRADE EXTENSION: Senior California Sen. Dianne Feinstein endorsed efforts by Gov. Jerry Brown and state legislative leaders to extend the state's cap and trade program through 2030. "[The legislation] incentivizes the private sector to reduce its carbon footprint and the revenue generated is used to invest in programs that enable even further emission reductions," she said in a Thursday statement. "As the Trump

administration continues to retreat from our international partnerships, it's more important than ever that California remains a global leader in combating climate change."

Former EPAers too: Obama-era EPA Administrator Gina McCarthy and former Deputy Administrator Bob Perciasepe endorsed the cap-and-trade extension in a letter to the editor in the Los Angeles Times. "A quick and positive vote from the state Legislature to extend its historic cap-and-trade program will be a critical leap forward for our country," they write.

HOW TO FIGHT REGULATORY ROLLBACKS: An all-volunteer, Denver-based group of former EPA employees has released a guide for the public on how regulations are developed and how to participate in the public comment process, while responding to common claims for rolling back rules. "We want to help Americans sound the alarm about the dangerous and counterproductive actions that are being taken, in ways that can help make a difference," Joni Teter, a leader of the Save EPA group, said in a statement.

ALL ABOARD THE CLIMATE ARK! There are now 48 members of the House Climate Solutions Caucus, evenly split among Democrats and Republicans, after Matt Cartwright (D-Pa.) and Leonard Lance (R-N.J.) joined.

NO SUCH THING AS A FREE RIDE: DOE's Office of Fossil Energy improperly paid for an employee's college degree that was unrelated to his job, the agency's inspector general concluded in a report. Then, the employee at question "left the department for work in the private sector shortly after receiving his law degree in May 2013."

SPOTTED: At breakfast at the Four Seasons: former FERC Commissioner Colette Honorable with Itron CEO Philip Mezey and former Sen. Mary Landrieu (D-La.) talking the future of water, gas and electricity; Bill Kristol, Larry Linden, and Alex Flint talking a carbon tax (h/t Playbook).

QUICK HITS

- Christie again blocks attempt to rejoin environmental pact. AP.

- Climate change could make flying even more hellish. Washington Post.

- Magellan Midstream Partners pipeline ruptures in Texas. Reuters.

- Crude Rises for Fourth Day as Global Demand Outlook Improves. Bloomberg.

- U.S. Nuclear Agency Sets Expectations for Los Alamos Contract. AP.

THAT'S ALL FOR ME!

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EHS Federal Regulatory Alert

July 27, 2017 - Number 143

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Harley-Davidson Inc. Clean Air Act Consent Decree
AIR

Notice of the Justice Department announces a proposed consent decree in United States v. Harley-Davidson Inc. (Civil Action No. 1:16-cv-01687), lodged July 20, 2017, with the U.S. District Court for the District of Columbia. The consent decree addresses a complaint alleging that the defendants violated the Clean Air Act prohibitions on the manufacture or sale of devices that defeat the functioning of motorcycle certified emissions control systems and on tampering with such systems in connection with the manufacture and sale of over 339,392 aftermarket devices, known as "super tuners." The consent decree also addresses the alleged manufacture and sale of over 12,000 motorcycles from model years 2006, 2007, and 2008 that were not certified by the EPA. The consent decree requires the defendants to pay a $12 million civil penalty; to stop selling illegal tuners by Aug. 23, 2016; and to offer to buy back and destroy all such tuners in stock at Harley-Davidson dealerships. The consent decree also requires the defendants to obtain executive orders from the California Air Resources Board for any future tuner sales and conduct related emission testing, to label uncertified super tuners sold outside the U.S., and to ensure that all future motorcycle models intended for sale in the U.S. are certified by the EPA. The consent decree is identical to an Aug. 24, 2016, consent decree (81 FR 57936) except that the requirement for defendants to pay for a specified mitigation project has been removed due to questions over the legality of the project. Comments are due Aug. 28, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 34977 (07/27/2017)

Regulatory Update

AIR
NESHAP for Wool Fiberglass Manufacturing
AIR

Direct final rule of the EPA revises the NESHAP for flame attenuation lines in the wool fiberglass

manufacturing industry. The revision provides affected sources an additional year to comply with the emission limits for flame attenuation lines, now requiring compliance by July 31, 2018. The extension provides owners and operators of flame attenuation lines subject to the emission limits for formaldehyde, phenol, and methanol a total of three years to demonstrate compliance with the limits established in a July 29, 2015, final rule (80 FR 45280). The extension is due to new and corrected data submitted by Johns-Manville Corp., of Denver, regarding the final stack test emissions methodology and test data on low-pull flame attenuation lines. The rule is effective Oct. 25, 2017, unless significant adverse comments are received by Aug. 28, 2017, or a hearing is requested by Aug. 3, 2017. Contact: Brian Storey; EPA, Office of Air Quality Planning and Standards; 919-541-1103; storey.brian@epa.gov. Citations: 40 CFR 63, Subpart NNN, Table 2

82 FR 34858 (07/27/2017)

Regulatory Update

AIR
NESHAP for Wool Fiberglass Manufacturing
AIR

Proposed rule of the EPA would revise the NESHAP for flame attenuation lines in the wool fiberglass manufacturing industry. The revision would provide affected sources an additional year to comply with the emission limits for flame attenuation lines, requiring compliance by July 31, 2018. The extension would provide owners and operators of flame attenuation lines subject to the emission limits for formaldehyde, phenol, and methanol a total of three years to demonstrate compliance with the limits established in a July 29, 2015, final rule (80 FR 45280). The extension is due to new and corrected data submitted by Johns-Manville Corp., of Denver, regarding the final stack test emissions methodology and test data on low-pull flame attenuation lines. A concurrent direct final rule adopts the provisions, effective Oct. 25, 2017. Hearing requests are due Aug. 3, 2017. Comments are due Aug. 28, 2017. Contact: Brian Storey; EPA, Office of Air Quality Planning and Standards; 919-541-1103; storey.brian@epa.gov. Citations: 40 CFR 63, Subpart NNN, Table 2

82 FR 34910 (07/27/2017)

Regulatory Update

ENDANGERED SPECIES
California/Chinook Salmon, Steelhead Enhancement Permit
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the receipt of an application from the U.S. Fish and Wildlife Service to renew for five years a permit to enhance the propagation and survival of anadromous fish. The FWS requests authorization to take threatened California Central Valley steelhead and threatened Central Valley spring-run Chinook salmon during hatchery and monitoring activities associated with the San Joaquin River Restoration Program (SJRRP) and the SJRRP's Salmon Conservation and Research Program. The application includes a new request to collect Central Valley spring-run Chinook salmon from Butte Creek to use as broodstock, which was not authorized by previous permits. Comments are due Aug. 28, 2017. Contact: Jeff Abrams; NOAA; 916-930-3714; Jeff.Abrams@noaa.gov

82 FR 34931 (07/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Classification of Assayed Quality Control Material for Microbiology Assays
GENERAL ENVIRONMENT AND SAFETY

Final rule of the FDA codifies a final order to classify assayed quality control material for clinical microbiology assays into class II (special controls). The device is indicated for use in a test system to estimate test precision or detect systematic analytical deviations that may arise from reagent or analytical instrument variation, and consists of single or multiple microbiological analytes intended for use with either qualitative or quantitative assays. The classification was applicable March 28, 2016. The order is effective July 27, 2017. Contact: Ryan Lubert; FDA, Center for Devices and Radiological Health; 240-402-6357; ryan.lubert@fda.hhs.gov. Citations: 21 CFR 866.3920

82 FR 34848 (07/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Classification of Balloon Aortic Valvuloplasty Catheters
GENERAL ENVIRONMENT AND SAFETY

Final rule of the FDA codifies a final order to classify the balloon aortic valvuloplasty catheter into class II (special controls). The device is a catheter with a balloon at the distal end of the shaft that is intended to treat stenosis in the aortic valve when the balloon is expanded. The classification was applicable June 11, 2012. The order is effective July 27, 2017. Contact: Nicole Ibrahim; FDA, Center for Devices and Radiological Health; 301-796-5171; nicole.ibrahim@fda.hhs.gov. Citations: 21 CFR 870.1255

82 FR 34850 (07/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Financial Advisory Board Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces a meeting of the Environmental Financial Advisory Board to discuss proposed legislation; EPA priorities; and activities, progress, and preliminary recommendations concerning board work projects. The meeting also will include consideration of requests for assistance from EPA program offices and discussion of environmental finance issues related to decentralized wastewater systems, lead risk reduction, public private partnerships, and domestic recycling programs. The meeting is scheduled for Aug. 22-23, 2017, in Overland Park, Kan. Contact: Sandra Williams; EPA; 202-564-4999; williams.sandra@epa.gov

82 FR 34942 (07/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
FDA Oncology Center of Excellence
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the reorganization of the Office of Medical Products and Tobacco to reflect creation of the Oncology Center of Excellence. The center leads the clinical portion of medical oncology and malignant hematology applications involving drugs, biologics, and devices. The center also works with existing centers and FDA oncology staff to harmonize cancer-specific regulatory approaches and coordinate oncology-specific regulatory science initiatives and outreach. The reorganization was effective Dec. 22, 2016. Contact: Rachel Sherman; FDA, Office of Medical Products and Tobacco; 240-402-4474

82 FR 34956 (07/27/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Crash Preventability Demonstration Program
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces that the Crash Preventability Demonstration Program will begin accepting requests for data review (RDRs) to evaluate the preventability of certain categories of crashes through the agency's national data correction system, DataQs. Crashes that will be reviewed under the RDR process include when commercial motor vehicles (CMVs) are struck by a motorist under the influence, struck by a motorist driving the wrong way, or struck while the CMV was legally stopped or parked, including when the vehicle was unattended. Submissions should include law enforcement reports and documentation that a crash was not preventable. RDRs will be accepted beginning Aug. 1, 2017, for crashes that occur on or after June 1, 2017. Contact: Catterson Oh; FMCSA, Compliance Division; 202-366-6160; Catterson.Oh@dot.gov. Citations: 49 CFR 385 and 390

82 FR 35045 (07/27/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Medical Qualification Requirements
HAZARDOUS MATERIALS TRANSPORTATION

Notice announces the intention of the Federal Motor Carrier Safety Administration to seek OMB approval for a revised information collection request regarding commercial motor vehicle driver medical qualification requirements. The collection concerns health information submitted by health care professionals treating drivers, including information regarding treatment of diabetes mellitus. The information is used to determine and certify medical fitness of drivers who operate commercial motor vehicles in interstate commerce for nonexcepted industries. The revision is due to an anticipated final rule that would eliminate the blanket prohibition against insulin-dependent diabetic individuals' operation of commercial motor vehicles in interstate commerce. The revision would replace the requirement for written notification from the treating clinician with the insulin-treated diabetes mellitus assessment form. Comments are due Sept. 25, 2017. Contact: Christine Hydock; FMCSA, Medical Programs Division; 202-366-4001; FMCSAmedical.@dot.gov. Citations: 49 CFR 391

82 FR 35041 (07/27/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carriers of Passengers Annual Report
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the submission of a continuing information collection request to the OMB regarding the annual report of Class I motor carriers of passengers (Form MP-1). The form addresses financial, operating, equipment, and employment data from individual motor carriers of passengers. Comments are due Aug. 28, 2017. Contact: Vivian Oliver; FMCSA, Office of Registration and Safety Information; 202-366-2974; vivian.oliver@dot.gov. Citations: 49 CFR 369.4

82 FR 35027 (07/27/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
California/Rockets, Fireworks, and Flares Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the Justice Department announces a proposed consent decree in the City of Colton v. American Promotional Events Inc. (Civil Action No. CV 09-01864) lodged on July 18, 2017, with the U.S. District Court for the Central District of California. The consent decree resolves claims under CERCLA for the recovery of response costs in connection with cleanup actions at the Rockets, Fireworks, and Flares Superfund Site, formerly the B.F. Goodrich Superfund Site, in San Bernardino County, Calif. The proposed consent decree requires the Estate of Wong to pay $5.9 million, which will be allocated as established by a 2013 consent decree between the U.S. and B.F. Goodrich Corp (77 FR 64353). Comments are due Aug. 28, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701; pubcomment-ees.enrd@usdoj.gov

82 FR 34978 (07/27/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Irma King Trust/EPA CERCLA Consent Agreement
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces a proposed administrative settlement with Irma King Trust for alleged violations of CERCLA at the San Fernando Valley Area 2 Superfund Site. The agreement requires the respondent to pay $30,000 for past and future response costs that the EPA has incurred or will incur at the site. The settlement includes a covenant not to sue. Comments are due Aug. 28, 2017. Contact: Tessa Berman; EPA Region 9, Office of Regional Counsel; 415-972-3472; berman.tessa@epa.gov

82 FR 34944 (07/27/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Nationally Recognized Testing Laboratories/TUVRNA
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the receipt of and the preliminary finding to grant an application from TUV Rheinland of North America Inc. (TUVRNA), of Newtown, Conn., for expansion and reduction of its scope of recognition as a nationally recognized testing laboratory. The expansion involves the addition of the test standard for electric vehicle charging system equipment to its scope of recognition. The reduction involves the removal of the standard for intrinsically safe apparatus and associated apparatus for use in Class I, II, III Division 1, Hazardous (Classified) Location. Comments are due Aug. 11, 2017. Contact: Kevin Robinson; OSHA, Directorate of Technical Support and Emergency Management; 202-693-2110; robinson.kevin@dol.gov. Citations: 29 CFR 1910.7

82 FR 34980 (07/27/2017)

Regulatory Update

PESTICIDES
Pesticide Product Registrations
PESTICIDES

Notice of the EPA announces the receipt of five applications to register new uses for pesticide products containing currently registered active ingredients. The applications, submitted by Syngenta Crop Protection LLC, FMC Corp., and Nufarm Americas Inc., are for one fungicide, two insecticides, one herbicide, and one bactericide/fungicide proposed for use on various agricultural products and as a termiticide. Comments are due Aug. 28, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 34941 (07/27/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerance/Ametoctradin
PESTICIDES

Final rule of the EPA increases the tolerance for residues of the fungicide ametoctradin in or on dried cone hops to 100 parts per million. The rule is issued in response to a petition filed by BASF Corp., of Research Triangle Park, N.C. The rule is effective July 27, 2017. Objections and hearing requests are due Sept. 25, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.663

82 FR 34875 (07/27/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerance/Fenpyroximate

PESTICIDES

Final rule of the EPA increases tolerances for residues of the insecticide fenpyroximate in or on citrus, dried pulp to 4.0 parts per million (ppm); citrus, oil to 15 ppm; and fruit, citrus, group 10-10 to 1.0 ppm. The rule is issued in response to a petition filed by Nichino America Inc., of Wilmington, Del. The final tolerances match the petitioned tolerances, except for the tolerance on citrus oil, which the EPA set at 15 ppm rather than the petitioned 14 ppm. The rule is effective July 27, 2017. Objections and hearing requests are due Sept. 25, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.566

82 FR 34870 (07/27/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerances/Tolpyralate
PESTICIDES

Final rule of the EPA establishes a tolerances for residues of the herbicide tolpyralate in or on field corn, popcorn, and sweet corn of 0.01 parts per million. The rule is issued in response to a petition filed by ISK Biosciences Corp., of Concord, Ohio. The rule is effective July 27, 2017. Objections and hearing requests are due Sept. 25, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.696

82 FR 34877 (07/27/2017)

Regulatory Update

RADIATION
Florida/Turkey Point Site
RADIATION

Notice of the NRC announces a hearing to convene an evidentiary session to receive testimony and exhibits regarding the application from Florida Power and Light Co., of Juno Beach, Fla., for combined licenses to construct and operate Units 6 and 7 at the Turkey Point site in Miami-Dade County, Fla. The hearing is scheduled for Oct. 5, 2017, in Rockville, Md. Comments are due Aug. 30, 2017. Contact: Denise McGovern; NRC; 301-415-0681; Denise.McGovern@nrc.gov. Citations: 10 CFR 51.107 and 52.97

82 FR 34995 (07/27/2017)

Regulatory Update

RADIATION
Licenses and Radiation Safety Requirements for Irradiators
RADIATION

Notice announces the intention of the NRC to seek OMB approval for a continuing information collection request concerning licenses and radiation safety requirements for irradiators. The collection addresses application, reporting, and recordkeeping requirements for licensee

possession and use of source or byproduct material. Comments are due Sept. 25, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV. Citations: 10 CFR 36

82 FR 34994 (07/27/2017)

Regulatory Update

RADIATION
Nuclear Fuel Data Survey
RADIATION

Notice announces the intention of the Energy Information Administration to seek OMB approval for a revised information collection request regarding the nuclear fuel data survey (Form GC-859). The collection gathers data on spent nuclear fuel (SNF) from all utilities that operate commercial nuclear reactors and from all others that possess irradiated fuel from commercial nuclear reactors. The collection supports research objectives of developing a range of options and supporting analyses to facilitate informed choices about how best of manage SNF. The revisions add voluntary reporting of assembly burnup data and require reporting of discharged fuel that is shipped or transferred to other storage sites. The revisions also seek information for consolidated, reconstituted, reconstructed fuel assemblies and dry cask loading pattern maps with orientation details. Requests for several other data points are deleted. Comments are due Sept. 25, 2017. Contact: Marta Gospodarczyk; DOE, Office of Electricity, Coal, Nuclear, and Renewables Analysis; 202-586-0527; marta.gospodarczyk@eia.gov

82 FR 34940 (07/27/2017)

Regulatory Update

TOXIC SUBSTANCES
CFATS/Chemical-Terrorism Vulnerability Information
TOXIC SUBSTANCES

Notice of the Department of Homeland Security, National Protection and Programs Directorate, announces the submission of a revised information collection request to the OMB regarding the Chemical Facility Anti-Terrorism Standards (CFATS), which govern the security at covered chemical facilities that have been determined to be at high risk for terrorist attack. The revised collection removes five of the six previously approved instruments designed to manage the Chemical-Terrorism Vulnerability Information (CVI) program. The agency determined the removed instruments were rarely used and that such information is more likely to be collected from specific entities during the course of investigations. Comments are due Aug. 28, 2017. Contact: DHS; 866-323-2957; cfats@dhs.gov. Citations: 6 CFR 27

82 FR 34969 (07/27/2017)

Regulatory Update

TOXIC SUBSTANCES
Chemical Facility Anti-Terrorism Standards
TOXIC SUBSTANCES

Notice of the Department of Homeland Security, National Protection and Programs Directorate,

announces the submission of a revised information collection request regarding the Chemical Facility Anti-Terrorism Standards (CFATS). The CFATS governs the security at covered chemical facilities that have been determined to be at high risk for terrorist attack. The revised collection addresses information necessary to implement CFATS through portions of the Chemical Security Assessment Tool (CSAT). The revised collection also renames two previously approved instruments to clarify the functional purpose of both instruments, modifies the request for redetermination instrument to allow facilities to select from a list of possible reasons to support a request for redetermination, and adds the declaration of reporting status instrument to allow a chemical facility to notify DHS that it is not required to register in CSAT or submit a Top-Screen. Comments are due Aug. 28, 2017. Contact: DHS; 866-323-2957; cfats@dhs.gov. Citations: 6 CFR 27

82 FR 34967 (07/27/2017)

Regulatory Update

TOXIC SUBSTANCES
TSCA Statements of Findings
TOXIC SUBSTANCES

Notice of the EPA announces the availability of seven statements of findings that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. The notice specifies that the statements apply to premanufacture notices, microbial commercial activity notices, and significant new use notices submitted to the EPA under TSCA Section 5(a) from May 1-31, 2017. Contact: Greg Schweer; EPA, Office of Pollution Prevention and Toxics; 202-564-8469; schweer.greg@epa.gov

82 FR 34942 (07/27/2017)

Regulatory Update

WATER
Alternative Testing Methods for Drinking Water Contaminants
WATER

Final rule of the EPA approves 17 alternative testing methods for measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water standards. The rule is effective July 27, 2017. Contact: Glynda Smith; EPA, Office of Ground Water and Drinking Water; 513-569-7652; smith.glynda@epa.gov. Citations: 40 CFR 141, Subpart C, Appendix A

82 FR 34861 (07/27/2017)

Regulatory Update

WATER
Definition of Waters of the U.S. Under the CWA
WATER

Proposed rule of the U.S. Army Corps of Engineers and the EPA would reinstate the definition of "waters of the United States" that existed prior to a June 29, 2015, final rule (80 FR 37054) that

clarified the scope of such waters that are protected under the Clean Water Act, and therefore are within U.S. regulatory jurisdiction, in light of U.S. Supreme Court decisions in 2001 and 2006. The rule is issued in response to a stay of the final rule by the U.S. Court of Appeals for the Sixth Circuit and Executive Order 13778 (82 FR 12497; 03/03/2017) that directed the agencies to review the final rule for consistency with certain policies and to issue a proposed rule amending or rescinding the final rule. The current action is the first of a two-step process for the substantive reevaluation of the definition of "waters of the United States." Comments are due Aug. 28, 2017. Contact: Donna Downing; EPA, Office of Water; 202-566-2428; CWAwotus@epa.gov. Citations: 33 CFR 328.3 through 40 CFR 401.11 (nonconsecutive)

82 FR 34899 (07/27/2017)

Regulatory Update

WATER
Towing Vessels/Navigation Safety Information, Emergency Instructions
WATER

Notice announces the intention of the U.S. Coast Guard to submit a continuing information collection request to the OMB regarding navigation safety information and emergency instructions for certain towing vessels. The collection addresses requirements that mariners have adequate equipment, charts, maps, and other publications. The collection also addresses requirements for inspected towing vessels, under which a muster list and emergency instructions provide effective plans and references for crew to follow in emergency situations. Comments are due Sept. 25, 2017. Contact: Anthony Smith; USCG; 202-475-3532. Citations: 33 CFR 164, 46 CFR 199.80

82 FR 34960 (07/27/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 7/6/2017 5:10:55 PM
Subject: BREAKING NEWS: U.S. Office of Government Ethics director resigns

Walter Shaub, the director of the U.S. Office of Government Ethics who has been critical of some of President Donald Trump's ethics arrangements, announced on Thursday that he is resigning, effective July 19.

Shaub, who was appointed to a five-year term in 2013, is joining the non-profit Campaign Legal Center as the senior director of ethics.

Read more: http://www.politico.com/story/2017/07/06/us-office-of-government-ethics-director-resigns-240263

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/5/2017 6:38:20 PM
Subject: States, cities, businesses declare they will stick with Paris goals

By Eric Wolff

06/05/2017 02:34 PM EDT

Mike Bloomberg, trying to keep momentum for an effort by states and cities to stick with the Paris climate deal despite President Donald Trump's rejection of the pact, says he will submit a report to the United Nations outlining what can be done without the federal government's help.

Bloomberg, the U.N. special envoy for cities and climate change, submitted to the United Nations Framework Convention for Climate a joint statement today signed by more than 1,000 business leaders, mayors, governors and others committed to upholding the deal. In the coming months, he says he will work with any interested officials to "formally quantify" what kind of greenhouse gas emissions could be achieved at the state and local level, in the private sector, and at universities or nonprofits.

The statement, known as "We are Still In," includes the governors of California and New York; executives at tech giants like Google and Apple; and the mayors of Houston, home to many major oil companies, and of Pittsburgh, which Trump mentioned in his speech assailing the Paris deal. They declare Trump's exit "a grave mistake that endangers the American public and hurts America's economic security and diplomatic reputation."

The joint statement and Bloomberg announcement comprise early steps in what will be complex discussions between the different entities to work out carbon accounting from such different entities.

Separately, a dozen states and Puerto Rico have launched the U.S. Climate Alliance to coordinate their efforts to cut emissions.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/states-cities-businesses-declare-they-will-stick-with-paris-goals-088617

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Sun 7/16/2017 6:04:43 PM
Subject: BREAKING NEWS: Congressional Budget Office not expected to score new GOP health care bill Monday

The Congressional Budget Office is no longer expected to release a new score for the Senate GOP's latest Obamacare repeal bill on Monday, Republicans said. A vote planned for next week has also been delayed.

Read more here.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 7/11/2017 9:02:39 PM
Subject: House spending bill takes aim at EPA, Interior rules

By Alex Guillén, Annie Snider and Esther Whieldon

07/11/2017 04:59 PM EDT

The House's fiscal 2018 Interior-EPA spending bill would prevent the Trump administration from completing a court-ordered rule on hardrock mining and block delay several other key regulations.

As part of a settlement the Obama administration reached with environmentalists, EPA must produce a rule by December requiring hardrock miners to have enough cash on hand to clean up their sites once work is complete. The settlement came a few months after the 2015 Gold King mine spill, although the lawsuit at issue was filed before that disaster. Republicans and industry oppose the rule, and the Forest Service has raised concerns that it will duplicate similar regulations issued by that agency.

The bill also includes a rider that would shield EPA's effort to withdraw the Waters of the U.S. regulation from legal challenges, mirroring a provision from the House's proposed fiscal 2018 spending bill for the Army Corps of Engineers.

House Republicans also included several other appropriations riders that mirrored earlier proposals but did not make it into the existing omnibus spending law, including delaying implementation of the 2015 ozone standard until 2025. EPA Administrator Scott Pruitt has already said he will miss a key implementation deadline for that rule.

A handful of riders in existing law are carried over as well, including language preventing the Interior Department from listing the sage grouse as an endangered or threatened species, a provision classifying electricity generated using biomass as carbon neutral and limits on climate change rules for agriculture.

WHAT'S NEXT: The Appropriations subcommittee with jurisdiction over Interior and EPA plans to mark up the bill on Wednesday.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/house-spending-bill-takes-aim-at-epa-interior-rules-090317

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Tue 6/27/2017 5:28:54 PM
Subject: Playbook Power Briefing, presented by the Coalition for Affordable Prescription Drugs (CAPD): THE ADS from a pro-Trump group attacking HELLER -- McConnell warns Trump that he may have to work with Schumer -- Trump team clashes with Disney

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the Coalition for Affordable Prescription Drugs (CAPD)

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Tuesday afternoon. SCOOP -- "Pro-Trump group launches TV, radio ads against Heller over health bill," by Alex Isenstadt: "A pro-Trump outside group is stepping up its attacks on GOP Sen. Dean Heller over his opposition to the Obamacare repeal plan - a stunning act of retribution against a politically vulnerable member of the president's own party. America First Policies, a White House-sanctioned political organization, is launching a $1 million TV and radio ad campaign on Tuesday savaging Heller, the most vulnerable Republican facing re-election in 2018, for his planned 'No' vote." http://politi.co/2uezXbQ ***The TV ad*** http://bit.ly/2uebfsd

SEN. RAND PAUL is going to the White House, as Senate Republicans' efforts to pass a repeal and replace of Obamacare flag.

-- @RandPaul: "Headed to meet with @realDonaldTrump this afternoon. The bill is currently not real repeal and needs major improvement."

READ BETWEEN THE LINES. Paul is expressing pretty fundamental disagreement. He doesn't want the bill changed at the edges -- he wants a big overhaul. **BUT AS OF NOW**, Republicans cannot even move onto debate the bill, because five senators are opposed to the motion to proceed.

RIGHT NOW, SENATORS HAVE MYRIAD issues with the bill. McConnell wants a vote this week, but would push it back if a group of senators flag a specific issue or set of issues in the bill that would bring them all together. If that happened, they would need time to draft that provision. So far, that hasn't happened.

PUSHING IT BACK -- "Lacking support, GOP puts off key repeal vote," by Jennifer Haberkorn and Burgess Everett: "Senate Republicans have put off a critical procedural vote on their Obamacare repeal bill until Wednesday at the earliest, as they fight desperately to come up with the 50 votes needed to start debate on the bill. Sen. John Cornyn (R-Texas), the GOP's chief whip counter, said Tuesday that the vote would be

held 'sometime tomorrow.' He previously said the vote could be held Tuesday or Wednesday. And Republicans are now weighing whether to further delay the vote, sources said." http://politi.co/2tjDRDW

VICE PRESIDENT MIKE PENCE is on Capitol Hill, attending the Senate GOP lunch.

FIRST IN PLAYBOOK -- CLUB FOR GROWTH OPPOSES SENATE BILL -- The Club for growth slammed the Senate health care bill, further complicating Republicans' efforts to get the bill passed. "For seven long years, Americans have waited for health care reform that would repeal the disaster that is Obamacare," Club for Growth President David McIntosh said in a statement. "The Club for Growth and the American people took Republicans in Congress at their word when they promised to repeal every word - 'root and branch' - of Obamacare and replace it with a patient-centered approach to health care." ***Full statement*** http://politi.co/2tjT4VN

STATE OF PLAY: MITCH OR CHUCK -- "McConnell warns Trump over health bill failure," by Burgess Everett, Josh Dawsey and Jennifer Haberkorn: "Mitch McConnell is delivering an urgent missive to staffers, Republican senators and even the president himself: If Obamacare repeal fails this week, then the GOP will lose all leverage and be forced to work with Chuck Schumer. President Donald Trump continued to float the possibility on Monday that Congress and the White House would simply let Obamacare's individual markets collapse if the GOP's repeal effort goes down later this week. But McConnell called up Trump recently, according to people with knowledge of the call, to deliver a reality check. ...

"McConnell delivered a similar missive Monday to Republican senators at his leadership meeting and to top GOP staffers, warning that Democrats will want to retain as much of Obamacare as possible in a bipartisan negotiation, according to Republican aides. 'If we fail, we're going to be negotiating with Chuck Schumer,' said one Republican staffer." http://politi.co/2ue1MB7

BURNING UP THE PHONE LINES -- "Republican senators getting hit by calls from voters worried about Obamacare repeal bill," by Diamond Naga Siu: http://politi.co/2tgGLbH

BEN WHITE SCOOPS -- "White House taps key Senate aide for Treasury rescue mission": "The White House intends to nominate Chris Campbell, staff director for the Senate Finance Committee GOP, to serve as assistant Treasury secretary for financial institutions, people close to the matter said. The job is among the most critical at Treasury as the department, led by Steven Mnuchin, tries to push forward some of Trump's signature goals, including a major tax reform package and sweeping changes to Wall Street regulations. Treasury also faces the need to raise the nation's borrowing limit in the coming months to avoid a potentially catastrophic default." http://politi.co/2rXQwrZ

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A

new study projects pharmacy benefit managers (PBMs) will save Medicare Part D $896 billion over ten years. PBMs drive savings for taxpayers and seniors by negotiating discounts from drug manufacturers; by encouraging the use of lower cost, clinically equivalent drugs; and by providing clinical programs that improve health outcomes. Learn more at affordableprescriptiondrugs.org ******

HAPPENING IN EUROPE -- "Cyberattack under way on Europe's energy and transport companies," by POLITICO Europe's Laurens Cerulus: "A ransomware attack is spreading across Europe in what looks like an outbreak of malware like the global WannaCry attack last month. Russian petroleum company Rosneft confirmed its systems were under attack, saying in a tweet that 'a massive hacker attack has hit the servers of the company.' The transport company A.P. Moller-Maersk confirmed in a tweet it also suffered an attack and its systems were down. Meanwhile, Kiev's main airport has been affected by the malware, the BBC reported. Security researchers have raised similar warnings for energy systems in Ukraine, including Ukrenergo and Kyivenergo. Other incidents are being reported." http://politi.co/2ueisIW

TRUMP INC. -- "Trump's Company Gets Millions So Toronto Hotel Can Erase Brand," by Bloomberg's Katia Dmitrieva: "Donald Trump's business will be paid millions of dollars to release the owner of a Toronto hotel complex from using his name. JCF Capital ULC, the closely held U.S. firm that owns the Trump International Hotel & Tower in the city's downtown business district, reached a buyout deal to exit the contracts with the Trump Organization's hotel unit, the companies said Tuesday in a statement. While no breakup fee was disclosed, the amount was at least $6 million, according to a person with knowledge of the matter. Signage may be removed from the 65-story tower as soon as Aug. 1, said the person, who asked not to be identified discussing confidential details." https://bloom.bg/2ueiDDM

WITH ONE FOOT OUT THE DOOR ... -- "Chaffetz calls for $2,500 legislator housing stipend," by The Hill's Scott Wong: "Rep. Jason Chaffetz (R-Utah) said Monday that House and Senate lawmakers should receive a $2,500 per month housing allowance - something he explained would help ease housing costs for members who can't afford two mortgages or rents. 'I really do believe Congress would be much better served if there was a housing allowance for members of Congress,' Chaffetz told The Hill in an interview in his Capitol office, where he sleeps whenever he's in Washington. 'In today's climate, nobody's going to suggest or vote for a pay raise. But you shouldn't have to be among the wealthiest of Americans to serve properly in Congress.' ...

"'**Washington, D.C., is one of the most expensive places** in the world, and I flat-out cannot afford a mortgage in Utah, kids in college and a second place here in Washington, D.C.,' Chaffetz said. 'I think a $2,500 housing allowance would be appropriate and a real help to have at least a decent quality of life in Washington if you're going to expect people to spend hundreds of nights a year here.'" http://bit.ly/2udthe3

-- ANOTHER IDEA ... -- There is a building that once housed Congressional pages. Use

that to give members of Congress subsidized housing.

LAWYER UP -- "Trump Aides Hire Lawyers for Probe Into Russian Election Hacking," by WSJ's Peter Nicholas and Carol E. Lee: "As investigations intensify into whether the Trump campaign colluded with Russia in the 2016 presidential campaign, at least 10 White House officials and former aides have retained lawyers in conjunction with the probes, or are moving to do so. Inside the White House, President Donald Trump, Vice President Mike Pence and Trump senior adviser Jared Kushner, his son-in-law, all have hired private attorneys, as have former campaign advisers Michael Caputo, Boris Epshteyn and Roger Stone, among others. ...

"Asked about the White House's management of the investigations, Andrew Card, chief of staff to former President George W. Bush, said: 'I think they're learning they have to do a better job of it. I don't fault them for the way they've had to learn this process. But I'm hoping they do not get distracted. That's the most critical thing.' Kellyanne Conway, counselor to President Trump, said, 'It's business as usual here in the White House, where the president's packed schedule and the breakneck pace have been unchanged.'" http://on.wsj.com/2sN4YFX

STATEMENTS FROM THE WHITE HOUSE -- @realDonaldTrump at 6:33 a.m.: "Wow, CNN had to retract big story on 'Russia,' with 3 employees forced to resign. What about all the other phony stories they do? FAKE NEWS!" ... **at 8:30 a.m.:** "Fake News CNN is looking at big management changes now that they got caught falsely pushing their phony Russian stories. Ratings way down!" ... **at 8:47 a.m.:** "So they caught Fake News CNN cold, but what about NBC, CBS & ABC? What about the failing @nytimes & @washingtonpost? They are all Fake News!" ***The president also retweeted several Fox & Friends tweets and a promotional link to Eric Bolling's book.***

-- @CNNPR (replying to the president's tweet about ratings): "CNN just posted it's most-watched second quarter in history. Those are the facts."

HMM... -- "The 'international man of mystery' linked to Flynn's lobbying deal," by Isaac Arnsdorf in a ProPublica-POLITICO joint investigation: "More than two years ago, two men started visiting Washington to push Turkey's agenda in the capital. They dined with dignitaries and enlisted prominent lobbying firms from both sides of the aisle. It was an unremarkable Washington story, except for one thing: the last lobbyist one of the men hired was Gen. Michael Flynn, President Trump's campaign adviser at the time, who was later fired as national security adviser for lying about his conversations with Russia's ambassador.

"Flynn's client, a Turkish businessman named Ekim Alptekin, has gained attention as federal investigators examine Flynn's apparent failures to disclose foreign contacts. But so far, the other man in the pro-Turkey efforts has largely avoided public notice ... The man, Dmitri 'David' Zaikin, is not registered as a foreign lobbyist and has no apparent connection to Turkey.

"What he does have, a ProPublica-POLITICO examination found, is a long track record of partnering with powerful Russian businesspeople and government officials, mostly involving energy and mining deals. More recently, Zaikin has done political work in Eastern Europe, advising parties in Albania and Macedonia that have drifted toward the Kremlin. Zaikin also has business connections to Trump. Working at a real estate agency in Toronto in the 2000s, Zaikin brokered sales in one of the city's new high-rises: the Trump International Hotel and Tower. http://politi.co/2udxG0z

THE HOUSE OF MOUSE -- "Behind the Scenes of Disney's Donald Trump 'Hall of Presidents' Drama," by Motherboard's Kevin Wong: "Walt Disney World's Hall of Presidents -- closed for renovations since January 2017 in order to add a new Donald Trump robot -- was originally scheduled to reopen with its new president in time for summer.

"But now, its reopening has been pushed back to no earlier than the fall, and perhaps beyond that, according to Disney sources familiar with the attraction. After much behind-the-scenes drama and internal machinations about whether or not Trump would have a speaking role in the attraction, Disney told a local TV station that Trump would indeed speak. But the road to get to this point has been fraught with difficulties. According to our source, Trump's communications team turned what should have been a simple recording process into a public relations nightmare-one that Disney executives twisted themselves in knots to avoid, in order to save face for the president, and ultimately, save face for themselves." http://bit.ly/2sN3dZh

PLAYBOOK METRO SECTION -- "The Neighborhood Inside a Building: D.C.'s massive Woodner apartment building has lived many lives-from fancy hotel to one of the last bastions of affordable housing in a gentrifying neighborhood. Now, it's on the brink of another change," by CityLab's Tanvi Misra http://bit.ly/2sNclxf

MEDIAWATCH -- @AshleyRParker: "Excited to share that I am now officially an MSNBC contributor."

WEEKEND WEDDING -- Former Daily Caller entertainment editor **Taylor Bigler,** now a reporter at the Mount Desert Islander in Bar Harbor, married **Donny Mace** at the Causeway Club in Southwest Harbor, Maine. The pair met in 2014 at a restaurant in Northeast Harbor, Maine. They will honeymoon in Kennebunkport. ***Pics*** http://bit.ly/2tftdh2 ... http://bit.ly/2tQLKh0 ... http://bit.ly/2sWkMos **SPOTTED:** Amy Rush, bridesmaids Chrissy Terrell Murray and Kori Kemble, Margaret Atkinson.

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study estimates that Medicare Part D costs would be 58 percent higher without pharmacy benefit managers' (PBMs') clinical tools and price negotiations with drug manufacturers and pharmacies. The study shows PBMs significantly lower premiums and out-of-pocket costs for Medicare beneficiaries. In fact, PBMs are projected to save Medicare Part D $896 billion over the next decade. Thanks to PBMs, Medicare Part D continues to drive savings and value for taxpayers and beneficiaries, ensuring that more

than 39 million American seniors can access the prescription drugs they need. Learn more at affordableprescriptiondrugs.org ******
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/14/2017 12:22:23 PM
Subject: BREAKING NEWS: House Majority Whip Scalise wounded in Northern Virginia shooting; reports of multiple shots fired

Several people were shot Wednesday morning at a congressional baseball practice, including House Majority Whip Steve Scalise, according to one lawmaker.

The lawmakers were practicing for the annual congressional ballgame when the shooting took place in Alexandria, Va.

According to Rep. Mo Brooks (R-Ala.), Scalise was wounded in the shooting.

"He'd crawled into the outfield but leaving a trail of blood. We started giving him some liquids," Brooks said on CNN.

Brooks was not hit.

Read more: http://www.politico.com/story/2017/06/14/house-majority-whip-scalise-wounded-in-northern-virginia-shooting-reports-of-multiple-shots-fired-239539

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Lincoln Ferguson (EPA)
Sent: Mon 6/12/2017 1:38:33 PM
Subject: United States Resets Climate Change Discussion At G7

United States Resets Climate Change Discussion At G7

U.S. Formally Joins Communiqué, Reaching Consensus On Important Environmental Issues

June 12, 2017

Bologna, Italy – Today, U.S. Environmental Protection Agency Administrator Scott Pruitt announced that the United States stands firm on its decision to withdraw from the Paris Agreement and has reset the conversation about climate change reflective of the new priorities of the Trump Administration and the expectations of the American people.

"Respective of the importance to engage with longstanding allies and key international partners, we approached the climate discussions head on from a position of strength and clarity. We are resetting the dialogue to say Paris is not the only way forward to making progress. Today's action of reaching consensus makes clear that the Paris Agreement is not the only mechanism by which environmental stewardship can be demonstrated. It also demonstrates our commitment to honest conversations, which are the cornerstone of constructive international dialogue, " said Administrator Scott Pruitt.

While a party to the communiqué, the United States did not join the climate change sections, explicitly stating:

We the United States of America continue to demonstrate through action, having reduced our CO2 footprint as demonstrated by achieving pre-1994 CO2 levels domestically. The United States will continue to engage with key international partners in a manner that is consistent with our domestic priorities, preserving both a strong economy and a healthy environment. Accordingly, we the United States do not join those sections of the communiqué on climate and MDBs, reflecting our recent announcement to withdraw and immediately cease implementation of the Paris Agreement and associated financial commitment.

The United States and its G7 counterparts found common ground engaging in robust and constructive dialogue regarding other, equally important environmental issues. The United States joined consensus throughout the communiqué including the sections discussing resource efficiency, marine litter, and environmental policies and jobs.

"The United States will continue to show leadership by offering action-oriented solutions to the world's environmental challenges. We have indicated a willingness to engage on an international stage that stands to greatly benefit from American ingenuity, innovation, and advanced technologies. We have already demonstrated significant progress towards mitigating environmental problems and we will continue to develop these for the benefit of all

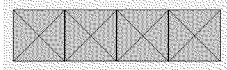
nations," Administrator Pruitt said.

BACKGROUND ...

G7 Bologna Environment Ministers' Meeting: Communiqué

"We, the G7 Environment Ministers and high representatives, and European Commissioners responsible for environment and climate, met in Bologna on 11-12 June 2017. We were joined by heads and senior officials of International Organizations and by representatives of universities and firms." (G7 Bologna Environment Ministers' Meeting, 06/12/17)

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 7/5/2017 2:07:05 PM
Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: Gateway to the unknown — Has the time come for the FAA overhaul? — Laptop ban update

By Lauren Gardner | 07/05/2017 10:00 AM EDT

With help from Daniel Lippman and Tanya Snyder

GATEWAY TO THE UNKNOWN: DOT quietly pulled out of the Gateway Program's board of directors on Friday, the latest wrinkle in the saga of the $24 billion mega-project (Pros can read a copy of the letter here). While DOT cautioned Monday that its decision "should not be misinterpreted as any form of decision about the multiple individual projects promoted by the Gateway Development Corporation," it at the very least reinforces the feeling that this administration won't treat the project the same way as the Obama administration. More from a department spokeswoman: "The decision underscores the Department's commitment to ensuring there is no appearance of prejudice or partiality in favor of these projects ahead of hundreds of other projects nationwide. Moreover, this decision is more consistent with the Department's provision of effective and objective oversight in instances where we provide financial assistance."

About that money: The Trump administration has already proposed winding down a transit grant program that was expected to fund the Portal North Bridge project in New Jersey, a major bottleneck area where early design work has already begun. John Porcari, interim executive director of the Gateway Program Development Corporation, reiterated in a statement over the weekend that the multibillion-dollar endeavor won't get off the ground without federal backing. "We believe Gateway satisfies each of the administration's infrastructure priorities including project sponsors committing their own financial resources," he said. "While the Gateway team knows that a project of national significance cannot proceed without a federal funding partner, we appreciate the important technical assistance provided by Secretary Chao and her team at USDOT in advancing this vital project."

Nothing to see here: The department says this isn't part of a broader policy change on DOT's service when it comes to other boards "when required by law," like Amtrak. DOT is also authorized to sit on the boards of the redevelopment projects for New York's Penn Station and Washington's Union Station. MT reached out to New York's and New Jersey's senators, who have been vocal boosters for Gateway, but didn't get a response. (Congress is on a week-long break for Independence Day.)

Coming attractions: DOT plans "to make several project announcements regarding the Northeast Corridor in the coming weeks," and specifically anticipates publishing the draft environmental impact statement for the Hudson Tunnel project "in the near future," the spokeswoman said.

IT'S WEDNESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Send your tips, feedback and lyrics to

lgardner@politico.com or @Gardner_LM and tsnyder@politico.com or @TSnyderDC.

"You know I get paid by the mile / like Avis I pave this / fast save this / everybody smile and act gracious."

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get listening, too!

HAS THE TIME COME? Proponents of an air traffic control overhaul are pushing for an answer to that very question, as both chambers prepare to push through bills reauthorizing the FAA that take very different approaches to the subject. But the outstanding question, as your MT co-host and our Brianna Gurciullo write , is whether the Trump administration has spent enough political capital to sway enough lawmakers to his side. We've made this point before - a president's support for an issue when his party controls all levers of power in Washington can help make or break an issue, but when it comes to major policy changes that aren't 100 percent ideological in nature, they can be far from a slam dunk.

Case in point: Sen. Jim Inhofe - a staunch conservative, pilot and GOP booster - questioned just how much President Donald Trump cares about making an air traffic control overhaul a reality. "It's kind of funny because he hasn't mentioned that to me, and I'm the one that he would mention it to, and I've been around him a lot," the Oklahoma Republican said. "So I just question the depth of his commitment to that cause, to that legislation."

Vive la persistance: Even so, some Republicans told us they sensed a shift among at least some of their colleagues on the issue once Trump endorsed changes. "I think members took it more seriously when [Trump] came out and openly endorsed it, yeah. And then the speaker did as well," Rep. Kenny Marchant (R-Texas), a member of Ways and Means, said.

That cooling saucer, though: Still, Senate Commerce Chairman John Thune (R-S.D.) has said for months (many months) that he doesn't have the votes to move House Transportation Chairman Bill Shuster 's plan out of his committee, let alone on the floor, meaning members will more likely than not have to hash things out in the most old-school of ways - through a conference committee (remember those?). It's way too early to tell just how a conference committee might come down, but we'd observe that the last time there was a user fee fight as part of an FAA bill - and that one, keep in mind, was without the additional wholesale governance change that's being proposed - the scuffle forced dozens of extensions strung out over about four years. Which, of course, is the standard time for an FAA reauthorization to run.

A handy visual: Ever wish for a side-by-side comparison of the economic underpinnings of our air traffic control system and that of NavCanada, the closest sibling to the system Shuster wants to implement here - along with a summary of each system's advantages, disadvantages, and performance histories? Of course you have, transportation nerds. Here you go, courtesy of our crack team over at Datapoint.

** **A message from Delta Air Lines:** Delta® partners with CLEAR® to offer SkyMiles® Members exclusive rates on CLEAR membership to enjoy a faster way through security at

airports nationwide. CLEAR's biometric technology platform gets travelers through security with just the touch of a finger or blink of an eye. Enroll today at clearme.com/delta. **

HEAT AWAITS IN THE SENATE: As your favorite Pros reported last week, the Senate bill is not without its own controversies, the biggest of which is language to loosen the strictures on pathways for pilots to be certificated to fly with less than 1,500 hours of flight time logged. A DOT working group set up under last year's FAA bill submitted a final report to Congress last week that urged lawmakers to do just that. "The imposition of the new 1,500 hours requirement has drastically increased the time and cost for aspiring aviators to become commercial airline pilots, in many cases putting the piloting career out of reach," the working group said.

ALPA pushback: In May, the Air Line Pilots Association, which had a representative on the working group, pleaded with Transportation Secretary Elaine Chao to force members back to the drawing board on the report, on which President Tim Canoll said the other panel members "appeared to have a predetermined notion of what the end results should be." Canoll outlined in the 15-page letter the group's issues with the report (while also complaining that it had been limited to a one-page dissent in the eventual submission to DOT and Congress). Members of the panel included regional airline executives (plus Regional Airline Association President Faye Malarkey Black), executives from small airports and state and local government officials - constituencies that have been pushing the notion of a nationwide pilot shortage (which ALPA disputes) for years.

The process: Report author Russell Mills, a former FAA policy analyst and now an associate professor at Bowling Green State University, said the group's work was "a very collaborative process throughout," but conceded that ALPA was always going to disagree on the pilot shortage issue. Mills said that, from his own experience at Bowling Green, he's observed a dearth of flight instructors because they leave as soon as they meet their hours requirement. And to ALPA's complaint that the study didn't do enough to probe ways to improve regional airline business models, Mills noted that regionals are offering job candidates more money now than they historically have.

Other recommendations: The working group urged policymakers to write an Essential Air Service community "Bill of Rights" to give those locations greater say in voicing concerns about their service (while also stating that "many of the perceived inefficiencies in the EAS program are symptoms of larger issues, especially the shortage of qualified pilots"). The group also urged Congress to boost funding for and tweak the Small Community Air Service Development Program.

ADVANCE WARNING: Sen. Richard Blumenthal (D-Conn.) urged MTA Chairman Joseph Lhota to implement a "culture of safety" in the wake of a preliminary NTSB report that found that Metro-North knew of a "real nasty kink in the rail" before train 1373 derailed in Rye, N.Y., in May. Fourteen passengers and two crewmembers sustained minor injuries in the incident. Blumenthal underscored that any improvement in rail safety must include "a commitment to implementation of Positive Train Control" by the December 2018 deadline. Blumenthal asked Lhota to report back to him on "how you will prioritize safety so incidents like the Rye derailment will not be allowed to recur."

Busy weekend for NTSB: NTSB responded to six general-aviation airplane crashes - with a combined death toll of 14 - plus a natural-gas pipeline explosion and an engine fire on a commercial airliner during Saturday and Sunday of the Independence Day weekend.

FREE TO TYPE ABOUT THE CABIN: DHS lifted its ban on large electronic devices in passenger cabins over the weekend for Etihad Airway flights from Abu Dhabi, our Stephanie Beasley reports. While other affected airlines and airports are still subject to restrictions, the department said Etihad and Abu Dhabi International Airport had stood up enhanced security measures that voided the need for them to adhere to the so-called laptop ban. The Associated Press reported late Tuesday that Emirates and Turkish Airlines will meet with U.S. officials today "to show they have complied with measures to be exempted from the ban as well," according to a DHS spokesman.

YES, (MEXICAN) TRUCKS GO: The Ninth Circuit Court of Appeals last week rejected a challenge by the Teamsters of FMCSA's authority to issue permits to Mexican truck companies after a 2015 report by the agency deemed them safe enough to drive within the United States. The judges dismissed the union's suit against the report because it wasn't a reviewable final agency action, and rejected its challenge to FMCSA's issuance of an operating permit "because the decision whether to grant long-haul authority based on the results of a pilot program is committed to agency discretion by law."

CONGRATULATIONS: To Will Kinzel, managing director of government affairs at Delta Air Lines, and Marcie Kinzel, senior adviser to Sen. Steve Daines (R-Mont.), who welcomed a new baby into their family June 29. What a sweetie!

THE AUTOBAHN:

- "Cargo delivery at PortMiami terminal paralyzed after cyber attack." Transport Topics.

- Rahm Emanuel schools other city leaders on maintaining transit infrastructure. The New York Times.

- Advice on surviving an airplane engine fire, from someone who lived through one over the weekend. Quartz.

- "Drones may soon have to identify themselves electronically while in flight." Recode.

- "On London's Streets, Black Cabs and Uber Fight for a Future." The New York Times.

- "Inside the White House's policy-making juggernaut." POLITICO.

THE COUNTDOWN: DOT appropriations run out in 88 days. The FAA reauthorization expires in 88 days. Highway and transit policy is up for renewal in 1,184 days.

** **A message from Delta Air Lines:** Committed to bettering the travel experience, Delta has

partnered with CLEAR®, the biometric identity platform. CLEAR allows SkyMiles® Members to use fingerprint and iris I.D. technology to speed through airport security by offering them exclusive Member-only rates on CLEAR membership. CLEAR is trusted by over one million travelers and by the U.S. Department of Homeland Security. CLEAR's three-step enrollment process takes less than five minutes - CLEAR digitally authenticates your driver's license or passport, confirms your identity, and then creates your biometric account. After enrollment, members can begin using the CLEAR Lanes immediately. Enroll today at clearme.com/delta. **

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Sent: Sat 6/24/2017 2:20:35 PM
Subject: POLITICO Playbook, presented by Starbucks: MATT MIKA out of hospital -- GOP HEALTH CARE bill in shambles as Trump begins to get involved -- PRO-TRUMP group looking to pressure Dean Heller -- WOODY JOHNSON spotted at Trump hotel -- PENCE huddles with Koch

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Today's POLITICO Playbook presented by Starbucks
06/24/2017 10:16 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Saturday morning. GOOD NEWS -- MATT MIKA IS OUT OF THE HOSPITAL -- *A note from his family*: "Our family is pleased to report that Matt has been discharged from George Washington University Hospital. We are truly grateful for the compassionate, world-class care provided by the doctors, nurses and team at George Washington, and we will never forget and continue to be grateful for the heroism shown by the U.S. Capitol Police. We truly appreciate the prayers, words of encouragement and support from Matt's friends, family and people across the nation and the world. Matt's discharge is a welcome and important step. As he continues to recover we ask for your respect of our family's privacy. The family currently has no plans to do media interviews or provide further updates."

BAD NEWS FOR TRUMP -- Five Senate Republicans oppose the GOP health care bill. Sens. Dean Heller (Nev.), Ron Johnson (Wis.), Mike Lee (Utah), Ted Cruz (Texas) and Rand Paul (Ky.) have all come out against the package. It matters precious little at this point who else is against the bill because the math here is pretty simple. With Democrats uniformly opposed to the legislation, Senate Majority Leader Mitch McConnell can only lose two votes. While Trump has started personally lobbying GOP senators, his ability to turn votes in the chamber is uncertain and untested. Still, no one should ever count McConnell out -- he's among the savviest leaders Capitol Hill has seen.

WHAT AMERICA IS SEEING THIS MORNING -- SAN DIEGO UNION TRIBUNE: "HEALTH BILL LOBBYING HEATS UP: Key GOP senator balks at current version; Trump, Democrats scramble to shore up allies before vote" http://bit.ly/2t6o0bU ...**DENVER POST:** "Fifth GOP senator opposes latest health bill: Nevada's Heller

worried by Medicaid cuts; Republican super PAC to attack him in ads" http://bit.ly/2tFmhHp ...

... HARTFORD COURANT: "Senators Expect 'Titanic' Fight: Blumenthal, Murphy Blast 'Evil' Bill, GOP Secrecy" http://bit.ly/2u0cRpj ... **JANESVILLE GAZETTE:** "Medicaid faces hard times: Historic change possible with GOP health plans" http://bit.ly/2sBNHzm

STATEMENT FROM THE PRESIDENT, FROM THE WHITE HOUSE -- @realdonaldtrump at 8:51 a.m.: "Democrats slam GOP healthcare proposal as Obamacare premiums & deductibles increase by over 100%. Remember keep your doctor, keep your plan?"

-- GUESS WHAT: Democrats were never going to vote to repeal Obamacare. The stalemate on health care is a GOP issue. If you talk to elected Republicans on the Hill, they pretty much all understand that they now own health care as a political issue.

THE HEADACHE MCCONNELL DOESN'T NEED -- "The surprising GOP holdout on the Senate's health bill," by Jen Haberkorn: "Ron Johnson stormed Washington in 2010 by railing against Obamacare, becoming one of the law's harshest and most persistent critics. Now, with the Senate on the brink of repealing the law, he's one of the surprise holdouts threatening to block the bill. The Wisconsin Republican says Senate leaders are rushing the vote before he and the public can analyze it and are not doing enough to actually bring down premiums. He joined with a trio of Senate conservatives on Thursday who say they're open to negotiation but can't support Majority Leader Mitch McConnell's bill as it is." http://politi.co/2u0cOdd

-- FROM WAPO'S SEAN SULLIVAN, BOB COSTA AND KELSEY SNELL: "As the vote-counting effort intensifies, Trump, who has said he supports the bill but it needs more 'negotiation,' is trying to build consensus both in public and behind the scenes. On Thursday, he called Sen. Ted Cruz (Tex.), one of the five GOP holdouts, to speak with him about his proposed changes, according to White House officials and a Trump ally with knowledge of the conversation." http://wapo.st/2sMHSh6

AIR WARS -- "Pro-Trump group to target GOP Sen. Heller over health care bill," by Matt Nussbaum and Alex Isenstadt: "A pro-Trump outside group is launching an advertising blitz against Republican Sen. Dean Heller over his opposition to the health care repeal bill - a bold act of political retaliation against a member of the president's own party. Heller, a Nevada Republican, is up for re-election in 2018 and is seen as one of the most vulnerable incumbents up for reelection this cycle. The barrage, which will be orchestrated by America First Policies, a group run by many of President Donald Trump's top campaign advisers, is backed by more than a million dollars ... Digital ads [were] set to begin running on Friday, and television and radio spots are set to launch early next week." http://politi.co/2t6bZDi

-- THIS IS STUNNING. Heller is perhaps the most embattled Senate Republican in 2018. A group that VP Mike Pence raised money for is going after him. This is the kind

of thing that is going to have Senate Republicans wondering if the White House and its allies have any idea what they're doing.

-- @HillaryClinton: "Forget death panels. If Republicans pass this bill, they're the death party."

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

WHAT REX TILLERSON'S BEEN UP TO -- "Overruling diplomats, U.S. to drop Iraq, Myanmar from child soldiers' list," by Reuters' Jason Szep and Matt Spetalnick: "In a highly unusual intervention, Secretary of State Rex Tillerson plans to remove Iraq and Myanmar from a U.S. list of the world's worst offenders in the use of child soldiers, disregarding the recommendations of State Department experts and senior U.S. diplomats, U.S. officials said. The decision, confirmed by three U.S. officials, would break with longstanding protocol at the State Department over how to identify offending countries and could prompt accusations the Trump administration is prioritizing security and diplomatic interests ahead of human rights.

"Tillerson overruled his own staff's assessments on the use of child soldiers in both countries and rejected the recommendation of senior diplomats in Asia and the Middle East who wanted to keep Iraq and Myanmar on the list, said the officials, who have knowledge of the internal deliberations. Tillerson also rejected an internal State Department proposal to add Afghanistan to the list, the three U.S. officials said." http://reut.rs/2rNvrAa

BONUS FOGGY BOTTOM REPORT -- "Intelligence officials worry State Dept. going easy on Russian diplomats," by Ali Watkins: "Intelligence officials and lawmakers are concerned that the State Department is dragging its feet in implementing a crackdown on Russian diplomats' travel within the U.S., despite evidence that Moscow is using lax restrictions to conduct intelligence operations. The frustration comes amid bipartisan concern that the Trump administration is trying to slow down other congressional efforts to get tough on Russia. ... The Kremlin's U.S.-based diplomatic corps, according to several U.S. intelligence sources, has been known to skip notification rules and use the lax restrictions to roam around the country, likely engaging in surveillance activities." http://politi.co/2tZI8cb

-- "State's Afghanistan-Pakistan envoy leaves, spurring confusion about U.S. diplomacy in region," by Nahal Toosi: "The State Department unit that deals with Afghanistan and Pakistan has lost its top official and its fate is uncertain, even as President Donald Trump weighs increasing U.S. military presence in the region. The development has spawned confusion inside and outside the State Department about the future of the section known as the Office of the Special Representative for Afghanistan

and Pakistan, or SRAP." http://politi.co/2t5NmWF

KOCH WATCH -- "Vice President Pence meets with billionaire Charles Koch," by USA Today's Fredreka Schouten in Colorado Springs: "Pence, who has longstanding ties to Koch's political and policy empire, met with the Kansas industrialist for about 50 minutes ... Friday's meeting included Marc Short, Trump's director of legislative affairs, and longtime Pence aide Marty Obst. Short is a former top official in the Koch network. Those accompanying Charles Koch included key Koch lieutenants Mark Holden and Brian Hooks, who oversee the network's activities, along with Tim Phillips, who runs the Kochs' grassroots arm, Americans for Prosperity. [James] Davis also attended." https://usat.ly/2sMROXU

COMING ATTRACTIONS -- "The other treaty on the chopping block," by Gregory Hellman and Bryan Bender: "A fierce debate is brewing inside the Trump administration over whether to withdraw from another international treaty - this one a cornerstone disarmament pact with Russia banning an entire class of nuclear missiles. ... Leading Republican hawks are pushing legislation to compel Trump to take steps to develop new missiles in response - the first steps to jettisoning what is known as the INF treaty, signed by President Ronald Reagan and Soviet leader Mihkail Gorbachev. ... But there are serious questions inside the Pentagon, State Department and the White House National Security Council - and loud warnings from the architects of the pact - about the consequences of such a move, which some say could spark a full-blown arms race." http://politi.co/2t6mWET

THE JUICE...

SPOTTED: Woody Johnson -- the newly nominated ambassador to the United Kingdom -- in the Franklin study at the Trump Hotel last night for the reception for Steven Mnuchin's wedding to Louise Linton (at 6:30 p.m. tonight at the Carnegie Mellon Auditorium). Mnuchin was wearing a dark suit and red tie.

-- NEW YORK REP. ADRIANO ESPAILLAT (D-N.Y.), who is in his first term, filed a financial disclosure that lists two assets: a pension, and between $5 million and $25 million in cash in a checking account.

SPORTS BLINK -- "AP sources: Jeb Bush, Romney join forces to pursue Marlins," by Steven Wine: "Former Florida Gov. Jeb Bush has switched sides in pursuit of the Miami Marlins, and he's trying to beat out former teammate Derek Jeter. Bush has joined forces with businessman Tagg Romney in a group trying to buy the Marlins ... Bush and Jeter, the 14-time New York Yankees All-Star shortstop, led rival groups earlier this year. They then joined forces, but Bush dropped out in May. Now they're rivals again, and Jeter is still exploring financing options." http://apne.ws/2t2idmz

CLICKER -- "The nation's cartoonists on the week in politics," edited by Matt Wuerker -- ***15 keepers*** http://politi.co/2sA9sQ0

Playbook Reads

[redacted]

PHOTO DU JOUR: Five-year-old Arabella Rose Kushner and friends play with the lectern in the James Brady Press Briefing Room following press secretary Sean Spicer's off-camera news conference at the White House on June 23. | Chip Somodevilla/Getty

DEPT. OF PREVIOUS LIVES -- N.Y. DAILY NEWS -- "Trump commerce secretary once flouted zoning laws and built a wall around his Southampton property," by James Fanelli: "President Trump isn't the only one in his administration who thinks a border wall can solve a problem. U.S. Secretary of Commerce Wilbur Ross once built an illegal wall on the perimeter of his swanky Southampton estate to block the noise from the American Indian reservation across the street and the traffic along Montauk Highway. When the billionaire cabinet member was told he couldn't have the wall, he waged a three-year legal battle with the local zoning board of appeals that he ultimately lost. Ross installed the sound barrier after his infant grandson kept waking up from the procession of cars and trucks along the highway and from the parade of customers at the tax-free tobacco shops on Shinnecock Nation land." http://nydn.us/2s7v8Qg

THE BLURRING -- "The White House hires a Trump hotel executive to serve as chief usher," by WaPo's Krissah Thompson and Jonathan O'Connell: "Melania Trump on Friday named a senior manager at Washington's Trump International Hotel to serve as chief usher of the White House. Timothy Harleth, who worked for Mandarin Oriental hotels in D.C. and New York before joining one of the Trumps' flagship hotels last year, will take the crucial position overseeing the staff of housekeepers, butlers and others who work in the first family's living quarters and maintain the executive mansion. ... This spring, the Trumps pushed out Chief Usher Angella Reid, an Obama appointee who had also come from the world of luxury hotels. The White House gave no reason for her firing other than a desire for change." http://wapo.st/2rN5NM2

KNOWING CORRY BLISS -- "The GOP's one-man fire brigade: After four special election wins, Republicans are relying on the Congressional Leadership Fund's Corry Bliss to safeguard the House majority," by Eliana Johnson: "Bliss has proselytized relentlessly about the declining importance of television, which Trump used to great effect, and the rising importance of ground game, something Barack Obama and Democrats were quicker to exploit than their Republican counterparts. He was bitterly critical of what he regarded as the [RNC's] weak field program last year in Ohio, where he built an independent field operation on Portman's behalf - a move that ruffled feathers at the [RNC].

"The senator waltzed to victory, but Bliss clashed repeatedly with then-RNC chairman Reince Priebus and his chief of staff, Katie Walsh, over Portman's field program; and Priebus and Walsh later waved off Senate Majority Leader Mitch McConnell and House Speaker Paul Ryan from hiring Bliss to run the [NRSC] and the [NRCC]. Sources close to Bliss and Priebus say they have a cordial relationship now." http://politi.co/2t637gZ

BEYOND THE BELTWAY -- "California activist Tom Steyer adds health care to his brand," by Victoria Colliver in San Francisco: "California billionaire activist Tom Steyer made his name as an environmental activist, worked with Democratic groups to register a million new voters and redefined green politics with high-profile campaigns on climate change and clean energy. Now as he weighs a run for public office, he's adding health care - specifically drug prices - to his brand. ... The former hedge fund executive, 59, is backing a California effort to force drug manufacturers to give notice of price increases, a move Steyer sees as a first step to reining in drug costs and curbing the power of corporate interests." http://politi.co/2s6S8yY

CONNECTING THE DOTS -- NYT A1, "Maritime Mystery: Why a U.S. Destroyer Failed to Dodge a Cargo Ship," by Scott Shane: "There should have been lookouts on watch on the port, starboard and stern of the destroyer Fitzgerald - sailors scanning the horizon with binoculars and reporting by headsets to the destroyer's bridge. At 1:30 a.m. last Saturday, off the coast of Japan south of Tokyo, they could hardly have failed to see the 730-foot freighter ACX Crystal, stacked with more than 1,000 containers, as it closed in. Radar officers working both on the bridge and in the combat information center below it should have spotted the freighter's image on their screens, drawing steadily closer. ... But none of that happened. The Fitzgerald's routine cruise in good weather through familiar, if crowded, seas ended in the most lethal Navy accident in years. Seven sailors lost their lives." http://nyti.ms/2sMJBTG

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

FIRST PERSON - DAVID RANK in WaPo, "Why I resigned from the Foreign Service after 27 years": "When the administration decided to withdraw from the Paris agreement on climate change, however, I concluded that, as a parent, patriot and Christian, I could not in good conscience be involved in any way, no matter how small, with the implementation of that decision. ... I worry about the frequently politically motivated portrayal of those who work for the American people as members of some mythical elite, separate and suspicious. Such false characterizations drive talented Americans away from public service or discourage them from entering it in the first place." http://wapo.st/2t5Wif5

IN LANGLEY -- NYT A1, "C.I.A. Set Up Secret Back Channel With Syria to Try to Free U.S. Hostage," by Adam Goldman: "In the early days of the Trump administration, national security officials began exploring ways to free Austin Tice, an American journalist and a former Marine officer believed to be held by the Syrian government. ... [I]n early February, Mike Pompeo, the C.I.A. director, spoke on the phone with Ali Mamlouk, the head of Syria's National Security Bureau intelligence service, a man accused of human rights abuses during the country's civil war and slapped with sanctions by the United States. The call was the highest-level contact between the

governments in years. Though Mr. Pompeo's discussion with Mr. Mamlouk prompted further communications that renewed hope that Mr. Tice would be freed, the operation fizzled out after the Syrian government's nerve gas attack in rebel-held northern Syria in April and the American missile strike in response." http://nyti.ms/2t6hK3Z

DEEP DIVE -- "Why Grenfell Tower Burned: Regulators Put Cost Before Safety," by NYT's David D. Kirkpatrick, Danny Hakim and James Glanz: "The London police on Friday blamed flammable materials used in the facade for the spread of the blaze and said the investigation could bring charges of manslaughter. ... [I]nterviews with tenants, industry executives and fire safety engineers point to a gross failure of government oversight, a refusal to heed warnings from inside Britain and around the world and a drive by successive governments from both major political parties to free businesses from the burden of safety regulations. ... Builders in Britain were allowed to wrap residential apartment towers - perhaps several hundred of them - from top to bottom in highly flammable materials, a practice forbidden in the United States and many European countries. And companies did not hesitate to supply the British market." http://nyti.ms/2s2auWs

GREAT WEEKEND READS, curated by Daniel Lippman, filing from Palm Beach, Florida:

--"China's Mistress-Dispellers," by Jiayang Fan in the New Yorker: "'There are no enduring marriages,' [Ming Li] told me matter-of-factly. 'Only mistresses who haven't worked hard enough at tearing it apart.'" http://bit.ly/2t4q2bO

--**"How Accusing A Powerful Man of Rape Drove A College Student To Suicide,"** by BuzzFeed's Katie J.M. Baker: "When an Alabama college student told the police she was sexually assaulted, she did everything she thought she was supposed to do. She ended up killing herself." http://bzfd.it/2t0rAmV

--"What Makes Us Happy?" by Joshua Wolf Shenk in the June 2009 issue of The Atlantic: "Is there a formula-some mix of love, work, and psychological adaptation-for a good life? For 72 years, researchers at Harvard have been examining this question, following 268 men who entered college in the late 1930s through war, career, marriage and divorce, parenthood and grandparenthood, and old age." http://theatln.tc/2sKRede (h/t Longform.org)

--"Shakespeare's Politics," by Robert Cooper in the American Interest: "We know little of his political opinions, but there's much we can learn of them from the recurrent themes of his works." http://bit.ly/2szQRE1

--"Covering the Cops," by Calvin Trillin in the Feb 17, 1976 issue of The New Yorker - per Longform's description: "A profile of Edna Buchanan, a Pulitzer Prize-winning crime reporter for the Miami Herald during its heyday." http://bit.ly/2tDzwIB

--"Can Jonathan Haidt Calm the Culture Wars?" by Evan R. Goldstein in the

Chronicle of Higher Education - per ALDaily.com's description: "Haidt is famous for explaining how liberals and conservatives think. Now he's wagering that social psychology can calm the campus culture war." http://bit.ly/2szUObR

--"A Declaration of Urban Independence," by Richard Florida in the July/Aug. issue of POLITICO Magazine: "Cities are under assault in the age of Donald Trump. It would be better for the country if they ran themselves instead." http://politi.co/2sAhrgb

--"Fighting for the Immigrants of Little Pakistan," by The New Yorker's Jennifer Gonnerman: "The Brooklyn neighborhood persevered after 9/11. Can it survive in the age of Trump?" http://bit.ly/2t0lovn

--"Trained to Kill: How Four Boy Soldiers Survived Boko Haram," by Sarah A. Topol in the N.Y. Times Magazine: "The four children, from a fishing village in Nigeria, were among thousands abducted by Boko Haram and trained as soldiers. They learned to survive, but only by forgetting who they were." http://nyti.ms/2t4cRZ8

--"What's Wrong With the Democrats?" by Franklin Foer in the July/Aug. issue of The Atlantic: "If the party cares about winning, it needs to learn how to appeal to the white working class." http://theatln.tc/2t4ancx

--"The Tamarind is Always Sour," by Keane Shum in Granta: "The business model was to get as many passengers to Malaysia alive as possible, but crews were not shy about shooting or beating people to maintain order. The murdered would be thrown overboard, along with the handful who perished from starvation or sickness. We think about twelve of every thousand passengers died at sea, almost all from abuse or deprivation." http://bit.ly/2szMg4p

--"The Monster of Florence: A true crime story," by Douglas Preston in the July/Aug. 2006 issue of the Atlantic: "Between 1974 and 1985 seven couples were murdered while making love in parked cars in the hills of Florence. The case was never solved. There have been suicides, exhumations, poisonings, body parts sent by post, séances in graveyards, lawsuits, and prosecutorial vendettas." http://theatln.tc/2sKUFRe

Playbookers

SPOTTED: Supreme Court Justice Sonia Sotomayor last night at the Nats game (the Nats beat the Cincinnati Reds 6-5) ... Rep. Lois Frankel (D-Fla.) asking for (and taking) a selfie with Guardian reporter Ben Jacobs yesterday at the taxi line at West Palm Beach airport after finding out that he was the reporter body-slammed by her new colleague Greg Gianforte (R-Mont.) ... former Sen. Mark Kirk (R-Ill.) on a United Airline flight yesterday from DCA to ORD ... Rep. Cathy McMorris Rodgers (R-Wash.) yesterday at Spokane airport, coming in from a flight from ORD.

TRANSITIONS -- Samantha Greene is starting Monday as the comms director for Rep. Julia Brownley (D-Calif.); Greene most recently spent two years as communications director at the Information Technology and Innovation Foundation. ... **Sara Roberts** had her last day on Friday as digital director for the Senate Committee on Energy and Natural Resources. She's moving to New York to be digital marketing editor for the Peninsula Hotels.

ENGAGED! @sethmoulton: "My girlfriend of 2+ years, Liz Boardman, just said yes! So excited!!" Boardman is a senior client partner at Korn Ferry Sports. ***With pic of the couple on the Speaker's Balcony, where he proposed*** http://bit.ly/2tXZPZt

WELCOME TO THE WORLD -- Alison Hawkins, VP of comms at the Financial Services Roundtable and a Capitol Hill, VA and Romney alum, and **David Hawkins,** a special agent at the VA, recently welcomed Hunter Hawkins. "He's now the little brother to Avery (3) and Evangeline (2) who haven't left their baby brother alone since he got home. He was 8 lb 8 oz, 20 1/2 in long." ***Pics*** http://bit.ly/2rYTGzC ... http://bit.ly/2tWxy5k ... http://bit.ly/2s0Lgrz

-- Sarah Martin Castro, director of federal relations at the University of Washington, and **Andre Castro,** comms director for Rep. Bill Flores (R-Texas), on Friday welcomed Lorraine Lupita Castro in to the world. ***Pic*** http://bit.ly/2s6N1hW

--Amber Moon, comms director for Sen. Gary Peters (D-Mich.) and **Byron Mills,** who works at Treasury's Office of Terrorism and Financial Intelligence, this week welcomed Wesley Samuel Mills to the world. Amber writes in: "He weighed in at 7lbs, 11oz despite being a few weeks early. He's the best birthday gift I could ever ask for!" ***Pic*** http://politi.co/2t4cEEB

BIRTHWEEK (was yesterday): Jeremy Katz, deputy director of the National Economic Council and former Bush 43 Jewish liaison ... Robert D. Kaplan, CNAS senior fellow and senior adviser at Eurasia Group, turned 65 (hat tips: Jewish Insider) ... Bradley Engle of Purple Strategies and a Jindal alum (h/t Kyle Plotkin)

BIRTHDAYS: Ralph Reed, founder and chairman of the Faith & Freedom Coalition ... Washington Free Beacon editor Matt Continetti is 36 ... Roger Fisk, Obama advance alum, is 5-0 ... former NY Gov. George Pataki is 72 ... Ed Traz, Republican mail consultant ... Texas Tribune's Morgan Smith (hubby tip: Travis Considine, filing from Zanzibar on their honeymoon) ... Billionaire activist investor Nelson Peltz is 75 ... former Clinton Labor secretary Robert Reich is 71 (h/ts Jewish Insider) ... Gretchen Reiter, founder of Highline Strategies ... Kevin Goldman, former WSJ media reporter and CNBC spokesman, now senior director and head of global media practice at APCO ... Politico media booking maven Jonathan Yuan ... former Treasury COS Chris Weideman ... former Jeb 2016 research director Quentin Cantu ... Ronie Gazit ... Zach Seward, VP of product and executive editor of Quartz ... Anna Massoglia ... WSJ's Jennifer Maloney ... Mike Gula, a Republican fundraising consultant ... Jesse Stinebring, data scientist at Civis Analytics and Obama alum ... Heather Hurlburt of New America Foundation ...

Sara Shannon ... Kim Fenske ... Brett Rosner (h/t Oliver Darcy, filing from Palm Beach) ...

... Omnika Thompson, executive producer for "MSNBC Live with Katy Tur" (h/t Michael Weiss) ... Mike Gula, who runs the Gula Graham Group with Jon Graham (h/t Zack Roday) ... Benjamin Tomchik, director of public affairs at American Insurance Association ... Neal Becton ... Sara Shannon ... Melinda Arons (h/t Adrienne Elrod) ... Joanna Reagan (h/t Jon Haber) ... Kaitlyn Burton, who writes Politico's Day Ahead newsletter (h/t Peter King) ... Katherine Marie Kulik ... Thomas Doane Perry III ... Allie Bradford ... Tyler Kasperek Somes ... Abel Acuña ... Kathleen Hartnett ... Sarah Dale ... Bush 43 admin. alum Joe Bogosian, now CEO of Safran Vectronix in Boston ... Roger Roscoe ... SEIU alum Tyler Somes ... Ricki Peltzman, spending her day as she always does - dressing all of DC - from her Upstairs on 7th store!) ... Kelda Helen Roys (h/ts Teresa Vilmain) ... Mindy Kaling is 38 ... Minka Kelly is 37 ... Solange Knowles is 3-0 (h/ts AP)

THE SHOWS, by @MattMackowiak, filing from Los Angeles:

--NBC's "Meet the Press": Sen. Bernie Sanders (I-Vt) ... Sen. Ron Johnson (R-Wisc.). Panel: Helene Cooper, Hallie Jackson, Mark Leibovich and George Will

--CBS's "Face the Nation": Sen. Joe Manchin (D-W.Va.) ... Adam Entous ... Sen. Pat Toomey (R-Pa.) ... Sen. Bill Cassidy (R-La.) ... Mark Bowden. Panel: Ben Domenech, Michael Duffy, Ed O'Keefe and Amy Walter

--CNN's "State of the Union", guest-hosted by Dana Bash: HHS Secretary Tom Price ... Ohio Gov. John Kasich ... Rep. Adam Schiff (D-Calif.). Panel: Amanda Carpenter, Rick Santorum, Rep. Andre Carson (D-Ind.) and Rep. Ruben Gallego (D-Ariz.)

--ABC's "This Week": Kellyanne Conway ... Senate Minority Leader Chuck Schumer (D-N.Y.) ... Sen. Susan Collins (R-Maine) ... Sen. Rand Paul (R-Ky.). Panel: Matthew Dowd, Lanhee Chen, Julie Pace and Neera Tanden

--"Fox News Sunday": Senate Minority Whip Dick Durbin (D-Ill.) ... Sen. John Barrasso (R-Wyo.) ... HHS Secretary Tom Price. Panel: Michael Needham, Jennifer Griffin, Josh Holmes and Bob Woodward

--CNN's "Inside Politics" with John King: Michael Bender, Margaret Talev, Karoun Demirjian and Manu Raju

--Fox News' "Sunday Morning Futures": Eric Trump ... Rep. Jason Chaffetz (R-Utah) ... Sen. Jerry Moran (R-Kan.) ... Alberto Gonzales. Panel: Ed Rollins and A.B. Stoddard

--Fox News' "MediaBuzz": Sean Spicer ... Shannon Pettypiece ... Mollie Hemingway ... Ray Suarez ... Ed Henry ... Sarah Lacy

--CNN's "Fareed Zakaria GPS": Chicago Mayor Rahm Emanuel ... Joseph Cirincione ... David Brooks

--CNN's "Reliable Sources": Panel: April Ryan, David Drucker and Michael D'Antonio ... Phil Donahue ... Sarah Kliff ... Masha Gessen

--Univision's "Al Punto": Mexican Institute for Competitiveness general director Juan Pardinas and Miguel Agustín Pro Juárez Human Rights Center executive director Mario Patrón ... El Cenizo, Texas Mayor Raúl Reyes and Brownsville, Texas Mayor Tony Martinez ... Human Rights Program of the Universidad Iberoamericano coordinator Denise González and researcher Jorge Ruiz Reyes ... violinist and Venezuelan activist Wuilly Arteaga ... Mexican-American singer-songwriter Lila Downs

--C-SPAN: "The Communicators": AT&T executive vice president for external & legislative affairs Robert Quinn, questioned by Reuters' David Shepardson ...**"Newsmakers":** Rep. Mac Thornberry (R-Texas), questioned by The Wall Street Journal's Gordon Lubold and Defense News' Joe Gould ... **"Q&A":** Robert Caro

--Washington Times' "Mack on Politics" weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at http://bit.ly/2omgw1D): Author and The Atlantic national correspondent Mark Bowden.

****** **A message from Starbucks:** One in eight Americans struggles to get enough to eat. Inspired by the commitment from our partners (employees), Starbucks is working with Feeding America to channel our unsold fresh food to feed the communities we serve. By 2020, as our FoodShare program grows, we'll donate 50 million meals each year: http://sbux.co/2sBiWeM ******

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From: Bloomberg BNA
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Subject: July 25 -- Daily Environment Report

Daily Environment Report

July 25, 2017 - Number 141

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Leading the News

Congress

Bernhardt Confirmed to No. 2 Interior Department Job

The Senate confirmed David Bernhardt, a lawyer, to the No. 2 job at the Interior Department July 24, providing Interior Secretary Ryan Zinke a much-needed deputy but underscoring the slow progress made on installing Trump administration nominees.

Oil & Gas

BLM Proposes to Kill 2015 Hydraulic Fracturing Rule

The Trump administration is proposing to rescind 2015 regulations on hydraulic fracturing put in place by the Obama administration for oil and natural gas operations on federal and Indian lands.

Solid Waste

China Says No to Even More Foreign Waste

Consumer plastics is among the 24 new solid waste imports China will ban by the end of the year amid increased public concern over environmental contamination and decreased need for scrap materials by industry.

Special Report

Water Pollution

PODCAST: Trump Rhetoric Gives Border Town Mayor Headaches

Small town mayor Serge Dedina has an international environmental problem: water pollution originating in Mexico flows across the border and into his Southern California town, hurting the ecosystem and causing health problems for residents.

Water Resources

Trump's Border Wall Could Trouble Waters With Mexico

A wall covered with solar panels may be President Donald Trump's solution to keep undocumented immigrants and illegal drugs out of the country, but critics say it also could cause flooding and stormwater runoff problems along the 2,000-mile U.S.-Mexico border.

News

Air Pollution

EPA Sued For Not Responding Quickly on Power Plant Permit

Environmental advocates sued EPA July 24 over what they said was the agency's inability to respond quickly enough to concerns over a central Pennsylvania power plant's air pollution permit.

Chemical Security

N.Y. Leads States Challenging EPA Chemical Safety Rule Delay

The EPA's two-year delay of a chemical facility safety rule exceeds the agency's Clean Air Act authority, New York's attorney general and 10 other states said in a July 24 lawsuit.

Climate Change

U.K. Braced for Record-Breaking Wet Winters, Blames Climate Shift

Britain faces a future of record-breaking wet winters, potentially leading to more of the widespread flooding seen in recent years, according to new modeling that incorporates changing climate patterns.

Climate Policy

Conservative Party Merger Alters Landscape in Canada's Oil Patch

The merger of Alberta's two main conservative parties creates a new political force in the heart of Canada's oil patch that threatens to unseat Premier Rachel Notley and kill the province's carbon tax.

Climate Policy

U.K. Seeking to Fill Climate Leadership Void Left by Trump

Britain should seek to fill the leadership void created by Donald Trump's decision to pull the U.S. out of the landmark Paris Agreement, Climate Change Minister Claire Perry said July 24.

Energy

EU Mulls Retaliation Against U.S. Over New Russia-Sanctions Plan

The European Union said it would be prepared to retaliate against the U.S. should Washington hit Russia with new sanctions that affect EU-based energy companies, risking a deeper trans-Atlantic split over economic and security policies.

Energy

Flood Risks Prompt Massachusetts Review of Enbridge Gas Facility

Massachusetts Gov. Charlie Baker (R) bowed to public pressure and ordered his administration to scrutinize a natural gas facility planned by Enbridge for its Pennsylvania to Canada pipeline.

Energy

Photos of Melted Fuel at Japan's Fukushima to Help Cleanup

Japan's likely discovery of melted fuel inside the wrecked Fukushima nuclear power plant is seen as a critical step in hastening the $72 billion, 40-year cleanup of one of the worst atomic disasters in history.

Energy

White House Team Differs on Trump Support for Russia Sanctions

The Trump administration supports the current version of a bill to sanction Russia, the new White House press secretary said, although her boss, Anthony Scaramucci, wouldn't guarantee that President Donald Trump will sign it.

Environmental Taxes

Pennsylvania Eyes Shale Tax to Help Plug $2 Billion Hole

The severance tax debate is heating up again in Pennsylvania.

Motor Vehicles

VW, Daimler Workers Step Up Pressure to Come Clean on Collusion

Germany's carmakers are coming under pressure from their employees to come clean on allegations that they colluded on technology for decades, as investors continued to sell the stocks on concern the industry faces another major scandal following the diesel emissions crisis.

Natural Resources

Ships to Test Slower Speed to Reduce Noise for Whales

Cruise liners, cargo ships and ferries plan to slow down for a two-month trial off Washington state and British Columbia to see if slower speeds and less underwater noise would help protect endangered killer whales.

Renewable Energy

Renewables Scientist Takes South Korea's Energy Helm

South Korea on July 24 inaugurated a sustainable energy scientist and scholar as minister for trade, industry and energy, a move expected to help the country meet stepped-up renewable energy goals by 2030.

Toxic Substances

BP, Marathon, Kinder Morgan Quash Negligence Claim

BP, Marathon Oil and Kinder Morgan won't face statutory negligence claims for environmental contamination, the Northern District of Oklahoma said July 21 (Bristow First Assembly of God v. BP PLC, 2017 BL 253710, N.D. Okla., No. 15-CV-523, 7/21/17).

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 10/5/2017 12:16:59 AM
Subject: Oct. 04 -- Energy and Climate Report

Energy and Climate Report

October 04, 2017 - Number 192

Environment & Safety News. Redefined.

Get a sneak peek into the enhancements coming to your news subscription. Check it out at www.bna.com/ehs-news.

News

Climate Regulation

Transportation Officials Move to Scrap Obama Climate Rule

The Trump administration is working to roll back another Obama-era climate regulation—this time a provision that would require state transportation planners to account for greenhouse gas emissions.

Climate Regulation

Trump Said to Begin Repeal of Obama Power Plant Emission Cuts

The Trump administration will propose repealing former President Barack Obama's signature plan for combating climate change by asserting that its expansive approach to addressing carbon emissions exceeds legal limits, according to a person familiar with the deliberations.

Coal-Fired Power Plants

Perry's Coal Proposal Seen Unlikely to Reverse Historic Decline

U.S. Energy Secretary Rick Perry's plan to reward coal-fired power plants that keep large stockpiles of fuel won't be enough to reverse the industry's long-term decline, analysts say.

Energy

Army of Women Tackles Electricity Thieves in Indian Slums

India's power companies have a problem largely responsible for $10 billion a year in losses. Slum dwellers steal electricity and refuse to pay their bills. But company officials often can't go in without being chased by mobs—and sometimes beaten, tied up, urinated on, even murdered.

Energy

Electricity, Fossil Fuel Energy Nominees Head to Senate Floor

Energy Department nominees to lead the electricity and fossil fuel offices are headed for full Senate consideration after favorable votes by the Energy and Natural Resources Committee on Oct. 4.

Energy

Japan Regulator Clears Restart of World's Largest Nuclear Plant
Tokyo Electric Power Co. Holdings Inc. moved a step closer to resuming operations of the world's biggest nuclear facility after Japan's atomic regulator gave its tacit approval, delivering a much-needed boost for a company still strapped with the cost to clean up its wrecked Fukushima plant.

Energy
Nuclear Regulatory Panel Nominees Caught in Partisan Senate Spat
The nomination of a Democrat to continue on the Nuclear Regulatory Commission has become caught in a partisan disagreement over whether his nomination should be combined with those of two Republican nominees awaiting Senate action.

Energy
Theresa May's U.K. Energy Price Cap Signals Wafer Thin Margins
Britain's utilities are the new political punching bag after Theresa May proposed a price cap to insulate customers from higher prices.

Motor Vehicles
Western Governors Envision Electric Vehicle Corridor
Governors in seven Western states hope to coordinate an electric vehicle charging network that connects their major thoroughfares—and possibly boosts some the presence of some states in the electric vehicle industry.

Natural Resources
Energy Royalty Advisory Panel Starts Charting New Rules
A royalty policy committee that includes major oil companies will develop new Interior Department regulations on payments companies make for energy development on federal and tribal lands, an Interior official said at the committee's first meeting Oct. 4.

Oil & Gas
Here's the Hot Canadian Oil Play You Probably Never Heard About
There's a land grab quietly taking place in a little-known corner of the Canadian oil sands.

Oil & Gas
Interior Wants to Freeze Obama-era Methane Limits
The Interior Department wants to temporarily stop enforcing an Obama-era rule that limited methane emissions from oil and gas drillers operating on federal lands.

Oil & Gas
Private Oil Made a Big Find in Mexico, Now State Oil Wants a Cut
When private drillers struck oil off Mexico's coast this year, they didn't anticipate sharing it with the state oil company. It looks like they'll have to.

Real Property
Trans-Pecos Pipeline Will Proceed for Now
A Texas property owner whose land was taken by a natural gas utility can't stop its pipeline project for now, the U.S. Court of Appeals for the Fifth Circuit ruled Oct. 3 (Boerschig v. Trans-Pecos Pipeline, LLC, 2017 BL 354426, 5th Cir., No. 16-50931, 10/3/17).

Renewable Energy
Dawn of Solar Age Declared as Sun Power Beats All Others
Solar power blossomed faster than for any other fuel for the first time in 2016, the International Energy Agency said in a report suggesting the technology will dominate

renewables in the years ahead.

Renewable Energy

Storms Spur $22 Billion Investment in Battery-Backed Grids

Growing demand for more resilient power supplies will spur $22.3 billion of global investment in battery-backed local energy systems over the next decade, according to Navigant Research.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Fri 6/9/2017 11:14:42 AM
Subject: The Morning Headlines from InsideEPA.com -- June 9, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 9, 2017

Latest News

Industry Attorneys See Legal Risks To EPA's CPP 'Repeal First' Strategy

Industry attorneys say that EPA faces legal risks if it carries out a plan to revoke the Obama-era Clean Power Plan (CPP) without having a replacement proposal at the ready, charging the agency could face new suits from rule supporters who could argue the agency has a mandatory duty to issue a replacement.

EPA Says Budget, Policy Uncertainty Limits Benzene Air Rule Enforcement

EPA's acting top air official says the agency cannot commit to a timetable for addressing several Inspector General (IG) recommendations to improve its oversight and enforcement of a 2007 rule that restricts cancer-causing benzene in fuel, citing as reasons an “extremely constrained” budget and doubts over the Trump EPA's policy goals.

Trump EPA Defends Obama-Era Policy Finding NSR Violations 'Ongoing'

The Trump EPA and Department of Justice (DOJ) are defending an Obama-era enforcement policy that finds alleged Clean Air Act new source review (NSR) permit violations are “ongoing” and therefore not subject to the statute of limitations, fighting a power company's claim that a pending NSR case is time-barred.

Trump Taps Strong Critic Of GHG Rules To Lead DOJ Environment Team

Jeffrey Clark, President Donald Trump's choice to head the Department of Justice's (DOJ) environment division, is a staunch critic of greenhouse gas regulation and is closely familiar with prior climate case law, having argued some of the critical cases -- a factor that could bolster administration attempts to roll back Obama-era rules and potentially undermine EPA's authority to regulate GHG emissions.

Oil Sector, Biofuels Groups Stake Out Competing Goals For Reform Of RFS

Oil sector and biofuels groups are staking out competing goals for how they want EPA to reform the renewable fuel standard (RFS) program that sets annual targets for blending of renewable and alternative fuels, though debate lingers over whether

the agency can achieve the changes through administrative means or if legislation is necessary.

Senate Democrats Defend Air Law's Jobs Benefits Against Trump Attacks

Senate Democrats are defending the Clean Air Act's economic and job creation benefits against attacks from the Trump administration that claim Obama-era rules crafted under the law have caused unemployment and hurt the economy, with the senators saying the law has been and remains crucial to a successful economy.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Fri 7/14/2017 2:04:45 PM
Subject: POLITICO's Morning Transportation, presented by Citizens for On Time Flights: Whip it good — How do you solve a problem like the HTF? — Delta joins the A(TC) team

By Lauren Gardner and Stephanie Beasley | 07/14/2017 10:00 AM EDT

With help from Brianna Gurciullo and Tanya Snyder

WHIP IT GOOD: House Republicans got to work Thursday night whipping members on Transportation Chairman Bill Shuster's plan to spin air traffic control operations away from the FAA. Shuster and members of his staff darted across the House chamber to chat with Republicans as the lawmakers voted. (Side note: We haven't seen a whip count yet, but the bill isn't likely to be scheduled unless the leadership is confident it will pass. Friday, when the House releases the floor schedule for next week, will be key.)

What a difference a year makes: House Speaker Paul Ryan told reporters earlier in the day that the bill, H.R. 2997 (115) had "changed substantially" from 2016, when leadership declined to bring it to the floor for a vote. In response to a question from POLITICO about whether President Donald Trump's influence this time around changed the political dynamics, Ryan said: "I think the president's support did help."

INBOX ALERT: A series of emails sent by officials at FAA and DOT this week promoting Shuster's bill are making the rounds among member offices and industry groups, raising some eyebrows about their propriety. Chris Brown, FAA's assistant administrator for government and industry affairs, recently sent emails - one of which had the screaming headline "ATC Reform ALERT - General Aviation Benefits from the AIRR Act" - touting the "benefits" of an air traffic control overhaul for general aviation and noting "a lot of misinformation out there" about the effort. MT has seen two more emails, which are largely derivative of Brown's, that were blasted out by DOT officials from the secretary's office, including one addressed to "stakeholders." The FAA said in a statement that the agency is "providing fact-based information in response to questions and issues that we have been consistently asked over the course of the FAA's reauthorization." As of press time, the DOT secretary's office had not responded.

ACROSS THE DOME: All's quiet on the Senate front, as senators and staff continue to talk through issues with language in that chamber's bill, S. 1405 (115), that would loosen training requirements for some commercial pilots. "I've never been able to see why that was not a solvable problem, but it might not be," Senate Commerce Aviation Subcommittee Chairman Roy Blunt (R-Mo.) told MT. Meanwhile, the committee's top Democrat, Florida Sen. Bill Nelson, said he's optimistic lawmakers can compromise - though his "preference is [for] it to be taken out."

IT'S FRIDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren and Stephanie are at the helm, so send along your tips, feedback and lyrics to lgardner@politico.com or @Gardner_LM and sbeasley@politico.com or @Steph_Beasley.

"Once you step on/You might never get off of the commuter train/Doesn't go very far away, but just the same/It's a trip and a half" (h/t Allison Fultz of Kaplan Kirsch Rockwell)

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with tunes (picked by us and readers) that are all about flying, driving, commuting and sailing?

HOW DO YOU SOLVE A PROBLEM LIKE THE HTF? Transportation Secretary Elaine Chao testified Thursday before the Senate Appropriations subcommittee with jurisdiction over DOT. When subcommittee Chairwoman Susan Collins brought up the Highway Trust Fund, Chao said the Trump administration is considering ways to shore up the accounts in the long run - and a vehicle miles traveled fee could potentially be on the table. "We actually have begun to look at perhaps using different kinds of measurements for funding highways, and one of which is the mileage, using mileage traveled as a parameter as well," Chao said, pointing to VMT pilot programs at the state level.

Collins not moved on ATC: The Maine Republican told reporters after the hearing that Chao's testimony didn't ease her concerns about the idea of breaking up the FAA. "I was not persuaded," Collins said. "I worry that this would end up being dominated by a couple of big carriers, and I don't agree that outmoded technology is responsible for a lot of the delays."

Stay tuned: Heads up, self-driving car geeks. Chao said DOT will release "a new book of guidelines for autonomous vehicles" as early as September.

Also coming soon: Chao said that DOT's Office of Aviation Enforcement and Proceedings has investigated the now-infamous United incident from April and will publish the results "shortly."

DELTA JOINS THE A(TC)-TEAM: Shuster got a big win Thursday when Delta Air Lines announced it would drop its opposition to his proposal to remove air traffic control from FAA. Delta CEO Ed Bastian said the carrier is now "working constructively" with Shuster on his bill, according to USA Today. Delta was the only major carrier that didn't support the ATC spin-off plan. Bastian said Delta was not "philosophically opposed to privatization for privatization's sake," but wanted to make sure that the plan would include "proper governance, transparency, and cost efficiency."

NO RED SIGNALS HERE: MT caught a sneak peek of report language for the House DOT spending bill, and you can expect the committee to elaborate more on its expectations for how the department should carry out the Capital Investment Grant program that the administration has proposed winding down. The language we've seen says the panel "supports the President's commitment to invest in infrastructure, and therefore maintains its position to recognize the need for a robust" grant program, and that it "directs" the secretary to allow projects to move through CIG program phases as they meet the standard requirements, ending with a full funding grant agreement for those that hit the benchmarks.

**** A message from Citizens for On Time Flights:** We should be outraged that a critical piece of our nation's infrastructure is "stuck in the 1950s." But that's where America's air traffic control

system is today. ATC reform will bring us into the 21st century. That will mean fewer delays, enhanced safety and reduced emissions. Learn more at OnTimeFlights.Org. **

DEMS WARN OF PUBLIC TRANSIT SOFT TARGETS: Democrats on the Senate Homeland Security and Governmental Affairs Committee issued a report laying out how Trump's request to cut funding for public transit security to help fund a U.S.-Mexico border wall could leave the United States "highly vulnerable to terrorist attacks." Trump's fiscal 2018 budget proposal would slash $52 million for public transportation security assistance - exactly the kind of "soft targets" terrorists increasingly hit, Democrats noted. The administration has also proposed reducing TSA's VIPR teams from 31 to eight. VIPR teams are deployed to airports and transit stations. "Budgetary cuts of this magnitude to a variety of important counterterrorism efforts will have significant negative impacts," according to the report.

ABA chimes in: The House Appropriations Homeland Security Subcommittee approved a fiscal 2018 DHS spending bill earlier this week, and the American Bus Association is pressing appropriators to include at least $10 million in funding for the Intercity Bus Security Program in the bill. There is currently no funding in the bill for that program. "As with public transit operators and Amtrak, our industry should be equally prepared to mitigate these threats and respond to emergency situations, especially when these modes operate at shared terminal facilities," ABA said in a letter sent to the House Appropriations Committee.

MARK YOUR CALENDAR: The House Energy and Commerce Committee plans to mark up legislation on driverless cars July 19,reports Tanya Snyder. They had hoped to introduce bills this week, but they're still working out details - like whether to introduce a flurry of individual bills or one big bill. Democrats - who had earlier complained of being left out of the process but who are working closely with committee leadership now - are trying to make some changes to the bill text. They're looking to include a measure on hot cars and some way to dial back the number of exemptions to safety standards and language barring states and cities from making their own rules on driverless cars.

Elsewhere: Sen. John Thune (R-S.D.) said he's hoping to introduce similar legislation in the Senate before the August recess - which now starts two weeks later than planned, thanks to Majority Leader Mitch McConnell's tough love on health care and other agenda items.

DON'T CALL IT A COMEBACK: Were you worried that the often floated and perpetually cast aside concept of using repatriated overseas corporate tax earnings for infrastructure was dead? Well, you can breathe a sigh of relief. Tax repatriation is in vogue again among lawmakers. Tanya reports that Sen. Ron Wyden (D-Ore.) told the American Road and Transportation Builders Association on Thursday that senior Republicans and the Trump administration are "ruminating" on the idea of including a repatriation component in a tax overhaul package expected to be introduced this fall. The plan could build on a bipartisan plan previously discussed by Sens. Chuck Schumer (D-N.Y.) and Rob Portman (R-Ohio), Wyden said.

SHIFTING GEARS: Regina Hopper is stepping down from her post as president and CEO of the Intelligent Transportation Society of America. She will become senior vice president of

global policy for GRIDSMART Technologies

GARVEY TO RECEIVE POGUE AWARD: The International Aviation Club of Washington, D.C., will announce today that it is awarding this year's L. Welch Pogue Lifetime Achievement Award to former FAA Administrator Jane Garvey. The club is honoring Garvey for "her many contributions to shaping policy, her efforts to mitigate the effects of Y2K on the air traffic system and her leadership after the terrorist attacks of 9/11," per IAC President Jodie Moxley-Ramos. The award dinner will take place in September.

THE AUTOBAHN:

- "Why Your Airline Says It's Sorry." The New York Times.

- "Lyft explains why Shuttle, its most bus-like service, is not, in fact, a bus." Quartz.

- "U.S. FCC approves new spectrum for vehicle radar systems." Reuters.

- "The awful decline of the New York City subway system." The Atlantic.

- "Self-driving taxis could have a vomit problem." Bloomberg.

- "New directive may expand Trump travel ban." POLITICO.

- Travelers flying from Casablanca to the U.S. may now bring electronics on board. TSA.

THE COUNTDOWN: DOT appropriations run out in 79 days. The FAA reauthorization expires in 79 days. Highway and transit policy is up for renewal in 1,175 days.

** **A message from Citizens for On Time Flights:** Innovation is in America's DNA. If this weren't the case, we'd still be watching black-and-white televisions, computers would be the size of refrigerators, and phones would be tethered to walls. Yet when it comes to our nation's air traffic control (ATC) system, we're using WW-II era technology. Today, controllers sequence planes for take-off using paper strips and track them in flight with ground-based radar. This outdated and inefficient system is responsible for nearly half of all flight delays, yet efforts to reform and improve it have stalled. American taxpayers deserve a 21st-century ATC system that delivers enhanced safety, fewer delays and cancellations, reduced emissions and lower costs. Opponents say reforming the system is too complicated. That's a copout. Since when has a challenge kept America from innovating? Congress has the opportunity to fix the ATC system's structure while giving taxpayers the modern system they deserve. Visit OnTimeFlights.Org to learn more. **

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EHS State Regulatory Alert

July 27, 2017 - Number 143

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Alaska

WATER
APDES General Permit for Aquaculture Facilities
Alaska WATER

Notice of the Department of Environmental Conservation announces the availability of a preliminary draft Alaska Pollutant Discharge Elimination System (APDES) general permit for discharges from aquaculture facilities. The general permit applies to all commercial and noncommercial concentrated aquatic animal production facilities that produce, hold, or contain 20,000 pounds or more of aquatic animals per year in ponds, raceways, or similar structures; feed 5,000 pounds or more of food during a calendar month; and discharge at least 30 days per year. The permit authorizes and sets conditions on the discharge of pollutants from these facilities, which include total suspended and settled solids, pH, ammonia, dissolved oxygen, and chlorine. The permit also limits the types and amounts of pollutants that may be discharged, provides best management practices, and requires effluent and receiving water monitoring. Comments are due Aug. 9, 2017. Contact: Angela Hunt; DEC; 907-269-7599; angela.hunt@alaska.gov

—Alaska Regulations (07/25/2017)

Regulatory Update

Colorado

OCCUPATIONAL SAFETY AND HEALTH
Railroads, Rail Fixed Guideways, Transportation by Rail, Rail Crossings
Colorado OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Public Utilities Commission amends regulations under 4 CCR 723-7, Rules 7000 through 7327 (nonconsecutive), regarding railroads, rail fixed guideways, transportation by rail,

and rail crossings. The rule incorporates by reference the state Transportation Commission's 2009 Manual on Uniform Traffic Control Devices and the state supplement to the Federal Manual on Uniform Traffic Control Devices 2009, as updated Feb. 26, 2016. The rule also adds temporary safety measures and minimum crossing safety requirements, revises application requirements so only necessary information is provided by type of authority being sought, and adds definitions. The rule is effective Aug. 14, 2017. Contact: Pam Fischhaber; PUC; 303-894-2529; Pamela.Fischhaber@state.co.us

—Colorado Register (07/25/2017)

Regulatory Update

WATER
Water and Wastewater Facility Operators Certification
Colorado WATER

Final rule of the Department of Public Health and Environment, Water and Wastewater Facility Operators Certification Board, amends regulations under 5 CCR 1003-2, Regulation 100.9.7, regarding certification requirements for owners and operators of water treatment facilities, domestic or industrial wastewater treatment facilities, wastewater collection systems, and water distribution systems. The rule requires hearing requests for specified notices of violation and related civil penalty assessments to be submitted to the Water Quality Control Division rather than the board. The rule corrects a Dec. 25, 2016, final rule to align requirements with statute. The rule is effective Aug. 31, 2017. Contact: Jackie Whelan; DPHE; 303-692-3617; jackie.whelan@state.co.us

—Colorado Register (07/25/2017)

Regulatory Update

Florida

SOLID WASTE
Sold Waste Grants Program
Florida SOLID WASTE

Notice announces the intention of the Department of Environmental Protection to amend regulations under FAC 62-716.300 through .500 (nonconsecutive) to revise required data collection and reporting methods, including forms, related to the Solid Waste Grants Program. A workshop is scheduled for Aug. 10, 2017, in Tallahassee, and via teleconference and webinar. A comment due date is not specified. Contact: Henry Garrigo; DEP; 850-245-8822; henry.garrigo@dep.state.fl.us

—Florida Administrative Weekly (07/25/2017)

Regulatory Update

Nevada

AIR

Air Pollution Control Devices for Mobile Sources

Nevada AIR

Proposed rule of the State Environmental Commission amends regulations under NAC 445B.575 concerning air pollution control devices for mobile sources. The rule provides an exemption for motor vehicles subject to a settlement agreement entered into by the state from the requirement that vehicles equipped with devices to control pollution must have those devices correctly installed and in good operating condition. The proposal currently is in effect as a temporary rule, effective June 1, 2017. A meeting is scheduled for Sept. 13, 2017, in Carson City. Comments are due Sept. 8, 2017. Contact: Valerie King; SEC; 775-687-9374

—Nevada Register (07/25/2017)

Regulatory Update

Oregon

GENERAL ENVIRONMENT AND SAFETY

Renewable Energy Certificate System/Stranded Thermal Generation

Oregon GENERAL ENVIRONMENT AND SAFETY

Temporary rule of the Department of Energy amends regulations under OAR 330-160-0015 to extend until Jan. 1, 2018, the deadline for stakeholders to apply for thermal renewable energy certificates associated with qualifying "stranded" thermal generation, as established in a Feb. 1, 2017, final rule. The current rule also deletes the deadline for facilities to register with the Western Renewable Energy Generation Information System (WREGIS). The rule retains the requirement for facilities to report thermal generation to WREGIS within six months of gaining approval from the department. The rule is issued because WREGIS has experienced delays in its ability to handle registration and the department has revised the application and application process. The rule is effective July 24, 2017, and expires Jan. 19, 2018. Contact: Elizabeth Ross; DOE; 503-378-8534; elizabeth.ross@oregon.gov

—Oregon Bulletin (07/24/2017)

Regulatory Update

Texas

AIR

Control of Air Pollution from Visible Emissions and Particulates/Outdoor Burning

Texas AIR

Final rule of the Texas Commission on Environmental Quality amends regulations under 30 TAC 111.203 and adopts regulations under 30 TAC 111.217 regarding outdoor burning. The rule adds requirements for prescribed burning when conducted under the direction of a certified and insured prescribed burn manager (CPBM). The rule also defines CPBM and revises the definitions of "landclearing operation" and "prescribed burn." The rule will be submitted to the EPA as a revision to the state implementation plan. The rule is effective Aug. 3, 2017. Contact: Amancio Gutierrez; TCEQ, Program Support Section; 512-239-3770

—Texas Register (07/28/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/6/2017 5:07:36 PM
Subject: Playbook Power Briefing, presented by Postmates: TRUMP meets MERKEL, will dine with MOON and ABE -- How TV networks try to get around bad ratings -- BANNON ally leaves NSC -- SPOTTED: Pence at 'Sound of Music' at Kennedy Center

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by Postmates

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Thursday afternoon. THE PRESIDENT is in Hamburg, Germany. He posed with German Chancellor Angela Merkel for a brief pool spray, shook hands for the camera and chatted a little bit past noon Eastern time. The pair will have meetings throughout the afternoon, and Trump will later dine with South Korean President Moon Jae-in and Japanese Prime Minister Shinzo Abe.

WHAT TRUMP IS FACING -- THE NEW ALLIANCE -- "China Sees Opening Left by Trump in Europe, and Quietly Steps In," by NYT's Steven Erlanger in London: "[T]he leader of the world's other superpower, Xi Jinping of China, will also be in Hamburg, Germany, ready to slip quietly into the widening gap between Mr. Trump and longtime European allies and to position Beijing as the globe's newest, biggest defender of a multilateral, rules-based system.

"Mr. Xi will have just concluded a state visit with Germany, including bilateral meetings and a small dinner Tuesday night in Berlin with the summit host, Chancellor Angela Merkel, who has made no secret of her differences with Mr. Trump. Having helped Ms. Merkel open the Berlin Zoo's new $10 million panda garden (complete with two new Chinese pandas), and watched a German-Chinese youth soccer match, Mr. Xi will have already made a mark. He has cemented his closeness to Germany and Ms. Merkel, the woman many consider not just the most important leader in Europe, but also the reluctant, de facto leader of the West.

"'The election of Trump has facilitated China's aims in Europe,' said Angela Stanzel, an Asia scholar at the European Council on Foreign Relations in Berlin. 'Trump facilitates China's narrative of being the new defender of multilateralism and especially global free trade, and China sees Germany as defending that, too, as a kind of sidekick,' she added. 'And it fits into the Chinese idea of creating an alternative leadership to the United States.'" http://nyti.ms/2sQdG2Y

-- @PhilipRucker: "Trump to talk North Korea strategy at dinner tonight with Abe & Moon. Not included: Xi. On purpose, so China feels heat, per diplo source."

ATTN @ADVANCEGUYNOTES -- BUZZFEED -- "President Trump Apparently Couldn't Find A Hotel To Book For The G20 Summit," by Marcus Engert: "White House officials apparently waited too long to book accommodations for President Trump, leaving him without a hotel in Hamburg, Germany, as world leaders converge for the G20 summit.

Organizers announced the scheduled summit in February 2016, which requires 9,000 hotel rooms to accommodate world leaders, their sizable staffs, and security details.

"The Hamburger Abendblatt, a local news outlet, reported that the US government wanted to accommodate Trump in the Four Seasons, but it was already booked. In fact, it turns out that every luxury hotel in Hamburg was reportedly booked by the time the Americans called, leaving Trump, who is associated with an empire of hotel properties, scrambling for a place to stay. Several weeks ago there were even rumors Trump might have to sleep in Berlin and have to fly to Hamburg via helicopter." http://bzfd.it/2tQdBkf

-- "Bannon Ally Leaves White House As McMaster Consolidates Power: Former Breitbart writer Tera Dahl has exited the National Security Council in a blow to Trump's nationalist wing," by BuzzFeed's John Hudson: "As rival factions inside the White House continue to battle over urgent foreign policy decisions, a key ally of Donald Trump's chief strategist Stephen Bannon is leaving the National Security Council, BuzzFeed News has learned.

"Tera Dahl, deputy chief of staff at the NSC and a former columnist for Breitbart, is being reassigned to a position outside of the White House, three people familiar with the decision told BuzzFeed News. The move frees up National Security Adviser H.R. McMaster to install another staffer of his choosing in his drive to reshape the NSC to his liking. 'Tera Dahl has done exemplary work both on the transition and in the first months of the Trump administration getting the National Security Council staffed up and running from the chief of staff's office,' White House spokesman Michael Anton said. 'It was always her intent to move into a policy role once this task was completed.'" http://bzfd.it/2uuzCmz

POLITICO EUROPE 'MOST INFLUENTIAL' IN EUROPE -- POLITICO EUROPE has the highest readership rate and is the most influential news outlet in Europe, according to a ComRes survey of EU influencers, including members of parliament, aides and "Brussels opinion formers." Our colleagues across the pond beat out the BBC, the Financial Times, the Economist, NYT and WSJ, among others. http://politi.co/2tV6VSA

****** **A message from Postmates:** Operating in over 200 cities across the United States - Postmates is an innovative, on-demand logistics platform, transforming the way goods move around towns by enabling anyone to have anything delivered to their door step within minutes, and driving over $1B in goods and merchandise across its platform in 2017. https://postmates.com ******

THIS COULD BE PROBLEMATIC -- THE LATEST ON HEALTH CARE -- "Senate Obamacare repeal vote unlikely next week," by Burgess Everett and Josh Dawsey: "Senate Republicans are highly unlikely to vote next week to repeal Obamacare and are tentatively preparing for a vote in approximately two weeks, according to senators and officials on Capitol Hill and in the White House. The Congressional Budget Office is reviewing legislative language sent by Senate Majority Leader Mitch McConnell; the Senate parliamentarian must weigh in on controversial proposals; and GOP leaders still have not forged a bill that can get 50 votes. Those factors are likely to push the pivotal roll call closer to the end of July than immediately after the July 4 recess. 'There's a lot of moving pieces. My sense is the week of the 17th is when we start moving on it,' Sen. Marco Rubio (R-Fla.) said in an interview Thursday morning. ...

"A White House official said there would be no health care vote next week and that the White House and Senate Republicans would consider nominations on the floor until the health care vote is ready. Republican leaders in the House and Senate originally hoped for a repeal vote as early as January. A spokesman for McConnell said no final decision has been made. ... Work is also beginning on lifting the debt limit, according to the administration and Hill Republicans. That vote may be held immediately before the long August recess if health care has been dealt with by the end of the month, though it could slip to September if the Treasury Department offers reassurances to Hill leaders that such a timeline would work." http://politi.co/2sQbWXH

-- "Hoeven hears criticism of Senate health care overhaul," by Forum News Service's Andrew Haffner: "The national health care debate came home Wednesday afternoon at a roundtable with Sen. John Hoeven (R-N.D.), at Altru Hospital in Grand Forks. ... Hoeven himself said he "doesn't support the bill as it stands," but said the Senate is moving through a process that he believed would better meet its goal of improving access to health care and addressing premium rates." http://bit.ly/2tViLMx

-- DAVE WEIGEL (@daveweigel) at Sen. Jerry Moran's (R-Kan.) town hall: "Moran referring to GOP task; 'Repair, replace, whatever language people are using.' Doesn't say 'repeal.'"

OOPS -- "Watch Poland's First Lady Pass By President Trump's First Attempt at a Handshake," by TIME's Alana Abramson http://ti.me/2tVAUK2

POLITICO PRO BREAKING NEWS ALERT: "Eighteen states and the District of Columbia have filed suit against Education Secretary Betsy DeVos over her delay of regulations meant to provide new protections for federal student loan borrowers, particularly those at for-profit colleges.

"The lawsuit, led by Massachusetts and joined by 18 other Democratic attorneys general, accuses DeVos of illegally delaying the regulations, which were finalized by the Obama administration and had been set to take effect on July 1. The rules made it easier for defrauded student loan borrowers to have their loans forgiven. They also prohibited colleges from requiring students to resolve complaints through arbitration

rather than in court."

WSJ MIDDAY SCOOP -- "White House Limits Pentagon on Afghan Troop Level: After Trump let generals decide number of forces, confidential memo put initial cap at 3,900," by Dion Nissenbaum: "The memo, sent to a small group of administration officials from national security adviser Lt. Gen. H.R. McMaster -- said that the president would let Defense Secretary Jim Mattis send no more than 3,900 troops to Afghanistan without coming back to confer with the White House, according to people familiar with the document. The conflicting messages reflect divisions that have surfaced in the Trump administration as it tries to develop a comprehensive new strategy for Afghanistan, amid concerns about diving back into a 16-year-old conflict that has claimed more than 2,400 American lives and cost the U.S. $2.4 trillion. Mr. Mattis said he hopes to present a plan to the White House by mid-July that will give the U.S.-led coalition the forces it needs to blunt Taliban momentum." http://on.wsj.com/2uuuUF6

BEING THERE -- "At least 101 shot, 15 killed during violent Fourth of July weekend in Chicago," by CBS' Adrianna Diaz in Chicago: "To see the violence for ourselves, CBS News spent Tuesday night with Tim White, a former gang leader who now works to stop violence in the streets. 'We're on our way to a murder scene,' White said. 'We gotta turn those lights on.' We rushed to the site of the murder, a liquor store on Chicago's West Side. As police sealed off the crime scene, it was too much for some to bear. We learned that just after midnight, two people were shot in one of the alleys. You could see a body on the sidewalk that police covered with a blanket. The body laid there for hours as police continued their investigation." http://cbsn.ws/2tkJwsp

AFTERNOON READ -- NEW NYT MAG COVER STORY -- "How the Death of a Muslim Recruit Revealed a Culture of Brutality in the Marines: Recruits at Parris Island have been subjected to severe hazing, far beyond that experienced in other U.S. military boot camps. Is this really the only way to create a warrior?" by Janet Reitman http://nyti.ms/2utT56w ... *The cover* http://bit.ly/2utEmsh

WSJ A-HED -- FUN LUNCHTIME READ -- "In TV Ratings Game, Networks Try to Dissguys Bad Newz from Nielsen: They misspell shows to fool the firm's automated system into ignoring broadcasts on nights with few viewers; 'NBC Nitely News,'" by Joe Flint: " Boosting TV ratings is easy for networks that don't mind playing dumb. In a game largely sanctioned by TV-ratings firm Nielsen, television networks try to hide their shows' poor performances on any given night by forgetting how to spell. That explains the appearance of 'NBC Nitely News,' which apparently aired on the Friday of Memorial Day weekend this year, when a lot of people were away from their TVs. The retitling of 'NBC Nightly News' fooled Nielsen's automated system, which listed 'Nitely' as a separate show.

"Hiding the May 26 program from Nielsen dramatically improved the show's average viewership that week. Instead of falling further behind first-place rival 'ABC World News Tonight,' NBC news narrowed the gap. Walt Disney Co.'s ABC declined to comment. The network, though, groused last month when NBC News intentionally

misspelled an entire week of 'Nightly News' broadcasts. Altogether, NBC, which is ranked second behind ABC in ratings, has played the misspell card 14 times since the start of the 2016-17 television season last fall." http://on.wsj.com/2stLmE8

REMEMBER HARRY? -- "Rosen officially announces Senate bid, says Reid encouraged her to run," by The Nevada Independent's Megan Messerly: "Democratic Rep. Jacky Rosen announced today she is officially running for U.S. Senate, culminating weeks of deliberations that - once again - began with a phone call from Nevada's political godfather Harry Reid. The freshman congresswoman told The Nevada Independent Wednesday evening that she will not seek re-election to her seat in Nevada's 3rd Congressional District but will instead pursue a bid against Republican Sen. Dean Heller ...

"Rosen, 59, said that Reid reached out to her at the end of May and asked her to consider running for Senate. The longtime Democratic senator also encouraged Rosen, a former software programmer and synagogue president, to run for Congress in 2016. 'He told me to think about it and that's what I did when I came home to talk to my husband,' Rosen said." http://bit.ly/2uu7Ia6

TRANSITIONS -- Lauren Zelt, a senior vice president at FP1 Strategies, is signing on as a campaign manager for Independent Women's Voice. (h/t Morning Score) ... **Annabelle Timsit** started today as an editorial fellow at The Atlantic. She's a Politico Magazine alum and former research assistant at the Georgetown Institute for Women, Peace and Security. ... **Darrin Sobin** has been named the new chief programs officer of the D.C. Bar, starting on July 24. He was previously Washington D.C.'s first director of government ethics.

SPOTTED -- Vice President Mike Pence at last night's showing of "The Sound of Music" at the Kennedy Center.

****** **A message from Postmates:** With its fleet of Postmates earning taxable incomes, the capital generated through the mobile application is being reinvested in the economy to do everything from pay down debt, to start a small business, or even enroll in college classes. As On Demand platforms shape the future of work, Postmates applauds legislation aimed at experimenting with portable benefits models, and calls for new federal and local skill-based investments to account for the impact of automation on the workforce. https://postmates.com ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/30/2017 1:07:28 PM
Subject: June 30 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 30, 2017 - Number 125

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Arkansas

SOLID WASTE
Waste Reduction, Reuse, or Recycling Income Tax Credit
Arkansas SOLID WASTE

Proposed rule of the Department of Environmental Quality, Pollution Control and Ecology Commission, amends Regulation 23 regarding income tax credits for waste reduction, reuse, or recycling. The rule defines "qualified manufacturer of steel," specifies what such manufacturers must do to qualify for the tax credits, and allows qualifying manufacturers to carry forward unused tax credits to subsequent years for 14 years. The rule also clarifies that specified actions by these manufacturers that do not constitute sales or transfers to a third-party purchaser are not disposals, transfers, or cessations. In addition, the rule revises the definition of "waste reduction, reuse, or recycling equipment." A hearing is scheduled for Aug. 14, 2017, in North Little Rock. Comments are due Aug. 14, 2017. Contact: Kelly Robinson; DEQ; 501-682-0916; reg-comment@adeq.state.ar.us

—Arkansas Register (06/28/2017)

Regulatory Update

California Regions

AIR
Ozone NAAQS Attainment Plan
California Regions AIR

Notice of the Eastern Kern Air Pollution Control District announces the availability of a draft plan 2008 eight-hour ozone national ambient air quality standards attainment plan. The district is currently classified as moderate nonattainment for the 2008 ozone NAAQS, but the district's and the California Air Resources Board's monitoring data and modeling indicate that the district

could not have met the 0.075 parts per million ozone standard by the applicable attainment date of Jan. 1, 2017. The plan addresses the district's request for a voluntary reclassification by the U.S. EPA to serious nonattainment and a revised attainment date of Dec. 31, 2020. The plan also specifies emissions control measures and provides modeling to demonstrate that the district can timely attain the 2008 ozone NAAQS by 2020. Comments are due July 26, 2017. Contact: Jeremiah Cravens; Eastern Kern APCD; 661-862-5250; cravensj@co.kern.ca.us

—California RegionsRegulations (06/26/2017)

Regulatory Update

Georgia

AIR
Air Quality Control/Permit Fees
Georgia AIR

Final rule of the Department of Natural Resources, Environmental Protection Division, amends regulations under GAC 391-3-1-.03 regarding air quality control. The rule specifies permit fees of $37.34 per ton for coal-fired electric generating units and $35.50 per ton for all other facilities. The rule also references the manual for calculating air permit fees for calendar year 2016. The rule was submitted to the EPA as a revision to the Part 70 permit program. The rule is effective June 21, 2017. Contact: Elisabeth Munsey; DNR, Air Protection Branch; 404-363-7131

—Georgia Regulations (06/23/2017)

Regulatory Update

RADIATION
Radioactive Materials
Georgia RADIATION

Final rule of the Department of Natural Resources, Environmental Protection Division, amends regulations under GAC 391-3-17-.01, -.02, -.05, and -.06 to revise standards for radioactive materials to be consistent with requirements of the Nuclear Regulatory Commission. The rule revises the definition of "unrefined and unprocessed ore" and addresses requirements for glazed ceramic tableware, weight content for glassware, and source material limits. The rule also addresses the use of radionuclides in the healing arts and notice of cancellation of a nuclear waste shipment with advanced notification. The rule is effective June 21, 2017. Contact: Elisabeth Munsey; DNR, Air Protection Branch; 404-363-7131

—Georgia Regulations (06/23/2017)

Regulatory Update

Vermont

OCCUPATIONAL SAFETY AND HEALTH
Electrical Safety Rules
Vermont OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Public Safety, Division of Fire Safety, amends regulations regarding electrical safety rules to incorporate the National Fire Protection Association (NFPA) 70, 2017 Edition. Comments are due Aug. 14, 2017. Contact: John Black; DPS, Division of Fire Safety; 802-479-7576; john.black@vermont.gov

—Vermont Regulations (06/28/2017)

Regulatory Update

West Virginia

WATER
Public Water Systems/Fluoridation
West Virginia WATER

Proposed rule of the Department of Health and Human Resources, Bureau for Public Health, amends regulations under 64 WVCSR 3 regarding public water systems. The rule requires public water systems to obtain approval before modifying the chemical composition or additives for water fluoridation, or discontinuing fluoridation of drinking water. Comments are due July 27, 2017. Contact: Brian Skinner; DHHR, Bureau for Public Health; 304-356-4122

—West Virginia Register (06/27/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/31/2017 1:05:30 AM
Subject: May 31 -- Daily Environment Report

Daily Environment Report

May 31, 2017 - Number 103

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Leading the News

Regulatory Policy
EPA Regulatory Review Floodgates Open, Leaving Pruitt to Mop Up
When asked which EPA regulations stifle economic growth and should be reconsidered or rescinded, industry groups responded, "All of them."

News

Air Pollution
EPA Appeals Deadlines for Toxic Air Pollution Reviews
The Environmental Protection Agency wants more time to evaluate 13 air pollution standards that are overdue for review and is appealing the deadlines set by a federal judge (Blue Ridge Envtl. Def. League v. Pruitt, D.C. Cir., No. 17-5124, 5/30/17).

Climate Policy
Climate 'Danger Zone' Seen If Trump Pulls U.S. Out of Paris Deal
Donald Trump wasn't exaggerating when he said during his election campaign that the U.S. could "cancel" the Paris Accord on climate change.

Climate Policy
Exxon Squares Off With Shareholders in Annual Climate Showdown
This week will be a public trial by fire for new Exxon Mobil Corp. CEO Darren Woods.

Climate Policy
Modi Signals India Will Hold to Paris Climate Deal If U.S. Quits
Indian Prime Minister Narendra Modi signaled that he'll stick to agreements made under the Paris climate accord even if the U.S. pulls out.

Climate Policy

Trump Goes His Own Way as G-7 Cobbles Together an Awkward Truce

U.S. President Donald Trump showed his determination to break the global mold as he refused to follow the Group of Seven line on climate change and forced a more skeptical approach to free trade.

Climate Policy

World Carbon Price Seen Needing to Increase Sevenfold by 2020

Carbon prices need to jump sevenfold by 2020 from current rates in the world's biggest market to meet climate goals cost-effectively, according to a commission of economists and scientists.

Coal Mining

Only Place in America Where Coal Demand Has Risen Is Nebraska

Looking for a rare bright spot in U.S. coal?

Congress

Barrasso Agenda Heavy on Public Works, Light on Environment

In the weeks ahead the Senate Environment and Public Works Committee hopes to be deeply enmeshed in the Trump administration's vision of a $1 trillion upgrade to U.S. infrastructure—and there will be plenty of reason for its chairman to boast that the panel is meeting its responsibilities on public works.

Energy

Deputy Secretary Tapped for No. 2 in Nuclear Energy Office

Edward McGinnis, who oversaw the Energy Department's international civilian nuclear energy policy, has been appointed to the No. 2 role in the agency's office responsible for nuclear research and waste.

Energy

India Expects Surplus Electricity This Year as Blackouts Persist

India's power ministry forecast surplus electricity supply in the year ending March, highlighting improvements in electricity generation and transmission capacity.

Energy

Infamous Three Mile Island Nuke Is Latest Casualty of Shale Boom

Competition from cheap natural gas has claimed another U.S. nuclear power plant in a state that has balked at government aid for financially ailing reactors.

Insurance

Magnetek PCB Coverage Dispute Belongs in State Court

A state trial court will decide whether technology company Magnetek is owed insurance coverage for PCB claims it took on under an agreement with the former Monsanto Co., the Northern District if Illinois ruled (Velsicol Chem. LLC v. Magnetek, Inc., 2017 BL 178009, N.D. Ill., 17 C 2092, 5/26/17).

International Climate

EU Panel Seeks Deeper Cuts For Non-Emissions Trading Sectors

A panel of European Parliament lawmakers May 30 backed changes to proposed binding greenhouse gas emissions cuts through 2030 for parts of the European Union economy not covered by the bloc's emissions trading system (ETS).

Motor Vehicles

Daimler Said to Seek U.S. Lawyers for Executives in Diesel Probe

Daimler AG is conducting a search for U.S. criminal defense lawyers to represent company executives who may be swept up in the Justice Department's investigation of possible diesel-emissions cheating, according to people familiar with the matter.

Motor Vehicles

EU Parliament, Nations at Odds Over Vehicle Emissions Testing

The European Parliament and European Union national governments are at odds ahead of talks to finalize a reform of the 28-nation bloc's system for testing air pollution emissions from passenger vehicles.

Renewable Energy

Russia Starts Largest Renewable Energy Auction in Bid for Jobs

Russia is pressing ahead with its biggest-ever auction for renewable energy, seeking to award contracts to purchase 1.9 gigawatts of clean electricity as well as attracting foreign investment to support jobs at home.

Sustainability

Brazil Green Bond Sales Seen Reaching Record $5 Billion in 2017

Brazil is set to sell a record $5 billion of green bonds this year, even as the country's markets reel from growing political turmoil, according to the Climate Bonds Initiative.

Toxic Substances

Vets Win Open Records Ruling Over Toxic Marine Base Water

The federal government owes U.S. Marines a more complete answer about how it evaluates and compensates claimed illnesses caused by toxic water at Camp Lejeune, the District of Connecticut ruled (Few v. U.S. Dep't of Veterans Affairs, D. Conn., No. 16-cv-00647, 5/26/17).

Water Pollution

EPA Sued for Approving Virginia's Polluted Waters List Minus Shenandoah

Approval of a list of Virginia's polluted waters that doesn't include the algae-laden Shenandoah River prompted four local environmental groups to sue the EPA.

Water Pollution

EPA Won't Have to Disclose How Power Plants Handle Wastewater

Power plants won't have to disclose how they remove pollutants from wastewater and how much they remove, what it costs them, and what equipment they use, a federal court affirmed.

Regulatory Agenda

TODAY'S FEDERAL REGISTER

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Fri 7/7/2017 12:38:28 PM
Subject: BREAKING NEWS: Economy added 222,000 jobs in June

The economy added 222,00 jobs in June, the Labor Department reported Friday, up from 152,000 in May.

The unemployment rate was 4.4 percent, a slight uptick from 4.3 percent in May.

Analysts had predicted the creation of 170,000 jobs, an unemployment rate of 4.3 percent, and an increase in over-the-year hourly earnings of 2.6 percent.

Read more: http://www.politico.com/story/2017/07/07/economy-added-222-000-jobs-in-june-240297

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/15/2017 4:24:36 PM
Subject: Ozone, brownfields bill clear House subcommittee

By Eric Wolff

06/15/2017 12:18 PM EDT

A House Energy and Commerce subcommittee today advanced a pair of bills to reauthorize a brownfields cleanup program and delay ozone standards.

The environment panel split along partisan lines on the Ozone Standards Implementation Act (H.R. 806), which would delay implementation of the 2015 ozone standard through 2025 and stretch the regular air quality standard review period from five years to 10. Democrats attacked the bill as weakening Clean Air Act standards while Republicans said the delay would allow regions to catch up to older standards. Democrats offered several amendments all of which were defeated.

A draft brownfields bill advanced on voice vote. The bill reauthorizes and adjusts the brownfields program to raise the cap on federal grant amounts for individual sites. The bill received bipartisan support in the committee, though ranking member Rep. Frank Pallone (D-N.J.) said he wished the program would get more funding.

Democrats also took the time to wonder why no EPA officials had appeared before the committee to address any of the bills at issue.

"We've had no administration witnesses before this committee since the beginning of the year, something that has never happened before in my time on the committee," said Rep. Gene Green (D-Texas).

WHAT'S NEXT: Chairman Greg Walden will likely schedule a full committee markup on the bills.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/ozone-brownfields-bill-clear-house-subcommittee-089145

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 6/12/2017 10:44:43 AM
Subject: POLITICO Playbook, presented by POET: GOP growing worried they'll lose House -- MATTIS keeps his 'distance' from Trump -- MELANIA and BARRON move into 1600 Penn -- WAPO: Trump family lawyer JAMIE GORELICK gets pushback from friends -- B'DAY: Dina Powell

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Today's PLAYBOOK presented by POET
06/12/2017 06:42 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman) and ANNA PALMER (anna@politico.com; @apalmerdc) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Good Monday morning. THE BACKDROP -- Republicans are growing increasingly worried that they will lose the House of Representatives. The pervasive pessimism comes as there continues to be a dearth of legislative victories, and a toxic political environment that appears to be worsening. Of course, the midterm elections are nearly a year and a half away. But more than a dozen Republicans we've spoken to in the last few weeks say the prospect for political and legislative wins big and small is dimming. And as much as President Donald Trump has worked to woo over fellow Republicans with dinners at the White House and regular meetings with GOP leadership, it hasn't had much of an impact on the overall state of play.

THE RANK AND FILE has been frustrated with the House committees, which have not produced a drumbeat of legislation to tout as victories. And the party is deeply split on health-care reform, a tax overhaul and infrastructure spending. Passing a budget to set the groundwork for tax reform is still seen as far off. And the congressional schedule doesn't leave a lot of time to kick things into high gear. The House is in session for 13 more days and the Senate is in session for 14 more days before the July 4 recess. Not to mention, there's serious concern in the GOP that there could be more revelations about President Donald Trump, and Robert Mueller's investigation still remains the wild card. Attorney General Jeff Sessions testifying Tuesday before the Senate Intel Committee is expected to just add more drama to distract from the GOP agenda into the mix.

WHAT DOES ALL THIS MEAN? Republicans will be less willing to take risks as they shift into political survival mode.

IVANKA'S FOX DOUBLE HEADER -- Ivanka Trump will be on "Fox and Friends" this morning in the 7 a.m. hour, and then Ainsley Earhardt will go to the White House Wednesday for a second interview, which will air Thursday.

BIG NEWS -- "D.C. and Maryland to sue President Trump, alleging breach of constitutional oath," by WaPo's Aaron Davis: "Attorneys general for the District of Columbia and the state of Maryland say they will sue President Trump on Monday, alleging that he has violated anti-corruption clauses in the Constitution by accepting millions in payments and benefits from foreign governments since moving into the White House.

"The lawsuit, the first of its kind brought by government entities, centers on the fact that Trump chose to retain ownership of his company when he became president. ... But D.C. Attorney General Karl A. Racine (D) and Maryland Attorney General Brian E. Frosh (D) say Trump has broken many promises to keep separate his public duties and private business interests. For one, his son Eric Trump has said the president would continue to receive regular updates about his company's financial health.

"If a federal judge allows the case to proceed, Racine and Frosh say, one of the first steps will be to demand through the discovery process copies of Trump's personal tax returns to gauge the extent of his foreign business dealings. That fight would most likely end up before the Supreme Court, the two said, with Trump's attorneys having to defend why the returns should remain private." http://wapo.st/2s1jKqL

FIRST IN PLAYBOOK -- **ISAAC DOVERE** speaks with **VIRGINIA GOV. TERRY MCAULIFFE:** "Russia was actively involved in destabilizing our democracy," and they had help from "treasonous" Americans, McAuliffe told Isaac Dovere in the latest episode of Off Message podcast, coming Tuesday morning. "Somebody had to give these people a roadmap," McAuliffe said, though he wouldn't name names. "So I believe somewhere in this, somebody was directing the Russians on whose names to use, what impact these certain people sending a memo would have on the American electorate. I mean, they just didn't sit over in some cubicle over there somewhere in Moscow and figure this out."

-- FIGHTING WORDS: WHAT MCAULIFFE SAID TO TRUMP, over dinner at the White House at the end of February for the National Governors Association reception: "I looked him face to face, four inches from his eyeballs, and said, 'Everything you have done has hurt my economy.'"

-- MCAULIFFE hasn't spoken to Trump since, but notes that when the president announced his new appointments to the Council of Governors in May, "Guess who didn't get reappointed." McAuliffe said on immigration policy and the travel ban in particular, but overall, he doesn't think there's ever a clear answer on what Trump administration policy actually is: "Not when this man is president." ***More on what McAuliffe thinks about Hillary's speaking out and Onward Together, the***

Democrats' progressive divide, and his plans for 2018 -- and 2020 -- coming Tuesday http://apple.co/2tbjk0p

THE DIVIDED OPPOSITION -- ALEX BURNS and **JMART** on **"Democrats in Split-Screen:** The Base Wants It All. The Party Wants to Win," in Dunwoody, Ga.: "Democrats are facing a widening breach in their party, as liberal activists dream of transforming the health care system and impeaching President Trump, while candidates in hard-fought elections ask wary voters merely for a fresh chance at governing. The growing tension between the party's ascendant militant wing and Democrats competing in conservative-leaning terrain, was on vivid, split-screen display over the weekend. In Chicago, Senator Bernie Sanders led a revival-style meeting of his progressive devotees, while in Atlanta, Democrats made a final push to seize a traditionally Republican congressional district.

"It may be essential for Democrats to reconcile the party's two clashing impulses if they are to retake the House of Representatives in 2018. In a promising political environment, a drawn-out struggle over Democratic strategy and ideology could spill into primary elections and disrupt the party's path to a majority." http://nyti.ms/2ssSWCl

-- IT'S WORTH NOTING: Democrats aren't the only ones who have had to face a divided party and make a decision about whether to shore up the establishment, or let the activists take hold. Just ask Senate Majority Mitch McConnell (R-Ky.). He led the NRSC into battle in multiple primaries during the 2014 election in order to elect GOP candidates that could win in the general election.

TRUMP'S LEGAL TEAM -- NYT A1, "Role of Trump's Personal Lawyer Blurs Public and Private Lines," by Rebecca Ruiz and Sharon LeFraniere: "Marc E. Kasowitz, a New York civil litigator who represented President Trump for 15 years in business and boasts of being called the toughest lawyer on Wall Street, has suddenly become the field marshal for a White House under siege. He is a personal lawyer for the president, not a government employee, but he has been talking about establishing an office in the White House complex where he can run his legal defense.

"His visits to the White House have raised questions about the blurry line between public and private interests for a president facing legal issues. Mr. Kasowitz in recent days has advised White House aides to discuss the inquiry into Russia's interference in last year's election as little as possible, two people involved said. He told aides gathered in one meeting who had asked whether it was time to hire private lawyers that it was not yet necessary, according to another person with direct knowledge. ...

"'The president's private lawyer is representing only his interests, not the interests of the United States government or the individual interests of the White House staff,' said Robert F. Bauer, who was White House counsel under President Barack Obama." http://nyti.ms/2rfKfeQ

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scientists and engineers, POET operates 30 biofuel facilities & America's first cellulosic biofuel plant. We produce a cleaner fuel for millions of drivers, every day. We're POET and we're driving innovation, from the ground up. Learn more here. ******

THIS TOWN -- "When a liberal power lawyer represents the Trump family, things can get ugly," by WaPo's Marc Fisher: "[Jamie] Gorelick ... finds herself under attack for taking on a share of the Trump family's legal woes. ... In the most public slap, Hilary Rosen, a prominent Democratic strategist and lobbyist, tweeted, 'Hey Jamie Gorelick, you've just poured that 'Complicit' perfume on yourself,' a reference to a 'Saturday Night Live' parody ad that imagined an Ivanka Trump-branded scent. (Rosen declined to elaborate on the tweet, saying only, 'It is what it is.') ...

"In a quintessentially D.C. move, some longtime friends of Gorelick contacted for this article offered complimentary comments about her on the record, and then, after asking if they could make other remarks without attribution, bashed their colleague to smithereens. Those people will not be quoted in this article, by name or anonymously, as one tiny bulwark against outright awfulness." http://wapo.st/2r9klFy

FOR YOUR RADAR -- "Macron's party set for huge French parliamentary majority," by Reuters' Ingrid Melander and Michel Rose in Paris: "President Emmanuel Macron's fledgling party is set to trounce France's traditional main parties in a parliamentary election and secure a huge majority to push through his pro-business reforms, projections after the first round showed on Sunday.The vote delivered a further crushing blow to the Socialist and conservative parties that had alternated in power for decades until Macron's election in May blew apart the left-right divide." http://reut.rs/2rlWHoD

-- "Trump May Not Visit U.K. This Year as Planned," by NYT's Glenn Thrush in Branchburg, N.J.: "President Trump is considering scrapping or postponing a planned visit to Britain this year amid a billowing backlash over comments he made after the recent terrorist attack in London, two administration officials said. Over the past week, Mr. Trump has expressed increasing skepticism to aides about the trip after coming under intense criticism for a misleading charge that he leveled against London's mayor, Sadiq Khan. ... National Security Council and State Department officials were working on the details but had not undertaken the usual 'preadvance' trip to work out the specific logistics of joint appearances, said a person familiar with the situation." http://nyti.ms/2ssMMIG

PENTAGON WATCH -- "Mattis Quietly Keeps Distance From Trump's Most Divisive Moves," by NYT's Helene Cooper, Michael Gordon and Eric Schmitt: "Mr. Mattis ... has appeared behind the lectern in the Pentagon briefing room only twice since he became defense secretary, the better to stay out of political debates, aides say. Mr. Mattis's first, and only, appearance on the Sunday news shows did not come until four months into his term. Mr. Mattis, his friends and colleagues say, is driven by several considerations, including his belief that the military's political neutrality can help hold together a deeply divided nation -- a point that Mr. Mattis hammered home in a

commencement address last month at West Point in which he made one reference to the commander in chief and none to Congress.

"Instead, he pointed to ancient Athens in hailing apolitical 'defenders who look past the hot political rhetoric of our day' to protect 'our experiment in self-governance.' The speech by Mr. Mattis, who is registered to vote in Washington State, which does not require political affiliations be disclosed, stood in contrast to Vice President Mike Pence's address at the United States Naval Academy commencement in which he referred to Mr. Trump a dozen times, calling him the 'best friend the armed forces of the United States will ever have.'

"Mr. Mattis's low profile is part of his strategy for exerting influence from within, at one-on-one meetings with Mr. Trump or the dinners he has with the president and General Joseph F. Dunford Jr., the chairman of the Joint Chiefs of Staff. He was also at the White House last week while the president watched part of the highly anticipated congressional testimony by James B. Comey, the former F.B.I. director." http://nyti.ms/2rQ5KBO

-- MATTIS will be on Capitol Hill today to testify, along with Joint Chiefs Chairman Gen. Joseph Dunford, about their fiscal 2018 budgets.

THE WHITE HOUSE did not allow reporters into President Trump's fundraiser Sunday afternoon for New Jersey Rep. Tom MacArthur, a break from standard practice. MacArthur's spokesman said it raised $800,000, per pooler Todd Gillman of the Dallas Morning News. ***More from Katie Jennings*** http://politi.co/2tbHpE1

TRUMP AND PENCE'S MONDAY -- Trump will be briefed on national security, hold a Cabinet meeting and host the Clemson Tigers football team at the White House to celebrate their football national championship. Pence is joining in the Cabinet meeting and will lunch with the president.

THE JUICE ...

-- PLAYBOOK EXCLUSIVE: **MAJORITY FORWARD** , a nonprofit affiliated with the Senate Majority PAC, is launching a $500,000, three-week TV and digital ad buy in West Virginia supporting Sen. Joe Manchin. The ad will praise the West Virginia Democrat for standing up for constituents on everything from coal to health care and protecting miners' benefits. The ad builds off a $4.5 million campaign in Arizona, Indiana, Missouri, Montana, North Dakota, Nevada and Wisconsin that launched on Memorial Day is continuing to run in those states.

-- JUSTICE NEIL GORSUCH is selling his Boulder, Colorado home -- it's on the market for $1,675,000. http://bit.ly/2sSxpAx

-- SNEAK PEAK: Megyn Kelly previews her interview with conservative radio host Alex Jones to talk about his views, conspiracy theories and controversies. The full interview

will air June 18 at 7 p.m. on "Sunday Night with Megyn Kelly." http://nbcnews.to/2rl5JSz

WASHINGTON'S OWN 'DEAR EVAN HANSEN' WINS 6 TONYS -- WAPO'S PETER MARKS in New York: "'Dear Evan Hansen' claimed the top prize -- best musical -- at the 71st Tony Awards on Sunday, a nail-biter of a night that saw it scoop up five other awards, including one for its universally heralded star, Ben Platt. The musical, birthed in the summer of 2015 at Arena Stage, garnered trophies for its book writer, Steven Levenson, and composer-lyricists, Benj Pasek and Justin Paul, who earlier this year earned an Oscar for their music in 'La La Land.' 'Dear Evan Hansen' tells the story of an introverted teenager who, desperate to be accepted, perpetuates a lie about a friendship with a classmate who has taken his own life, a falsehood that earns him Internet fame but ends in disaster." http://wapo.st/2rlDd3g

-- A NOTE FROM YOUR PLAYBOOKERS: We are especially proud of Ben Platt -- the star of "Dear Evan Hansen" and the winner of best leading actor in a musical. Ben is Jake's wife Irene's first cousin. Anna, Jake, Irene and a whole host of D.C.'ers saw "Dear Evan Hansen" at Arena Stage and fell in love with it. Six Tony's. Not bad.

Playbook Reads

PHOTO DU JOUR: Marchers hold placards during the #ResistMarch at the 47th annual LA Pride Festival in West Hollywood, California on June 11. | Mark Ralston/AFP/Getty

WELCOME TO WASHINGTON! "Melania Trump, son Barron move into the White House," by AP's Darlene Superville: "The first family is together again under the same roof: the White House. After nearly five months of living apart, President Donald Trump's wife, Melania, announced Sunday that she and the couple's young son have finally moved into the presidential mansion at 1600 Pennsylvania Ave. ... 'Looking forward to the memories we'll make in our new home! #Movingday,' the first lady tweeted Sunday evening after she and Barron arrived at the White House with Trump. The tweet accompanied a photo of the Washington Monument as seen from the White House Red Room." ***With an AP pic of the first family getting to the White House -- Barron wore a t-shirt saying "The Expert"*** http://apne.ws/2rh7FjS ... ***FLOTUS' tweet*** http://bit.ly/2st0h4T

DEEP DIVE - BEN SCHRECKINGER in POLITICO Magazine, **"How Russia Targets the U.S. Military:** With hacks, pro-Putin trolls and fake news, the Kremlin is ratcheting up its efforts to turn American servicemembers and veterans into a fifth column": "Experts warn that effort, which has received far less attention, has the potential to hobble the ability of the armed forces to clearly assess Putin's intentions and effectively counter future Russian aggression. In addition to propaganda designed to influence service members and veterans, Russian state actors are friending service members on

Facebook while posing as attractive young women to gather intelligence and targeting the Twitter accounts of Defense Department employees with highly customized 'phishing' attacks." http://politi.co/2rhanpD

TOP-ED -- "Why foreign aid is critical to U.S. national security," by retired Admiral Mike Mullen and retired General Jim Jones in POLITICO Magazine: "This week, we will join 14 other experienced former four-star generals and admirals in submitting testimony to Congress that military power alone cannot prevent radicalization, nor can it, by itself, prevent despair from turning to anger and increasing outbursts of violence and instability. ... Unfortunately, the administration's budget would cut 32 percent from the budgets of the U.S. Agency for International Development and State Department - including a cut of nearly half to development assistance. This is exactly the wrong decision at a time when development efforts in the world's poorest and most fragile countries are needed more than ever. In turn, these severe cuts to USAID would only increase the risk to Americans and to our brave military service members. Congress should reject this dangerous path." http://politi.co/2tbRlgM

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TALKER - This Sunday's upcoming N.Y. Times Magazine cover story, "The Long, Lonely Road of Chelsea Manning," by Matthew Shaer: "Her disclosure of classified documents in 2010 ushered in the age of leaks. Now, freed from prison, she talks about why she did it - and the isolation that followed." http://nyti.ms/2stgLdo

NEW SUSAN GLASSER PODCAST - "The Shove Heard Round the World: Montenegro's Prime Minister Markovic on joining NATO, Russia and that time Trump pushed him out of the way": "At least, [Dusko] Markovic told me when we met in Washington the other day, Trump's boorish action now means the rest of the planet is suddenly familiar with Montenegro, and the unlikely position it now occupies as a Balkan flashpoint between the wavering West it has been so eager to join and a resurgent Russia to its east, angered by the 'hostile' course it accuses Montenegro of taking. 'I have to say that I'm very grateful that this incident, so to say, took place. Because this is what made us so famous,' Markovic says. 'This is what made Montenegro so famous.'" http://politi.co/2rRy46C ... ***Transcript*** http://politi.co/2r9U4Xv ... ***Subscribe*** http://apple.co/2kJ9q1U

2018 WATCH -- "Jared Polis to join crowded 2018 race for governor, tells The Post he wants 'a Colorado that works for everybody,'" by Denver Post's Mark K.

Matthews: "In an interview with The Denver Post, the fifth-term lawmaker said his platform will focus on three initiatives: getting Colorado to use 100 percent renewable energy by 2040, ensuring parents can access free, full-day preschool or kindergarten for children age 3 and older, and encouraging companies in the state to provide stock options to employees. ... His entry further scrambles a contest that already lacks a clear favorite, and it all but guarantees that the 2018 race to replace Gov. John Hickenlooper will be one Colorado's wildest elections in years. Polis' run is notable too, given that the onetime Internet wunderkind can use his sizable fortune to fund his campaign and - if he wins - Polis would make history as the state's first openly gay governor." http://dpo.st/2ssS4gQ

HMM - WSJ yesterday, "Democrats Look to Cheri Bustos to Map Path to Rural Votes": http://on.wsj.com/2r9lYlt ... **POLITICO Magazine's Michael Kruse, May 12,** "The Secret Weapon Democrats Don't Know How to Use: Cheri Bustos of Illinois has lessons about how to win in Trump territory. Are Democratic leaders listening?" http://politi.co/2s1K5Vr

POLITICO's INAUGURAL "WOMEN RULE" INVESTIGATION: Not only did women not break the glass ceiling in 2016 -they stalled at just 20 percent in Congress, and less than one-quarter of elected offices nation-wide. Even as political activism among women has heated up since the election, there is a persistent gap continues in women's interest running for office. Over the course of several months, POLITICO conducted over 50 interviews with candidates, elected officials, researchers, wavering candidates and political operatives and found that the swell of female political activism does not translate to future candidacies. To change things, recruiters must start earlier in a woman's life for her to consider running, school boards are the best starting place, and the sales pitch to get women to run for office must change. ***Read more*** http://politi.co/2sTFF32

Playbookers

NICE TOUCH -- "Jimmy Carter Shakes Hands With Every Passenger On Flight To Washington," by HuffPost's Igor Bobic: http://bit.ly/2r9vd6e

SPOTTED: Former Senate Majority Leader Trent Lott yesterday at Pentagon City Mall, toting a Nordstrom bag ... Sen. Minority Leader Chuck Schumer on a plane Sunday afternoon from LaGuardia to Detroit ... Rep. Ted Lieu (D-Calif.) yesterday at the Beverly Hilton at a wedding ... Sen. Rand Paul (R-Ky.) at the W hotel on Thursday night ... at Trump National in Bedminster, NJ yesterday: Shalabh "Shalli" Kumar, industrialist, chair of Republican Hindu Coalition and lobbyist Chase Kroll, founder/CEO of Kroll Global.

SPOTTED at "Not the White House Pride Party" at the Brixton on Saturday organized by Obama White House alumni Gautam Raghavan, Aditi Hardikar, and Monique Dorsainvil to benefit Casa Ruby and SMYAL: 350 guests including Valerie Jarrett; Eric

Fanning; former Ambassador Dan Baer; Jim Obergefell; Kate Clinton; Fatima Asghar and Sam Bailey; Tommy Dorfman; Stephanie Rice; Precious Brady-Davi; Mara Keisling; and former Obama White House officials including Brian Bond, Raffi Freedman-Gurspan, Shin Inouye, Lynn Rosenthal, Kyle Lierman, Heather Foster, Alexa Kissinger, Hallie Schneir, Leah Katz-Hernandez, Alissa Ko, and Jonathan Lee. ***Pic*** http://bit.ly/2ssKC5x

FOR COREY -- SPOTTED by James Rosen on vacation with his wife Sara Durkin and their sons in Krakow on Sunday: A gift shop right off Market Square (and other gift shops in the Krakow square), were all selling "LEWANDOWSKI" jerseys. Robert Lewandowski is a soccer player for Bayern Munich and captain of the Poland national team. ***Pic*** http://bit.ly/2rhgkTx

WEEKEND WEDDINGS -- Sarah Wire of the LA Times married **John Bethel** on Saturday at Friends Meeting House in Dupont Circle. The intimate ceremony was officiated by her father, Bob, followed by a dinner in the garden. Per the Columbia Tribune: the "groom, a 2002 graduate of Hickman High School in Columbia, works at Mega Kitchens and Baths. The two met through mutual friends at McNally's Irish Pub in Columbia as Sarah was finishing college in 2010. They lived in Arkansas before moving to Washington D.C. so Wire could cover Congress." ***Pic*** http://bit.ly/2stjdAC ... ***Instapic*** http://bit.ly/2sdMM8F

SPOTTED: a good portion of the women's Congressional Softball press team including Lynn Sweet of the Chicago Sun-Times, Bridget Bowman of Roll Call, Emmarie Huetteman and Mikayla Bouchard, both of The New York Times. Also attending: Allison Wisk of the LA Times, Amber Phillips of the Washington Post and Suzanne Struglinski of the National Press Club.

-- Jacob Daniels, who was just promoted to be SVP of policy at federal affairs consulting firm SPG and is a former Trump campaign staffer, recently married **Stacey Kafka** , press secretary for Rep. Blake Farenthold (R-Texas), in a small ceremony in front of close friends and family in Cabo San Lucas, Mexico. They met in 2014 when he was a city councilor in Creswell, Oregon, and she was a local ABC affiliate reporter and was interviewing him on a story. He soon asked her out on a date but she told him she doesn't date politicians. A few weeks later, he resigned from the city council and they started going out. ***Pic*** http://bit.ly/2ta5lb5

-- Stephen Morrissey and **Elise Aronson**, who met as interns at the DSCC in 2011, were married over the weekend in Philadelphia at the Free Library. Guy Cecil, executive director of the DSCC when the two met, presided over the nuptials. Stephen is now an M&A associate at Skadden Arps, and Elise just graduated with an MBA from Wharton. ***Pics -- cutting the cake*** http://bit.ly/2st0fKf ... ***Elise with her bridesmaids*** http://bit.ly/2s1P1tC

TRANSITIONS -- Alex Booze starts today as an account manager at EPIC PR Group. Booze, who is also a food blogger for East Coast Contessas (http://bit.ly/2r9xWwI) in

her free time, was formerly the manager of media relations at the Charles Koch Institute.

BIRTHDAY OF THE DAY: BuzzFeed reporter **Alexis Levinson,** a National Review alum, is 29. How she's celebrating: "Dinner with my boyfriend. It's a Monday, so nothing crazy. My birthday always sneaks up on me somehow - every year I say I'm going to plan and then all of a sudden it's three days away." Read her Playbook Plus Q&A: http://politi.co/2sjBlwQ

BIRTHDAYS: Dina Powell (hat tips: Sean Spicer, Autumn Vandehei and Amy Little Thomas) ... Carrie Budoff Brown, editor of Politico and the pride of York, Pa. ... Matt Mowers, senior White House advisor at the State Department (h/t Ryan Williams) ... the only, the only Kevin Sheekey, the man, the myth, the legend, is 51 -- Kevin was in China last week (h/ts Tammy Haddad and Helen Brosnan) ... George H.W. Bush is 93 ... Josh Kushner, founder of Thrive Capital, is 32 ... Rabbi Levi Shemtov, EVP of American Friends of Lubavitch (Chabad), is 57 (h/ts Jewish Insider) ... Marv Albert is 76 ... Dag Vega, managing director for public affairs and crisis at Burson-Marsteller and former special assistant to the President and director of broadcast Media at the Obama WH (h/t Ben Chang) ... Alex Castellanos, co-founder of Purple Strategies ... Google's Courtney Pannell ... Hayley Alexander is 28 ... Eli Glazier of urban planning firm Toole Design (h/t Ashley Gold) ... DNC alum Luis Miranda ... AP's Rachel D'Oro ... Rep. Mark Amodei (R-Nev.) is 59 ... Rep. Lucille Roybal-Allard (D-Calif.) is 76 ... Eleanor Lewis (h/t Jon Haber) ... Husein Cumber ... Sally Bradshaw ... Casey Ratlief is 32 ... Todd Beyer ... E&E alum Nathanael Massey is 31 ...

... Matt Wolking, press secretary for Sen. Rubio (h/t Olivia Perez-Cubas) ... Hanna Siegel, deputy director at New American Economy (h/t Sarah Doolin Roy, who starts today at the American Ballet Theatre, working on brand partnerships and engagement strategy) ... Sean Murphy of Gotham Government Relations and Communications ... Zach Baron, new associate at Boies Schiller & Flexner, celebrating (despite this heat wave) at the Nats game (h/ts Shaina and Sarah) ... Mary Urbina-McCarthy ... social media guru Colleen Shalby, engagement editor at the LA Times ... Eli Zupnick ... Democratic fundraiser Lisa Kurdziel ... Melodie McQuade ... Ted Ullyot, partner in policy and regulatory affairs of Andreessen Horowitz and a Facebook, Bush 43 and DOJ alum ... Dan Archer, SVP of federal gov't relations at Wells Fargo ... former Energy Secretary Spencer Abraham, now a principal at Blank Rome, is 65 ... Patrick Schmitt ... Ryan Mannion, CTO for CAR and DRIVER ... Alissa Tabirian ... Campbell Curry-Ledbetter, deputy finance director at Joe Kennedy for Congress ... Sam Buchan ... Adam Wolf ... Katina Tina Rojas Joy ... William Kresse ... Melodie McQuade ... CFPB alum Victor Zapanta ... Jeani Murray, queen of Iowa City, Iowa ... Peter Schechter ... Jack Wetzberger, pride of Dubuque, Iowa ... Travis Worl ... Jon Green, king of winning Paid Sick Days campaigns ... Kate Vilsack (h/ts Teresa Vilmain)

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to remove barriers to consumer fuel choices with a Reid Vapor Pressure (RVP) fix, support a strong Renewable Fuel Standard, and open new markets for U.S. exports and trade. We are securing a cleaner future for all of us. We are POET and we're driving innovation, from the ground up. Learn more here. ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Mon 6/19/2017 5:48:18 PM
Subject: ICYMI: EPA Ends $1 Million Taxpayer-Funded Gym Membership Program

IN CASE YOU MISSED IT ...

EPA Ends $1 Million Taxpayer-Funded Gym Membership Program

EPA Administrator Scott Pruitt Identified The Gym Memberships As An Abuse Of Taxpayer Dollars

The Washington Free Beacon
Elizabeth Harrington
June 19, 2017
http://freebeacon.com/issues/epa-ends-1-million-taxpayer-funded-gym-membership-program/

The Environmental Protection Agency has ended a nearly $1 million program that provided gym memberships for employees.

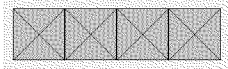
The new administration under EPA administrator Scott Pruitt identified the gym memberships as an abuse of taxpayer dollars. Examples of the program's misuse included $15,000 for gym memberships for 37 EPA scientists in Las Vegas last year.

…

Pruitt vowed an end to taxpayer-funded programs after the Washington Free Beacon report on the agency spending $15,000 on gym memberships in Las Vegas, earlier this year. Employees in the U.S. Environmental Science Division billed taxpayers $399 each for gym memberships, even though employees had access to a "state-of-the-art" gym on the University of Nevada, Las Vegas (UNLV) campus.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 7/24/2017 11:24:18 PM
Subject: July 24 -- Energy and Climate Report

Energy and Climate Report

July 24, 2017 - Number 141

News

Air Pollution
EPA Sued For Not Responding Quickly on Power Plant Permit
Environmental advocates sued EPA July 24 over what they said was the agency's inability to respond quickly enough to concerns over a central Pennsylvania power plant's air pollution permit.

Climate Change
U.K. Braced for Record-Breaking Wet Winters, Blames Climate Shift
Britain faces a future of record-breaking wet winters, potentially leading to more of the widespread flooding seen in recent years, according to new modeling that incorporates changing climate patterns.

Climate Policy
Conservative Party Merger Alters Landscape in Canada's Oil Patch
The merger of Alberta's two main conservative parties creates a new political force in the heart of Canada's oil patch that threatens to unseat Premier Rachel Notley and kill the province's carbon tax.

Climate Policy
U.K. Seeking to Fill Climate Leadership Void Left by Trump
Britain should seek to fill the leadership void created by Donald Trump's decision to pull the U.S. out of the landmark Paris Agreement, Climate Change Minister Claire Perry said July 24.

Congress
Bernhardt Confirmed to No. 2 Interior Department Job
The Senate confirmed David Bernhardt, a lawyer, to the No. 2 job at the Interior Department July 24, providing Interior Secretary Ryan Zinke a much-needed deputy but underscoring the slow progress made on installing Trump administration nominees.

Energy
EU Mulls Retaliation Against U.S. Over New Russia-Sanctions Plan
The European Union said it would be prepared to retaliate against the U.S. should Washington hit Russia with new sanctions that affect EU-based energy companies, risking a deeper trans-Atlantic split over economic and security policies.

Energy
Flood Risks Prompt Massachusetts Review of Enbridge Gas Facility
Massachusetts Gov. Charlie Baker (R) bowed to public pressure and ordered his

administration to scrutinize a natural gas facility planned by Enbridge for its Pennsylvania to Canada pipeline.

Energy

Photos of Melted Fuel at Japan's Fukushima to Help Cleanup

Japan's likely discovery of melted fuel inside the wrecked Fukushima nuclear power plant is seen as a critical step in hastening the $72 billion, 40-year cleanup of one of the worst atomic disasters in history.

Energy

White House Team Differs on Trump Support for Russia Sanctions

The Trump administration supports the current version of a bill to sanction Russia, the new White House press secretary said, although her boss, Anthony Scaramucci, wouldn't guarantee that President Donald Trump will sign it.

Environmental Taxes

Pennsylvania Eyes Shale Tax to Help Plug $2 Billion Hole

The severance tax debate is heating up again in Pennsylvania.

Oil & Gas

BLM Proposes to Kill 2015 Hydraulic Fracturing Rule

The Trump administration is proposing to rescind 2015 regulations on hydraulic fracturing put in place by the Obama administration for oil and natural gas operations on federal and Indian lands.

Renewable Energy

Renewables Scientist Takes South Korea's Energy Helm

South Korea on July 24 inaugurated a sustainable energy scientist and scholar as minister for trade, industry and energy, a move expected to help the country meet stepped-up renewable energy goals by 2030.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 10/4/2017 10:50:12 PM
Subject: BREAKING NEWS: Pennsylvania Rep. Murphy to retire at end of term

Embattled Rep. Tim Murphy announced Wednesday he will retire at the end of his term after allegations that the married lawmaker who opposes abortion rights asked his mistress to terminate an apparent pregnancy, the Associated Press reported. Murphy (R-Pa.) admitted several weeks ago to an affair with forensic psychologist Shannon Edwards - news that came to light during the woman's divorce proceedings with her husband.

See http://www.politico.com/story/2017/10/04/tim-murphy-abortion-mistress-243456 for full coverage.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Fri 6/9/2017 10:53:59 AM
Subject: POLITICO Playbook, presented by Samsung: BREAKING: TRUMP fires back at COMEY: 'Despite so many false statements and lies, total and complete vindication' ... and he brands Comey a 'leaker' -- CHAOS in U.K. election: THERESA MAY likely staying as PM

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Today's PLAYBOOK presented by Samsung
06/09/2017 06:50 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Happy Friday. BREAKING IN LONDON -- AP: "Prime Minister Theresa May plans to seek the permission of Queen Elizabeth II to form a government even though her Conservative Party lost its majority in the House of Commons. Downing Street says she plans to meet the queen at 12:30 p.m. local time (1130 GMT).

"May will need the support of another party or group of parties to command a majority. Her plan of calling an early election in the hopes of getting a bigger majority than she enjoyed during the previous parliament backfired in Thursday's general election." http://apne.ws/2saHvzu

FROM THE GUARDIAN -- "May has the right to remain in office and try to assemble a working government - but she is under intense pressure from senior colleagues, many of whom blame her for a botched manifesto launch and a wobbly campaign." http://bit.ly/2slq0fF

IMPORTANT CONTEXT: From POLITICO Europe's Tom McTague in London -- "If Brussels had come round to the prospect of an unyielding two-year Brexit negotiation under May -- grating in its parochialism maybe, but at least grown-up -- they now face the nightmare prospect of a new partner across the table or a weakened May beholden to her backbenchers and a small retinue of Northern Irish MPs." http://politi.co/2rcr7ts

BREAKING at 6:10 a.m. -- **STATEMENT FROM THE PRESIDENT OF THE UNITED STATES:** "Despite so many false statements and lies, total and complete

vindication...and WOW, Comey is a leaker!" ***This statement was made on Twitter.***

-- THIS IS A BIG DEAL: The president of the United States appears to be accusing the former FBI director of lying under oath. He doesn't directly say that James Comey lied while testifying Thursday, but comes pretty close.

-- SEN. BRIAN SCHATZ (D-HAWAII) (@brianschatz): "Making a false statement to Congress is a felony. This is not just another silly tweet."

WHAT WILL HAPPEN NEXT -- Lawmakers will say if the president believes Comey lied, Trump himself should come to Capitol Hill and testify under oath about his recollection of events. This is why keeping quiet is oftentimes the best idea. **TRUMP** has now created a whole new storyline that is certain to distract Washington for the days and weeks to come.

NOTE that most Republicans yesterday didn't accuse James Comey of lying -- in fact, many of them called him honest and honorable. They just took issue with whether Trump directly asked Comey to drop the Russia investigation.

FOR THE PRESIDENT -- WHAT THE STATES YOU WON ARE WAKING UP TO -- CHARLOTTE OBSERVER: "Comey says Trump lied about his firing: Burr offers low-key defense of Trump" http://politi.co/2rTlyBY ... **PHILADELPHIA INQUIRER:** "Comey Challenges Trump ... FIRING: Former FBI director says president's reasons for dismissal 'were lies' ... RUSSIA PROBE: He says request to 'let Flynn go' felt like improper pressure ... LEAK: He admits divulging personal memos in order to prompt a special prosecutor" http://politi.co/2skZBhU ... **DES MOINES REGISTER:** "COMEY SLAMS TRUMP 'LIES': White House: Testimony proves that president has acted appropriately" http://politi.co/2saFwuY ... **THE CINCINNATI ENQUIRER:** "COMEY: TRUMP LIED 'PLAIN AND SIMPLE'" http://politi.co/2saAkr7

WHAT REPUBLICANS ARE SAYING -- Forget what the White House thinks of yesterday's testimony. We spent the day in the Capitol, talking to Republican members of Congress -- the ones that have to vote on President Donald Trump's agenda -- and they were absolutely shocked at how poorly yesterday went for the president. Publicly they say that the president is a political neophyte who is still learning the presidency. But privately, they said James Comey was extraordinarily convincing and Trump's team absolutely botched their response. They're all afraid of more shoes dropping.

MARC KASOWITZ , Trump's lawyer who offered the principal rebuttal to the main event, made a legal argument, which mostly ignored the political reality that an FBI director called the president of the United States a liar and described what most termed disturbing interactions under oath. Trump's political standing on Capitol Hill is growing more and more perilous. Meanwhile, the RNC's principal rebuttal seemed to be that the Obama administration had a bad day -- which is true, but almost entirely irrelevant.

REPUBLICANS were shocked just how well Comey came across. He didn't try to jam

his viewpoint down the committee's throat, he was confident but not cocky and admitted, on several occasions, that his impression of his interactions could've be faulty, but the evidence otherwise seemed overwhelming to lawmakers.

DO NOT UNDERESTIMATE -- How much Trump's weakened position could thwart the GOP agenda. Senate Republicans are plodding their way through health care reform with no definite deal in sight. For every fix, Senate Republicans seem to find another problem. And while Trump has promised the biggest tax cut in the country's history, Republicans are increasingly bearish on a massive rewrite of the tax code. Instead, most are eyeing a simpler and smaller tax cut as a more realistic option.

THE BIG PICTURE -- PETER BAKER on **A1 -- "For Trump, the 'Cloud' Just Grew That Much Darker," by NYT's Peter Baker:** "[T]hanks to Mr. Trump's own actions, the cloud darkened considerably on Thursday and now seems likely to hover over his presidency for months, if not years, to come. Rather than relieve the pressure, Mr. Trump's decision to fire Mr. Comey has generated an even bigger political and legal threat. In his anger at Mr. Comey for refusing to publicly disclose that the president was not personally under investigation, legal experts said, Mr. Trump may have actually made himself the target of an investigation. While delivered in calm, deliberate and unemotional terms, Mr. Comey's testimony on Thursday was almost certainly the most damning j'accuse moment by a senior law enforcement official against a president in a generation." http://nyti.ms/2rHGaig

JOSH GERSTEIN AND KYLE CHENEY's "Five takeaways from Comey's dramatic testimony": "From the outset, Comey regarded Trump as a liar. Comey's prepared statement made it clear that the former FBI director was troubled by his interactions with Trump in recent months, but it wasn't until Comey's live testimony Thursday that the FBI director suggested he harbored doubts about Trump's honesty from the very first time he met him - and perhaps even earlier. ...

"The cloud is growing, not lifting. Comey testified that Trump repeatedly asked him to help lift the 'cloud' of the Russia investigation dogging his administration. But even though Comey confirmed Trump wasn't personally under investigation as of May 9, his testimony complicates life for a president trying to wash away the stain of the scandal. ... **New mysteries.** Comey's startling testimony may have provided striking revelations about his meetings with the president, but what he declined to discuss may be even juicier. ...

"Collateral damage. Trump was expected to take a bruising at Thursday's hearing and it seemed inevitable that Comey would also take some hits over his actions. Both those things transpired, but what was less expected was the collateral damage to a slew of others, including Sessions, former Attorney General Loretta Lynch and Deputy Attorney General Rod Rosenstein. ... **Partisanship reigns.** The aftershocks from Comey's testimony are still reverberating but it took virtually no time for partisans to retreat to their corners and begin sniping at each other over the meaning and import of what he said." http://politi.co/2rcwkBr

BEHIND CLOSED DOORS -- "Comey told senators Sessions may have met Russia's ambassador a third time," by CNN's Manu Raju, Evan Perez and Jim Sciutto: "Former FBI Director James Comey told senators in a closed hearing this afternoon that Attorney General Jeff Sessions may have had a third interaction with Russia's ambassador to the U.S., according to people familiar with the briefing. The information is based in part on Russian-to-Russian intercepts where the meeting was discussed ... But the sources said it is possible the ambassador, Sergey Kislyak, was exaggerating the extent of the encounter." http://cnn.it/2sarx8r

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BEFORE THE TWEET -- TARA PALMERI, ELIANA JOHNSON and JOSH DAWSEY proved prescient, in a story posted at 5:26 p.m. yesterday: "[A]s the day wore on, aides began to voice concerns that their boss would 'explode' later in the evening or on Friday after he watches TV news coverage and talks to friends in New York and Florida - a pattern of delayed response that's repeated itself in the months since Trump took office. ... Trump was also quiet after setbacks like the failure of his first health care bill in March, only to fire back the next day on Twitter." http://politi.co/2rcFgXD

--MAGGIE HABERMAN and GLENN THRUSH on NYT A13, "'I Was Right': As Trump Watches Comey on TV, Anxiety Yields to Relief": "In all, Mr. Trump watched only about 45 minutes of Mr. Comey's testimony, the people close to the president said. Much of that time was spent under the eye of his take-charge personal lawyer, Marc E. Kasowitz, and Defense Secretary Jim Mattis, one of the cabinet members he trusts most. This was by design, with the president's tacit consent. His aides packed the day with meetings and speechwriting sessions, including a 90-minute sit-down focusing on North Korea, Qatar and the terrorist attacks in Iran with the national security adviser, H. R. McMaster; Secretary of State Rex W. Tillerson; and Mr. Mattis. ... There was pleasure among White House aides with how Republican senators - who largely avoided taking on the president - performed in the hearing." http://nyti.ms/2slnxSm

-- PHIL RUCKER and BOB COSTA in WaPo, "Behind Trump's silence: Why the counterpuncher let others do the punching": "[Kasowitz's] combative presentation was on full display Thursday as he read from a statement that contained two typos. (He misspelled 'president' as 'predisent,' and the surname of Director of National Intelligence Daniel Coats as 'Coates.')" ***With cameos by Rudy Giuliani, Chris Ruddy, Sam Nunberg, Jack Quinn, and Boyden Gray*** http://wapo.st/2t0OIDS

TODD S. PURDUM in Politico, "Comey's devastating indictment of President Donald Trump": "Comey had not finished testifying before the White House deputy press secretary, Sarah Huckabee Sanders, was moved to insist, 'I can definitively say

the president is not a liar. I think it's frankly insulting.' Such protestations from any White House are never a good thing. (See Richard Nixon's, 'I am not a crook,' and Bill Clinton's, 'I did not have sexual relations with that woman, Miss Lewinsky,' just for starters)." http://politi.co/2r8QUay

LATE-NIGHT BEST - STEPHEN COLBERT on Comey's testimony: "He thought Trump might lie. That's razor-sharp FBI instinct in action right there. Fellas, look, I don't want to get out over my skis here but I think this dead body might not be alive." ***Video*** http://bit.ly/2r8VGF0

THE NEXT TURN OF THE SCREW -- "Comey's Testimony Sharpens Focus on Questions of Obstruction," by NYT's Charlie Savage: "If one believes James B. Comey's account of his encounters with President Trump, it could present a prosecutable case of obstruction of justice, several former prosecutors said Thursday. But they also cautioned that little is normal about this situation. The Justice Department has long argued that the Constitution does not permit prosecuting a sitting president. And even if Mr. Trump left office first - through impeachment, or simply by losing re-election in 2020 - there is no guiding precedent in which any former president has been indicted on a charge of ordering a criminal investigation closed for improper reasons." http://nyti.ms/2rHShMa

POLITICO MAGAZINE FRIDAY COVER - "Will Comey's Testimony Matter? Legal experts tell us what Thursday's high-drama hearing means for Trump and the Russia investigation" http://politi.co/2saJqnG

COMING ATTRACTIONS -- "Jared Kushner Could Meet With Senate Intel Committee Staffers This Month, Sources Say," by NBC News' Kasie Hunt and Phil Helsel: "The Senate Intelligence Committee expects top presidential adviser and son-in-law Jared Kushner to meet with committee staffers this month, two sources familiar with the planning told NBC News Thursday. A third source familiar with the conversations said discussions about timing are still ongoing. The committee expects Kushner will meet with staff, provide documents and ultimately take questions from the senators, the two sources said." http://nbcnews.to/2rI4QHh

NEXT WEEK'S NEW YORKER COVER - BARRY BLITT did next week's cover illustration, "Modern Times," which shows Trump (wearing a long red tie) caught in the gears. Blitt writes: "Charlie Chaplin and Donald Trump both get caught in the grinding gears of modern times. But with Trump it's not so funny." http://bit.ly/2skW3w6

SNEAK PEEK - WHAT VLADIMIR PUTIN told Oliver Stone for his Showtime special about what he thinks about Sen. John McCain. "[H]onestly, I like Senator McCain to a certain extent. And I'm not joking. I like him because of his patriotism, and I can relate to his consistency in fighting for the interests of his own country." ***2-min. video*** http://bit.ly/2sKbJ9J

BUZZ: THE NEW LOYALTY TEST? -- An aide to a Democratic Senate Judiciary

committee member told us that he expects that FBI director pick Christopher Wray will be asked in a confirmation hearing if he pledged "loyalty" to Trump in the interview process.

THE LATEST ON HEALTH CARE -- "Senate GOP finds a new problem for every one resolved on Obamacare repeal," by Adam Cancryn, Jen Haberkorn, Burgess Everett and Rachana Pradhan: "Senate Republicans hoping to get the bulk of an Obamacare repeal bill done within the next few days keep finding a new problem for every old one they get closer to resolving.

"A burst of optimism that they could agree on a more generous version of the House-passed repeal bill was quickly doused by concerns over the cost. An emerging consensus on subsidies to stabilize shaky insurance markets was countered by a threat that crucial abortion restrictions could derail the effort altogether. And looming over it all, lawmakers are still struggling to bridge the deep divide over the future of Medicaid.

"'Building consensus is hard,' Sen. John Cornyn , the chamber's No. 2 Republican, said earlier this week. 'We've all got a better idea. But pretty soon we're going to have to make a decision on a single bill.'" http://politi.co/2slewbZ

THE JUICE ...

-- TRUMP CAMPAIGN VETS, members of the "45 Club", gathered at Morton's Thursday night. **SPOTTED:** Scott Mason, Anthony Pugliese, Matt Mowers, Paul Gates and Kirk Bell.

-- SPOTTED last night at The Palm for a party honoring longtime maitre d' Tommy Jacomo: Kellyanne Conway, Wolf Blitzer, Tony Kornheiser, James Carville and Mary Matalin. The shindig included a pre fixe menu for dinner, balloons, a video of Tommy and pictures of him throughout the years.

Playbook Reads

PHOTO DU JOUR: Senate Intelligence Committee Chairman Richard Burr and Vice Chairman Mark Warner greet fired FBI Director James Comey before his testimony on Capitol Hill on June 8. | John Shinkle/POLITICO

SILICON VALLEY WATCH -- "Tech CEOs Cook, Bezos, Catz Said to Attend Kushner-Led Summit," by Bloomberg's Mark Bergen and Brian Womack: "Leaders from the largest technology companies are set to visit the White House later this month for an inaugural meeting of President Donald Trump's group formed to modernize government services, according to three people familiar with the plans. ... The list of planned attendees include Apple Inc. Chief Executive Officer Tim Cook, Microsoft Corp. CEO Satya Nadella, Amazon.com Inc. CEO Jeff Bezos, Oracle Co-CEO Safra Catz and

International Business Machines Corp. CEO Ginni Rometty ... Alphabet Inc. plans to send Executive Chairman Eric Schmidt." https://bloom.bg/2slapNb

-- IT'S WORTH NOTING: Despite the tech industry's tough talk on Trump's decision to pull out of the Paris Climate agreement and over his administration's proposed travel ban, neither appear to have made as big of an impact on the RSVPs for Kushner's summit as some insiders expected.

TRY THIS ONE ON FOR SIZE -- "Trump Picks Scaramucci to Be Ambassador to OECD, Sources Say," by Bloomberg's Jen Jacobs: "President Donald Trump will appoint SkyBridge Capital founder Anthony Scaramucci ambassador to the Paris-based Organisation for Economic Co-operation and Development, said two people familiar with the plan. Scaramucci, 53, was a campaign fundraiser for Trump and regular adviser during the presidential transition, appearing almost every day at Trump Tower and regularly defending the president on television." https://bloom.bg/2slnaHp

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NO!!!! -- "Trump's Aluminum Tax Could Make Your Beer More Expensive," by Bloomberg's Joe Deaux: "Donald Trump's efforts to save American metal-making jobs by punishing cheap imports may come with an bitter side effect: pricier beer. That's the view of Tim Weiner, senior commodity risk manager at Molson Coors Brewing Co. and its MillerCoors LLC unit. ... [I]f the U.S. does impose import duties on primary aluminum, it will affect the roughly 5,000 brewers scattered across every congressional district, Weiner said." https://bloom.bg/2s35akG

OFF MESSAGE PODCAST: HRC PREZ CALLS OUT IVANKA -- Human Rights Campaign president Chad Griffin blasted President Trump and other members of his administration - including the president's daughter and senior adviser Ivanka Trump. "An ally is not someone who tells people that they're an ally. An ally is not someone who sends a tweet to show that they're an ally. An ally is someone who stands up and fights for a cause," Griffin told Isaac Dovere on "Off Message." Ahead of a weekend of nationwide Pride marches, Griffin said he'd like to say this directly to Ivanka, but he'd be wary of an invitation to the White House: "Anyone who is invited to meet with this president needs to be careful that they're not being used."

Isaac also talked to Tony-nominated "Indecent" playwright Paula Vogel, who says she'd love it if Mike Pence made her show about the outrage over a 1920s Yiddish theater play featuring a lesbian kiss - his next stop on Broadway after "Hamilton." "You

don't want to write something that preaches to the converted, all right? You want to convert," she said. http://politi.co/2saDGdJ ... ***Listen and subscribe*** http://apple.co/2nEa7y0

NERDCAST PODCAST: James Comey made his first public appearance as the former director of the FBI Thursday. POLITICO's Scott Bland, Charlie Mahtesian, Ken Vogel and Eliana Johnson break down what he said and what it means for the Russia investigation. Plus, the latest on New Jersey and Virginia's gubernatorial races and what they say about the future of the Democratic Party - and what's new in Georgia's intense special House election. ***Listen and subscribe*** http://apple.co/2qA91oh

MEDIAWATCH -- JOHN DICKERSON, "Face the Nation" moderator and CBS News Chief Washington Correspondent, is now a contributing editor to The Atlantic. He will write regularly for the print magazine and the website. ***His first piece for The Atlantic, "Donald Trump Is an Impossible Boss"*** http://theatln.tc/2sas9uX

Playbookers

SUNDAY SO FAR -- CBS' "Face the Nation": Sens. Lindsey Graham (R-S.C.) ... Senate Minority Leader Chuck Schumer (D-N.Y.) ... Sen. James Lankford (R-Okla.). Political panel: Julie Pace, Susan Page, David Ignatius and Ed O'Keefe.

--NBC's "Meet the Press" is pre-empted for NBC Sports' coverage of the French Open.

--"Fox News Sunday": Panel: Karl Rove, Donna Edwards, Newt Gingrich, Charles Lane

--CNN's "State of the Union," guest-hosted by Dana Bash: Sen. Dianne Feinstein (D-Calif.) ... Sen. Susan Collins (R-Maine). Panel: Rep. Luis Gutierrez (D-Ill.), former Rep. Mike Rogers (R-Mich.), Neera Tanden, David Urban

- CNN's "Inside Politics": Jackie Kucinich, Carl Hulse, Manu Raju, Sara Murray

SPOTTED: Sen. Debbie Stabenow yesterday on Delta 5:37 p.m. flight from DCA to DTW (h/t James K.A. Smith)

OUT AND ABOUT -- Over 115 Muslim American leaders gathered last night on the rooftop of 20 F Street for the first annual bipartisan congressional Iftar. PAKPAC and MPAC sponsored the event, and they honored Reps. Brian Fitzpatrick (R-Pa.), Grace Meng (D-N.Y.), Mike Quigley (D-Ill.) and Virginia AG Mark Herring as "champions of religious liberty." **ALSO SPOTTED:** Reps. Earl Blumenauer (D-Ore.) (who spoke passionately about recent events in Oregon), Raja Krishnamoorthi (D-Ill.), Ed Royce (R-Calif.), Eric Swalwell (D-Calif.), Brad Schneider (D-Ill.) and Brendan Boyle (D-Pa.)

SPOTTED: At a post-Comey hearing happy hour last night at Del Frisco's Double Eagle to say farewell to Obama DOJ chiefs of staff Margaret Richardson, Airbnb's director of global policy development who is moving to the Bay Area, and Sharon Werner, who is joining PNC Bank as in-house senior executive in Pittsburgh: Former Attorney General Eric Holder, former Acting AG Sally Yates, and DOJ alums Jenny Mosier, Molly Moran, Stuart Delery, Brian Fallon, Tom Perrelli, Karol Mason, Dave O'Neil, Raj De, Kevin Lewis, Amy Jeffress, Bill Baer, Tracy Schmaler, Emily Pierce, Adora Jenkins, Brin Frazier, Jim Garland, John Bies, Peter Kadzik, Alicia O'Brien, Heather Childs, Riley Roberts, Jake Maccoby, Helaine Greenfeld, and Annie Bradley.

SPOTTED last night at a reception at Entertainment Software Association hosting college students interning on the Hill with College to Congress: House Minority Whip Steny Hoyer (D-Md.), Rep. Fred Upton (R-Mich.), Rep. Ted Yoho (R-Fla.), Michael D. Gallagher, Audrey Henson, Tom Wilbur, Lyndon Boozer, Susan Brooks, Rebecca Card, Tim Lordan, Megan Mitchell.

--Former Sen. Bob Dole was the special guest at a reception last night at the Kaiser Permanente Center on Total Health in honor of the 30th Anniversary of the National Academy of Social Insurance. **SPOTTED:** Earl Pomeroy, Bob Greenstein, John Rother, Peter Edelman, Lisa Mensah, Judy Feder, Ruth Fein, Steve McConnell, and Bill Hoagland.

TRANSITIONS -- Ernst & Young hired **Adam Chepenik** as a principal based in Washington. He was previously Treasury's deputy director of the office of state and local finance - an office he helped establish in 2014. https://go.ey.com/2r8kk8N ... The American Conservative Union has hired **Michi Iljazi** as director for government affairs, while the American Conservative Union Foundation has named **Jackie Anderson** as director of policy and public affairs. http://politi.co/2saDD1x

... iHeartMedia has hired **Meagan Riley** to manage relationships with progressive candidates, parties and advocacy groups, along with trade associations and industry coalitions. She previously was at 1776. iHeartMedia has also hired **Bryan Watkins** for the same role, but working with conservatives. He previously was at Townhall Media.

BIRTHDAYS OF THE DAY: Jess O'Connell, CEO of the DNC. How she's celebrating: "My wife and I are headed to New York for dinner and a show. We're going to see 'Come From Away.' It's actually a wedding gift from last year from some great friends and we're just now getting to it. Still deciding on restaurants for dinner. Looking for recommendations!" Read her Playbook Plus Q&A: http://politi.co/2rl0cJo ... **Jeff Solnet,** senior associate at Precision Strategies. How he's celebrating: "Well, my Precision Strategies colleagues kicked off the festivities yesterday by surprising me mid-meeting with some great bourbon and a gift certificate to one of my favorite coffee shops. I'm out of town for a wedding tonight, but my girlfriend hosted a surprise roof-top dinner last night!" Q&A: http://politi.co/2r20SXl

BIRTHDAYS: Margaret Talev, senior White House correspondent for Bloomberg (hat tip: Richard Keil) ... Zac Petkanas, former Trump War Room director and senior adviser at the DNC and former rapid response director at HFA (h/ts Jesse Ferguson and Adrienne Watson) ... Lori Lodes, campaign manager for Protect Our Care, former COS for comms at HFA and former comms director at CMS (h/t Jesse) ... Marvin Kalb is 87 ... "Dial" Dick Vitale is 78 ... Aaron Sorkin is 56 ... Stephen Spector ... Miles O'Brien, science, technology, aviation and space journalist ... Liz Mair ... Aaron Sorkin is 56 ... Joe Curl ... Caroline Ryan, youngest daughter of Fred and Genny Ryan is 19 ... Bloomberg's Ashley Bahnken ... Rep. Don Young (R-Alaska) is 84 ... Arkansas Attorney General Leslie Rutledge (h/t Judd P. Deere) ... Candi Wolff, Citi's EVP of global gov't affairs (h/t Kam Mumtaz) ... John David Howard, son of the White House's Ben Howard, is 3 (h/t proud grandpa Jack Howard of the U.S. Chamber) ... Politico's Ramsen Shamon ... CAP's Anne Venzor ... Betsy Mullins ...

... Jeff Berkowitz, an RNC alum now founder and CEO at Delve, a competitive intelligence and oppo research firm ... Ashley Lowerre, copywriter at the RNC and Targeted Victory alum (h/t Ali Swee) ... Brad Gallant ... Google's Ria Bailey-Galvis ... Robert Heath Townsend Jr. ... Raj Goyle ... Devin Banerjee, private equity and deals editor at Bloomberg ... Laura Matthews ... Diane Webber ... Frank Chi ... Carnegie science writer Natasha Metzler, an AP alum ... Maxwell Ealons - an original Obama baby, son of Corey and Dru ... Benj Pasek, a Tony Award-nominated songwriter ... Patrick Sheridan ... Alexandra Toma, executive director at Peace and Security Funders Group and fellow at Truman National Security Project ... Mike Smith ... Robyn Mills ... Andrew Mills ... Vicki Shabo (h/ts Teresa Vilmain) ... comedian Jackie Mason is 89 ... author Letty Cottin Pogrebin is 78 ... mystery author Patricia Cornwell is 61 ... Michael J. Fox is 56 ... Johnny Depp is 54 ... Natalie Portman is 36 (h/ts AP)

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years. Today, we employ more than 18,500 people across the country, covering nearly every state. Samsung Austin Semiconductor (SAS) hosts 6,000+ manufacturing and engineering jobs and has become a $17bn investment - making it one of the largest single FDI's in the U.S. We're also committed to building strong communities through citizenship and support of programs for children's health, STEAM education, veterans and military families. Visit Samsung.com/VisionForTomorrow for more. ******

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Sent: Mon 11/27/2017 6:31:36 PM
Subject: Playbook Power Briefing, presented by PhRMA: DUELING CHIEFS at CFPB -- TRUMP to visit MISSOURI on Wednesday to sell tax plan -- RAND a YES on tax bill -- FLYNN faces scrutiny for 2015 trip to Egypt and Israel

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Today's Playbook Power Briefing presented by PhRMA

BULLETIN -- AP at 11:16 a.m.: "WASHINGTON (AP) - White House official: Trump will not campaign for embattled Alabama Senate candidate Roy Moore before Dec. 12 election."

-- NEW ROY MOORE AD: "Right Choice" http://bit.ly/2ABqouW

Good Monday afternoon. WHATTA TOWN! -- LORRAINE WOELLERT: "Confusion and chaos engulf consumer agency": "Two acting directors of the Consumer Financial Protection Bureau showed up for work Monday, trading memos and warnings as a political showdown threw the embattled agency into confusion.

"White House budget director Mick Mulvaney, President Donald Trump's choice to temporarily lead the bureau, arrived at about 7:30 a.m. and settled into the CFPB director's office, where he read briefing books. His challenger for the job, CFPB Deputy Director Leandra English, was also in the building. English, former Director Richard Cordray's hand-picked replacement, sent the staff an emailed greeting shortly before 8 a.m. and signed it with the bureau's top title, acting director." http://politi.co/2k4lQGa

-- REUTERS: "White House's Mulvaney tells CFPB staff to 'disregard' Leandra English: memo": "'Please disregard any instructions you receive from Ms. English in her presumed capacity as Acting Director,' Mulvaney wrote to staff in a memo seen by Reuters. 'If you receive additional communications from her today ... please inform the General Counsel.'" http://reut.rs/2zsNeke

-- @chrisgeidner: "Leandra English's CFPB case has been assigned to Judge Timothy J. Kelly, a Trump nominee who was confirmed to the bench in September."

SEN. AL FRANKEN on the Hill: "I know there are no magic words that I can say to regain your trust and I know that it's going to take time. I'm ready to start that process and it starts with going back to work today." Franken said he "will be open" to making the findings of the Ethics Committee investigation public.

ALWAYS BE SELLING -- "Trump to visit Missouri on Wednesday to promote tax

overhaul," by the Kansas City Star's Lindsay Wise and Jason Hancock: "The president is expected to discuss tax cuts during the visit to St. Charles Wednesday afternoon, the sources say. The White House has not yet publicly announced the trip. Trump last visited Missouri in August to launch his administration's push to overhaul the nation's tax code. The U.S. House has since passed its version of the bill, while the U.S. Senate is expected to vote on its version when lawmakers return from Thanksgiving recess." http://bit.ly/2k4EZru

-- WSJ's Siobhan Hughes and **Greg Ip:** "'I don't know what the fix is going to be yet,' Sen. Ron Johnson (R-Wis.) said in an interview on Monday, when asked whether he could yet support the tax bill. One of his arguments: That the government will lose a lot of money if pass-through businesses have an incentive to convert to C corporations, which are taxed separately from their owners.

"Mr. Johnson said he spoke with both President Donald Trump and Vice President Mike Pence over the weekend, and that both shared his concern and 'agreed this is a problem to be fixed and we'll get it fixed.'" http://on.wsj.com/2k1E1ML

ON THE PRESIDENT'S MIND -- @realDonaldTrump at 9:04 a.m.: "We should have a contest as to which of the Networks, plus CNN and not including Fox, is the most dishonest, corrupt and/or distorted in its political coverage of your favorite President (me). They are all bad. Winner to receive the FAKE NEWS TROPHY!" ... **at 9:16 a.m.,** quote-tweeting a Dan Scavino tweet bashing "Morning Joe": "The good news is that their ratings are terrible, nobody cares!" ... **at 9:24 a.m.:** "The Tax Cut Bill is coming along very well, great support. With just a few changes, some mathematical, the middle class and job producers can get even more in actual dollars and savings and the pass through provision becomes simpler and really works well!"

RAND IS A YES ON THE TAX BILL -- FOX NEWS OP-ED: "Here's why I plan to vote for the Senate tax bill (and my colleagues should step up)": "This tax bill is a true test for my colleagues. I'm not getting everything I want -- far from it. But I've been immersed in this process. I've fought for and received major changes for the better -- and I plan to vote for this bill as it stands right now." http://fxn.ws/2k3vAki

-- NEW DSCC AD -- The DSCC has released a new ad on the GOP tax proposal called "Mailbox" which hammers Republicans for raising taxes on some middle-class families and what it would do to the state-and-local deduction. A DSCC spokesman told us that they're starting the ad on digital platforms "as a part of our ongoing six-figure buy in key states across country." http://bit.ly/2jr9cx2

MORE PROBLEMS FROM FLYNN -- "Michael Flynn's role in Middle Eastern nuclear project could compound legal issues," by WaPo's Michael Kranish, Tom Hamburger and Carol Leonnig: "In June 2015, retired lieutenant general Michael Flynn took a little-noticed trip to Egypt and Israel, paid for by a U.S. company he was advising. The company hoped to build more than two dozen nuclear plants in the region in partnership with Russian interests. Flynn's quiet involvement in that project -- and his

failure to disclose his ties to the effort -- could complicate the legal issues facing President Trump's former national security adviser, who has signaled he may be willing to cooperate with special counsel Robert S. Mueller III.

"Congressional Democrats say that Flynn may have violated federal law by failing to disclose the Middle Eastern trip in his security clearance renewal application in 2016. A top House Republican declined the Democrats' request for a congressional inquiry but referred the allegations to the special counsel." http://wapo.st/2k1nZT5

****** **A message from PhRMA: How much are hospitals marking up medicine prices?** According to new Moran Company analysis, hospitals mark up medicine prices nearly 500 percent. The analysis of 20 medicines also found a hospital is paid 2.5 times what the biopharmaceutical company, who brought the medicine to market, receives. Read more: http://onphr.ma/2hSaqox ******

ON THE WORLD STAGE -- "Angela Merkel's party backs coalition with Social Democrats," by POLITICO Europe's Emily Schultheis in Berlin: "Leaders of Angela Merkel's Christian Democrats agreed late Sunday to try to form a 'grand coalition' with the Social Democrats, following the failure of efforts to build a governing alliance with smaller parties. Christian Democratic Union (CDU) leaders said they wanted to renew the coalition between Germany's two biggest parties that governed for the past four years rather than form a minority government or call for a new general election. ...

"Immediately after suffering heavy losses in September's general election, SPD leaders declared the party was not available for another grand coalition and wanted to renew itself in opposition. However, under pressure after talks between Merkel's conservatives, the Greens and the liberal Free Democrats collapsed last week, SPD leader Martin Schulz said his party was open to discussions." http://politi.co/2iaA2wK

FAIRFIELD COUNTY UPDATE --"Tax-Hike Fears Trigger Talk of Exodus From Manhattan and Greenwich," by Bloomberg's Simone Foxman, Patrick Clark and Sridhar Natarajan: "By eliminating the deduction for most state and local taxes, an individual making a yearly salary of $1,000,000 -- a figure not uncommon in the financial industry -- would owe the Internal Revenue Service an additional $21,000, according to a preliminary analysis by accounting firm Marcum LLP. ... Goldman Sachs Group Inc. is estimating that New York City alone could lose as much as 4 percent of its top earners if the bill becomes law." https://bloom.bg/2Ac4bTK

VIDEO DU JOUR -- @FLOTUS: "The decorations are up! @WhiteHouse is ready to celebrate! Wishing you a Merry Christmas & joyous holiday season!" ***1-min. video tour of the WH decorations and Melania*** http://bit.ly/2Aa3No1

--@StephGrisham45: "This year's Gingerbread House I was baked w 300 lbs of dough & features @FLOTUS signature wreaths! #TimeHonoredTraditions". ***Pic*** http://bit.ly/2k7tKip

TODAY'S BEYOND THE BELTWAY -- Feinstein predicts another 'Year of the Woman' election -- Bob Menendez's veiled warning to Steve Fulop http://politi.co/2k68Pfh

HMM -- Alex Seitz-Wald (@aseitzwald): "Inauguration crowds redux: Stock image in this pro-Trump group's ad appear to be from Obama's inauguration." http://bit.ly/2jrAMuh ... ***The ad from America First Policies*** http://bit.ly/2Bh44TH ... ***The stock picture*** https://istockpho.to/2iatfmX

MEDIAWATCH -- FINANCIAL TIMES -- "Meredith to cut hundreds of jobs at Time Inc: Plan backed by billionaire Koch brothers will explore sale of leading titles," by Shannon Bond and James Fontanella-Khan in New York: "People briefed about Meredith's plans said there would be 'significant jobs cuts' after the companies are combined. They added that the Iowa-based publisher would explore the sale of some of Time Inc's best-known titles, including Time magazine and Sports Illustrated. Although Charles and David Koch, who backed the deal with $650m in preferred equity, will not have any editorial or operational influence on Meredith's titles or seats on its board, they are expected to work with the publisher to ensure they get a good return on their investment, a person close to the family said. ...

"'For them [the Koch brothers] this is a smart bet, a pure financial investment. They don't want to run magazines but they agreed to back the deal because Meredith has shown them a sound plan that includes significant job cuts,' said a person briefed on Meredith's takeover strategy. Steve Lombardo, a spokesman for Koch Industries, described the investment as 'passive', adding: 'We're basically acting as a bank here.'" http://on.ft.com/2k1Zntv

--VAN JONES will get a one-hour prime-time program "The Van Jones Show," airing bimonthly on CNN starting in January.

SCOTT PRUITT UPDATE - "Scott Pruitt on a mission to change the culture of the EPA," by USA Today's Ledyard King: "Nearly a year into his tenure, Pruitt still feels the resistance from employees who have yet to buy into his message that the EPA ought to work more with business to find mutually acceptable solutions when it comes to public health. 'The most challenging thing that we encounter (at EPA) is this thinking, this attitude that we as a country have to choose between growth and jobs and being good stewards of our environment,' he recently told an audience at the conservative Federalist Society National Lawyers Convention. ... His many critics say that's code for giving the energy industry and other polluters carte blanche to maximize profit with little regard for environmental damage." https://usat.ly/2hXAoDq

DESSERT -- "Secrets of the Marvel Universe: After a decade of unprecedented success, Marvel Studios is at a pivotal moment: the looming farewell to some of its founding superheroes, and the rise of a new generation. Kevin Feige, the creative force behind the $13 billion franchise and a slew of Marvel stars, discusses its precarious beginnings, stumbles, and ever-expanding empire," by Vanity Fair's Joanna Robinson

http://bit.ly/2iaCNym

TRANSITIONS -- Allison Schwartz is joining Dun & Bradstreet as their global leader of government affairs. She was previously at Intuit. ... **Kathryn McQuade** has joined Senate Majority Leader Mitch McConnell's office as broadcast communications adviser. She previously worked for the House Republican Conference.

ENGAGED -- Jennifer Hatten, VP of the American Bankers Association's Health Savings Account Council, got engaged to **Joel Levesque,** CFO of Army Emergency Relief and a retired Lieutenant Colonel in the U.S. Army, in a proposal Thanksgiving night in downtown D.C. "Jennifer is an alum of Huckabee 2008, NFIB and Tennessee Gov. Don Sundquist. The couple's first date was at Hank's Oyster Bar in Old Town Alexandria. They are planning to wed next year in Biddeford Pool, Maine." ***Pic - they are the couple on the right*** http://bit.ly/2iU1VGv (h/t Alice Stewart)

****** **A message from PhRMA:** According to new analysis from the Moran Company, hospitals mark up medicine prices, on average, nearly 500 percent. The analysis of 20 medicines also found a hospital is paid 2.5 times what the biopharmaceutical company, who brought the medicine to market, receives. While hospital markups lead to higher costs for patients, employers and payers, these markups are often overlooked in conversations about medicine costs. As the provider market continues to become more concentrated and the number of medicines being administered in hospital-owned facilities is growing, the amount hospitals mark up medicine prices needs greater scrutiny. http://onphr.ma/2Ba0TOa ******

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Today's Playbook Power Briefing presented by Morgan Stanley
06/02/2017 12:55 PM EDT

Good Friday afternoon.

OUR FRIENDS AT THE INFORMATION -- the super-sharp publication covering Silicon Valley -- have launched a great feature that curates tweets about politics from tech-industry leaders in a sortable fashion (sort by topic, or tech leader). ***The feature*** http://bit.ly/2qO9IqA

JESSICA LESSIN , the founder and editor in chief of The Information, emails Playbook: "Much like the president, tech leaders are turning to Twitter every day to spout off about hot-button political issues. From the Paris Climate withdrawal to net neutrality, their tweets -- and even their retweets -- offer an important glimpse into their views. Since no one wants to follow individuals one by one, our graphics editor Mike Sullivan and senior editor Wendy Pollack created this graphic that filters the politically-related tweets of several hundred tech leaders by topic. It's an interesting look at everything from Steve Ballmer on net neutrality to Tony Fadell on fake news."

UPDATES TO THE SUNDAY SHOWS ... AL GORE is on with **JAKE TAPPER** on **CNN'S "STATE OF THE UNION"** and **CHRIS WALLACE** on **"FOX NEWS SUNDAY"** ...

CHOOSE YOUR NEWS -- "Job growth decelerated in May," by Tim Noah and Marianne LeVine: "The economy added 138,000 jobs in May, the Labor Department reported Friday, signaling a possible slowdown in job growth. May's jobs numbers were a decrease from April, when the economy added 174,000 jobs. Job growth for both months was below the average monthly gain of 181,000 jobs over the previous year.

"The totals since January leave job growth under President Donald Trump well under the million he claimed credit for yesterday when announcing U.S. withdrawal from the Paris climate accord. But unemployment fell to 4.3 percent, down slightly from April's 4.4 percent, indicating that the job market remains tight and virtually guaranteeing that the Federal Reserve's Open Market Committee will hike interest rates when it meets June 13-14." http://politi.co/2swZ8Wq

-- NOTE: Like last month's jobs report and dozens of job reports before that, there are pieces that both sides will cling on to. The underlying fact is that job growth has slowed

down, the labor force participation rate is still low, and that the actual numbers underperform economists' expectations. Trump long called these numbers phony before taking office. Kellyanne Conway, on Twitter: "Guessing this headline on @CNN is more relevant than 'Russia' to real people: 'U.S. Unemployment hits lowest level since 2001'."

MUELLER'S NEXT MOVE -- "Exclusive: Special counsel Mueller to probe ex-Trump aide Flynn's Turkey ties," by Reuters' Nathan Layne, Mark Hosenball and Julia Edwards Ainsley: "Robert Mueller, the special counsel investigating possible ties between the Trump election campaign and Russia, is expanding his probe to include a grand jury investigation into former national security adviser Michael Flynn, three sources told Reuters.

"The move means Mueller's politically charged inquiry will now look into Flynn's paid work as a lobbyist for a Turkish businessman in 2016, in addition to contacts between Russian officials and Flynn and other Trump associates during and after the Nov. 8 presidential election. Federal prosecutors in Virginia are investigating a deal between Flynn and Turkish businessman Ekim Alptekin as part of a grand jury criminal probe, according to a subpoena seen by Reuters." http://reut.rs/2sxBTv7

MIXED SIGNALS -- "Tillerson downplays significance of Paris exit," by Andrew Restuccia: "Secretary of State Rex Tillerson, in his first public comments since Donald Trump announced his intention to withdraw from the Paris climate agreement, declined to specifically endorse the move but said the U.S. would continue working to reduce its emissions regardless.

"'Well, it was a policy decision and I think it's important that everyone recognize the United States has a terrific record on reducing our own greenhouse gas emissions. It's something I think we can be proud of and that was done in the absence of a Paris agreement,' Tillerson told reporters Friday when asked for his reaction to Trump's announcement. 'I don't think we're going to change our ongoing efforts to reduce those emissions in the future either, so hopefully people can keep it in perspective.'" http://politi.co/2rzsaHs

SEAN SPICER and EPA Administrator **SCOTT PRUITT** will brief the press on-camera at the White House at 1:30 p.m.

****** **A message from Morgan Stanley:** Morgan Stanley helped All Aboard Florida raise capital to bring Brightline, an express railway, to the Sunshine State-potentially cutting travel time across Southern Florida by up to 25-30%[1] versus existing options. Investing in infrastructure isn't just good for people-it can be good for cities. Learn more at morganstanley.com/brightline. ******

VIDEO DU JOUR -- Vice President **MIKE PENCE** on Fox News: "For some reason or another, this issue of climate change has emerged as a paramount issue for the left -- in this country and around the world." http://bit.ly/2sxqKL5

GARY COHN on Fox Business: "We will be delivering a tax plan to Congress by the end of the summer and we're going to expect the Congress to act on our tax plan this year." http://bit.ly/2rzv0wo **WAIT A SECOND...** Didn't the president say his tax plan was moving through Congress and was far ahead of schedule?

A DETENTE? -- "Rose Garden Hug Ends Lewandowski's Year-Long Rift With Kushner," by Bloomberg's Kevin Cirilli, Shannon Pettypiece and Jennifer Jacobs: "After Corey Lewandowski met with Donald Trump in the Oval Office on Monday, someone was waiting outside with a bit of unfinished business.

"Jared Kushner, the president's son-in-law and trusted adviser -- who had pressed for Lewandowski's ouster as campaign manager almost a year ago -- joined him for a stroll through the White House Rose Garden. Their conversation ended with a hug, according to people familiar with their exchange. It also resulted in a restored relationship and an understanding that Kushner is no longer a barrier between Lewandowski and the White House." https://bloom.bg/2sxz0KZ

VLADIMIR PUTIN told Megyn Kelly that the evidence gathered by U.S. intelligence services that pointed to Russia being behind hacks surrounding the 2016 election was not definitive proof. "IP addresses can be invented -- a child can do that! Your underage daughter could do that. That is not proof," he said. Putin also compared the allegations about Russia to "anti-Semitism and blaming the Jews." ***Kelly's full interview will air Sunday at 7 p.m. on her debut show*** http://nbcnews.to/2sxvD6C

WHAT JARED SOUNDS LIKE -- "Jared Kushner, seen but not heard," by CNN's Hunter Schwarz: "He has a verified Twitter account with no tweets. He declined to comment for recent stories about him ... And to most Americans, the very sound of his voice is a mystery. ... But you can hear it in a few videos on YouTube. There's one of him speaking to a group about Brooklyn real estate, to a Jehovah's Witness program about buying one of their buildings, and to SundanceTV about buying the New York Observer. His voice sounds young, and he sometimes stretches out the sound of his vowels." *With an embedded video of one of his talks* http://cnn.it/2rrKSil

SCOOP -- "C.I.A. Names New Iran Chief in a Sign of Trump's Hard Line," by NYT's Matt Rosenberg and Adam Goldman: "He is known as the Dark Prince or Ayatollah Mike, nicknames he earned as the [CIA] officer who oversaw the hunt for Osama bin Laden and the American drone strike campaign that killed thousands of Islamist militants and hundreds of civilians. Now the official, Michael D'Andrea, has a new job. He is running the C.I.A.'s Iran operations, according to current and former intelligence officials, an appointment that is the first major sign that the Trump administration is invoking the hard line the president took against Iran during his campaign. ...

"Ezra Cohen-Watnick, the [NSC's] senior director for intelligence - the main White House liaison to intelligence agencies - has told other administration officials that he wants to use American spies to help oust the Iranian government, according to multiple defense and intelligence officials. ... In Mr. D'Andrea, the director has found a

workaholic to be his Iran sentinel. Mr. D'Andrea grew up in Northern Virginia in a family whose ties to the C.I.A. span two generations. He met his wife, who is Muslim, on a C.I.A. posting overseas, and converted to Islam to marry her, though he is not known to be particularly observant." http://nyti.ms/2qKptDL

AFTERNOON READ -- "How the World's Most Interesting Man Befriended the World's Most Powerful Man," by Jonathan Goldsmith (the actor who played the Most Interesting Man in the World) with POLITICO Magazine's Friday cover: "It was August 2011 and 'The Most Interesting Man in the World,' the absurdly debonair character I played on the Dos Equis beer commercials, had become an international cultural phenomenon. Finally, after decades of trying to break through in Hollywood, I was a recognizable star with my meme-ready line, 'Stay thirsty, my friends.' The character's nearly mythical traits, recounted by a narrator in a nearly endless string of deliciously funny one-liners-'His personality is so magnetic, he is unable to carry credit cards,' and 'He once had an awkward moment, just to see how it feels'-had generated a cult following. I had millions of fans all around the world. One of them happened to live in the White House." http://politi.co/2sx9vte

TODAY'S BEYOND THE BELTWAY -- Blue states rally against Trump's Paris dropout -- New Jersey Democratic gubernatorial primary heats up
http://politi.co/2rzhQzh

PLAYBOOK METRO SECTION -- "Here's Everyone We Know Will Be Included On Ben's Chili Bowl's New Mural," by Washingtonian's Richard Morgan
http://bit.ly/2sxwmF3

COMING ATTRACTIONS -- MADELINE ALBRIGHT will speak at the Marshall Center's 70th Anniversary symposium this coming Monday at the George C. Marshall Home and International Center in Leesburg, Virginia. **NEIL GORSUCH** and **STEPHEN BREYER** will talk with **JEFFREY ROSEN** tonight at Harvard at an event from the Association of Marshall Scholars. The full weekend program on the Marshall Plan's legacy and the future of transatlantic relations includes: Madeleine Albright, Bill Burns, Kathleen Sullivan, Karen Donfried, Graham Allison, Jane Harman, Dan Baer, Sewell Chan, Kim Darroch, Malcolm Rifkind, Daniel Benjamin, Steve Pomper, Matthew Barzun, Peter Orszag, Valerie Amos and Malcolm Rifkind. LinkedIn founder and Marshall alum Reid Hoffman is giving a major gift and participants will also enjoy a performance by Yo-Yo Ma's Silk Road Ensemble. ***Saturday's livestream*** http://bit.ly/2rzvW3A

OUT AND ABOUT -- Commerce Secretary **Wilbur Ross** and Treasury Secretary **Steven Mnuchin** spoke yesterday with CEOs and board members of the Business Council for International Understanding (BCIU) about tax reform, trade priorities and global finance issues. **SPOTTED:** CEO of Estée Lauder William Lauder, CEO of Harris Bill Brown, North America CEO of Citi Bill Mills, Americas CEO of ABB Greg Scheu and other Trump administration and private sector attendees.

-- The Herald Group's Outreach and Coalitions team held a happy hour for advocacy

and academic organizations and industry experts at Ghibellina on 14th Street last night. **SPOTTED:** Meghan Milloy, Josh Althouse, Mattie Duppler, Johnny Craig, Emily Sternfeld, Kaitlan Collins, Megan Van Etten, Kelsey Greissing, JP Freire, Todd Thurman, Melissa Quinn, Rob Shrum, Casey Given, Matt Coglianese and Alex Pfeiffer.

SPOTTED: Milwaukee County Sheriff David Clarke wearing a Cowboys hat boarding a Southwest plane to Milwaukee at DCA and immediately being questioned by passengers about his support for the Packers. He took the hat off eventually. ... James Carville in LSU attire boarding an American flight this morning to New Orleans from DCA.

BONUS BIRTHDAYS: Eric Thayer, D.C.-based freelance photographer for the New York Times ... Ali Meyer of the Washington Free Beacon and the pride of New Orleans, who also loves to DJ (h/t Morgan Chalfant) ... Ian Byrne of the Washington Institute for Near East Policy (h/t Alison Percich)

****** **A message from Morgan Stanley:** Morgan Stanley helped raise the capital needed by innovative company All Aboard Florida to enhance Florida's infrastructure by developing the nation's first express, intercity rail, Brightline. The train, connecting cities across Southern Florida, is expected to cut down on travel time for residents and tourists, and could potentially add up to hundreds of millions in federal, state and local government tax revenue over the next several years.[1] Capital creates better connections for people, communities and cities. Learn more at morganstanley.com/brightline. Capital creates change.

Disclaimer:
[1] Based on data provided by All Aboard Florida. For more information visit: http://allaboardflorida.com/projectdetails/aaf-fact-sheet
CRC 1737672 03/17 ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Fri 7/14/2017 2:04:46 PM
Subject: POLITICO's Morning Score: Recruiting push: Club for Growth poll shows Hawley leading McCaskill — O'Rourke outraised Cruz in Texas — FEC tangles over Russia action

By Scott Bland | 07/14/2017 10:00 AM EDT

With Zach Montellaro, Kevin Robillard and Elena Schneider

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

'COME ON IN, THE WATER'S WARM' - Club for Growth poll shows Hawley leading McCaskill in MIssouri, via Campaign Pro's Kevin Robillard: "The poll, conducted by Fabrizio, Lee & Associates, finds [Democratic Sen. Claire] McCaskill's favorability at 43 percent, with 46 percent seeing her unfavorably. Among independents, that slips to 39 percent favorable and 49 percent unfavorable. In a memo , the pollsters note this is 'quite a precarious position for an incumbent facing reelection.' ... When she's placed head-to-head with [Missouri Attorney General Josh] Hawley, McCaskill trails 46 percent to 42 percent, with 12 percent undecided. ... With Rep. Ann Wagner choosing not to run, national Republican recruiting efforts have focused almost entirely on the 37-year-old Hawley, a former law professor who only won the attorney general's office in November. The Club for Growth hasn't officially endorsed a candidate in the race." **Full story.**

- ALSO - "GOP Missouri treasurer Schmitt in [D.C] to talk Senate challenge to McCaskill," by the Washington Examiner's David M. Drucker: "Missouri Treasurer Eric Schmitt ... was scheduled to sit down with Senate Majority Whip John Cornyn, R-Texas, and Sen. Cory Gardner of Colorado, chairman of the NRSC, the Senate GOP campaign arm. A meeting with Senate Majority Leader Mitch McConnell, R-Ky., who is intimately involved in candidate recruitment for the midterm, was tentative. ... [S]ome Missouri Republicans believe Hawley is leaning no. He is 37 and has a young family." **Full story.**

RUH ROH JOE - "Senator's family business uses Mexican labor," by the Associated Press' Brian Slodysko: "Joe Donnelly, considered one of the nation's most vulnerable Democratic senators up for re-election next year, has long blasted free-trade policies for killing American jobs. He accused Carrier, an air conditioner and furnace maker, of exploiting $3-an-hour workers when it announced plans to wind down operations in Indiana and move to Mexico. ... For more than a year, Stewart Superior Corp. and its subsidiaries have been shipping thousands of pounds of raw materials to Mexico, where the company has a factory that produces ink pads and other supplies, according to customs records from Panjiva Inc., which tracks American imports and exports. The finished products are then transported back to a company facility in California, the records show." **Full story.**

- Republican operatives quickly gave Donnelly a new nickname: Mexico Joe. **A statement**

from Donnelly: "Investing in my brother's business - that I haven't had a role in for more than a decade, and which has created Hoosier jobs in LaPorte - doesn't change my record. I've worked hard every day to keep jobs in Indiana and fight for fair trade deals that level the playing field for the American worker. Hoosiers know I'm fighting to renegotiate NAFTA for American workers and to stop new trade deals that will allow other countries to flood U.S. markets."

Q2 FUNDRAISING ROUNDUP - Arizona: GOP Sen. Jeff Flake announced raising $1.5 million in the second quarter and finishing with $3 million on hand.

- Indiana: Democratic Sen. Joe Donnelly announced raising $1.5 million in the second quarter, with $3.7 million cash on hand.

- Michigan: Democratic Sen. Debbie Stabenow raised $2.1 million, with $5.8 million in her campaign account.

- Texas: Democratic Rep. Beto O'Rourke announced raising $2.1 million in the second quarter for his run against GOP Sen. Ted Cruz. O'Rourke outraised Cruz, who raised $1.6 million, per the Texas Tribune. But Cruz has $5.7 million on hand to $1.9 million for O'Rourke.

- West Virginia: Democratic Sen. Joe Manchin raised $1.4 million in the second quarter and finished with over $3.5 million on hand.

- Wisconsin: "Illinois businessman Richard Uihlein has now donated a total of $3.5 million toward a super PAC supporting Republican Kevin Nicholson's potential campaign for Wisconsin's U.S. Senate seat," Wisconsin Public Radio reported. **See more fundraising numbers from the House below the jump.**

'THE ERA OF THE KINDER, GENTLER REPUBLICAN IS OVER' - "Stewart challenges Kaine and GOP with Virginia Senate run," by Campaign Pro's Kevin Robillard: "Prince William County Board of Supervisors Chair Corey Stewart announced Thursday he would challenge Virginia Sen. Tim Kaine in 2018 - and cast his campaign as a challenge to the rest of the Republican Party, too. Stewart launched his Senate run exactly one month after barely losing Virginia's GOP gubernatorial primary to former Republican National Committee Chairman Ed Gillespie with fighting words for Kaine and the GOP alike. Stewart massively outperformed expectations in losing to Gillespie by less than 2 points, and he painted his combative, Trump-inspired style as the future of the Republican Party." **Full story.**

Days until the 2017 election: 116.

Days until the 2018 election: 480.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

HOUSE Q2 FUNDRAISING - FIRST IN SCORE - NY-22: GOP Rep. Claudia Tenney raised $300,000 in the second quarter and ended the period with $440,000 in cash on hand, per a statement from her campaign.

- AZ-09: Democratic Rep. Kyrsten Sinema raised $649,000 in the second quarter and finished with over $3.2 million on hand.

- CO-06: Democrat Jason Crow raised over $300,000 in the second quarter for his run against GOP Rep. Mike Coffman, Colorado Politics reported, and finished with $247,000 on hand.

- FL-18: GOP Rep. Brian Mast raised $730,000 in the second quarter, with $1.1 million in cash on hand, per a statement from his campaign.

- IL-03: Marie Newman, the Democrat challenging Rep. Dan Lipinski in a primary, announced raising $195,000 in the second quarter.

- MI-08: GOP Rep. Mike Bishop announced raising over $275,000 in the second quarter.

- MN-03: GOP Rep. Erik Paulsen raised over $571,000 in the second quarter and finished with over $986,000 in the bank.

- NJ-05: Democratic Rep. Josh Gottheimer raised $840,000 in the second quarter, ending the period with $1.4 million in cash on hand, per a statement from his campaign.

- NH-01: Republican Eddie Edwards raised over $120,000 and had $100,000 on hand after the second quarter for his run against Democratic Rep. Carol Shea-Porter, via WMUR, while GOP state Sen. Andy Sanborn raised $100,000 in two weeks, also via WMUR.

- NY-19: GOP Rep. John Faso raised $337,000 in the second quarter and finished with almost $496,000 on hand.

- PA-17: Republican John Chrin raised $350,000, including $300,000 from himself, in the second quarter for his run against Democratic Rep. Matt Cartwright, the Morning Call reported.

ROAD TO COMMISSION - "FEC fiercely debates Russian election interference," by Campaign Pro's Maggie Severns: "The FEC held an intense debate Thursday about how to handle Russia's interference in the 2016 election, but Republican commissioners concerned with jumping into the Russia 'frenzy' urged caution as the commission proceeds. The commissioners are sharply divided on how the FEC, which is tasked with overseeing illegal foreign spending in U.S. elections, should wield its power as reports pile up that Russia worked to advance President Donald Trump's candidacy in ways that may have violated election law. Democratic Commissioner Ellen Weintraub has repeatedly urged the commission to take broad steps to gather information and begin making changes at the commission to respond to potential foreign election interference in the future." **Full story.**

Q&A - "POLITICO Pro Q&A: CO-07 Democrat Brittany Pettersen," by Campaign Pro's Elena Schneider: Full story.

DEEP IN THE HEART - "As congressional races draw big interest, Democrats still filling out statewide ticket," by Texas Tribune's Patrick Svitek: "While the congressional races are overflowing with candidates, the party remains without a number of statewide contenders - a reality that is coming into focus ahead of Republican Gov. Greg Abbott's anticipated announcement Friday that he's running for re-election. Barring any last-minute surprises, Abbott will make his second-term bid official without the presence of a serious Democratic rival. The state's Democrats are urging patience, saying they are in talks with potential Abbott challengers and other possible statewide candidates." **Full story.**

PERSONNEL MOVES - Sen. Claire McCaskill has hired David Kirby to manage her reelection campaign in Missouri. Kirby previously worked for Colorado Democrat Ken Salazar's 2004 campaign and McCaskill's 2006 campaign. Since then, he has worked as an assistant attorney general in Missouri and as a lawyer in private practice. **Full story.**

- Democratic strategists Katherine Archuleta, Tony Massaro, Amy Sanchez Raaz and Dusti Gurule have teamed up in Colorado to form Dimension Strategies, LLC, "a new political affairs full-service agency."

CODA - QUOTE OF THE DAY: "We will be voting next week." - Senate Majority Leader Mitch McConnell, on the GOP health care bill currently circulating in his chamber, via POLITICO.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/14/recruiting-push-club-for-growth-poll-shows-hawley-leading-mccaskill-221330

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Thur 7/27/2017 11:14:14 AM
Subject: The Morning Headlines from InsideEPA.com -- July 27, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 27, 2017

Latest News

EPA To Seek En Banc Review In Methane NSPS Delay Suit, Sources Expect

Faced with a July 27 judicial deadline to restart implementation of Obama-era methane limits for new oil and gas operations, sources expect EPA to petition the full U.S. Court of Appeals for the District of Columbia Circuit to reconsider a court panel's ruling vacating its 90-day administrative stay of key portions of the rule.

SAB Seeks More Data On Aircraft GHGs, Declines Review Of Other Policies

EPA's Science Advisory Board (SAB) is seeking more information about the science underpinning the agency's ongoing effort to craft aircraft greenhouse gas (GHG) standards to review the rule, although the board is declining review of other EPA policies because they do not meet SAB's review criteria.

Kicking Off Fuel Economy Rule Process, NHTSA Weighs Changes To MY21

The National Highway Traffic Safety Administration (NHTSA) says it is considering whether to reassess the stringency of its final fuel economy standards for model year 2021, a move that could expand the scope of an ongoing "mid-term review" of MY22-25 efficiency standards for four subsequent years and related EPA greenhouse gas limits.

Senate Democrats Eye PRIA As Vehicle To Reverse EPA Pesticide Policies

Senate Democrats are looking to reauthorization of the Pesticide Registration Improvement Act (PRIA) as a vehicle for provisions to reverse several Trump EPA pesticide policies they oppose including weakening of worker-protection standards and dropping a ban on chlorpyrifos, saying the bill should not advance without those measures.

Waste Definition Ruling Prompts Mixed Reaction, Uncertainties Over Impact

The U.S. Court of Appeals for the District of Columbia Circuit's recent ruling that vacates aspects of the Obama EPA's definition of solid waste (DSW) rule is prompting varied reaction, with the hazardous waste recycling industry concerned it

will bring new uncertainties -- particularly if environmentalists push for rehearing -- and the chemical industry saying it will encourage more recycling.

Daily Feed

Obama EPA enforcement chief joins University of Chicago

Cynthia Giles, who led the Obama EPA's enforcement office, is joining the University of Chicago as director of strategic initiatives to develop novel ways to cut pollution.

EPA slated to publish proposed repeal of CWA jurisdiction rule

The Trump EPA will publish in the July 27 *Federal Register* its proposed repeal of the Obama-era Clean Water Act jurisdiction rule, starting a 30-day comment period.

9th Circuit temporarily pauses youth climate trust suit

A three-judge panel says it will issue a separate order fully addressing the Trump administration's rare request to pause a district court proceeding before that court has issued a final ruling.

Ewire: A daily news roundup

EPA Administrator Scott Pruitt's frequent travel to his home state of Oklahoma prompts criticism from a top Senate Democrat and former Obama agency chief.

Corps downplays impact of CWA rule repeal on 'adjacency' suit

The Corps is saying its arguments on CWA jurisdiction should stand even as it prepares to withdraw the 2015 rule defining which waters are subject to the law.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/25/2017 9:57:13 PM
Subject: BREAKING NEWS: Senate Judiciary Committee drops subpoena against Manafort

The Senate Judiciary Committee has dropped a subpoena against Paul Manafort and plans are underway for the former Trump campaign chairman to speak to investigators, a source familiar with the situation said on Tuesday.

Manafort separately provided information to the Senate Intelligence Committee Tuesday on a June 2016 meeting he participated in with a Kremlin-connected lawyer who had promised damaging information on Hillary Clinton.

Read more here: http://politi.co/2uwwOFN

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/24/2017 12:14:58 PM
Subject: [SPAM] May 24 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

May 24, 2017 - Number 99

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Ceiling Fan Efficiency Standards
AIR

Notice of the Department of Energy, Office of Energy Efficiency and Renewable Energy, announces the completion of a review and confirmation of the effective date for a Jan. 19, 2017, final rule (82 FR 6826) that amends regulations under 10 CFR 430.32 to revise the energy conservation standards for ceiling fans. The rule establishes standards expressed as the minimum allowable airflow efficiency in terms of cubic feet per minute per watt for each product class as a function of ceiling fan diameter in inches. The rule also adds several related definitions and specifies a compliance date of Jan. 21, 2020. The agency previously delayed the effective date on two occasions to allow it to conduct a substantive review of the rule. On Jan. 31, 2017 (82 FR 8806), the DOE delayed the effective date of the rule until March 21, 2017, in response to a presidential memorandum establishing a regulatory freeze. The current action confirms a March 21, 2017, final rule (82 FR 14427), without change, which established an effective date of Sept. 30, 2017. Contact: Lucy deButts; DOE, Office of Energy Efficiency and Renewable Energy; 202-287-1604; ApplianceStandardsQuestions@ee.doe.gov

82 FR 23723 (05/24/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
CAFTA-DR Trade Agreement/Environmental Affairs Council Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of State and the Office of the U.S. Trade Representative announces the 11th meeting of the Environmental Affairs Council representing parties to the Dominican Republic-Central America-U.S. Free Trade Agreement (CAFTA-DR). The agenda includes presentations and discussions regarding the implementation and outcomes of Chapter 17 (Environment) of the agreement and a presentation from the CAFTA-DR secretariat for environmental matters. The meeting is scheduled for June 21-22, 2017, in San José, Costa Rica.

Comments are due June 8, 2017. Contact: Neal Morris, Department of State, Office of Environmental Quality and Transboundary Issues; 202-647-9312; MorrisND@state.gov

82 FR 23973 (05/24/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
West Virginia/Rhodes Storage Field Complex and Skin Creek Storage Field
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a prior notice request by Equitrans LP, of Pittsburgh, for authorization to modify Storage Well 8217 at the Rhodes Storage Field Complex and Skin Creek Storage Field in Lewis County, W.Va., and abandon in place associated natural gas storage pipeline. The proposed modification will allow Storage Well 8217 to serve as a single completion well to allow use of high-resolution casing logging tools. The agency will complete an environmental assessment or issue a notice of schedule of environmental review by Aug. 16, 2017. Protests and motions to intervene are due July 17, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 23803 (05/24/2017)

Regulatory Update

MINING
Coal Markets Reporting System
MINING

Notice of the Department of Energy, Energy Information Administration, announces the submission of a revised information collection request to the OMB regarding the Coal Markets Reporting System. The collection gathers information concerning coal production, consumption, receipts, stocks, sales and prices. The collection consists of the Quarterly Survey of Nonelectric Sector Coal Data (EIA-3), the Annual Survey of Coal Production and Preparation (EIA-7A), and the Annual Survey of Coal Stocks and Coal Exports (EIA-8A). The collection also consists of the Emergency Coal Supply Survey (Standby) (EIA-6) and the Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby) (EIA-20). The revisions include modifications to questions, response options and instructions to Forms EIA-3, EIA-7A and EIA-8A and a requirement for Forms EIA-3 and EIA-8A to be submitted through the Energy Information Administration's Data xChange Portal. Comments are due June 23, 2017. Contact: JenAlyse Arena; DOE, Energy Information Administration; 202-586-4866; JenAlyse.Arena@eia.gov

82 FR 23800 (05/24/2017)

Regulatory Update

PESTICIDES
Pyridate Emergency Exemption
PESTICIDES

Notice of the EPA announces the receipt of a request from the Washington State Department of Agriculture for a specific emergency exemption to use the herbicide pyridate (CAS No. 55512-33-9) to treat 13,850 acres of double-cut mint to control terbacil-resistant redroot pigweed biotypes, common lambquarters, Powell amaranth, cinquefoil, Russian thistle, marestail and field violet. The notice specifies that the herbicide was voluntarily canceled in 2004 and is now considered to be unregistered under FIFRA. Comments are due June 8, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 23804 (05/24/2017)

Regulatory Update

RADIATION

ACRS Subcommittee on Regulatory Policies and Practices Meeting
RADIATION

Notice of the Nuclear Regulatory Commission announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Regulatory Policies and Practices. The agenda includes discussions concerning the State-of-the-Art Reactor Consequence Analysis Project, Sequoyah Integrated Deterministic and Uncertainty Analyses. The meeting is scheduled for June 6, 2017, in Rockville, Md. Comments are due June 6, 2017. Contact: Hossein Nourbakhsh; NRC; 301-415-5622; Hossein.Nourbakhsh@nrc.gov

82 FR 23841 (05/24/2017)

Regulatory Update

RADIATION

NRC/FBI MOU on Firearm Guidelines for Security Personnel
RADIATION

Notice of the Nuclear Regulatory Commission announces the issuance of a final memorandum of understanding (MOU) with the FBI regarding NRC licensee armed security personnel. The final MOU establishes and coordinates the roles, responsibilities and functions between the two agencies regarding the accomplishment of firearms background checks on armed security in accordance with Revision 1 (79 FR 36100; 06/25/2014) to the Firearms Guidelines. Contact: Amy Roundtree; NRC, Office of Administration; 301-415-7414; Amy.Roundtree@nrc.gov

82 FR 23849 (05/24/2017)

Regulatory Update

RADIATION

Nuclear Power Plants/Physical Security Hardware
RADIATION

Notice of the Nuclear Regulatory Commission announces the issuance of a final revision to Section 14.3.12 of NUREG-0800, Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plans: LWR Edition, regarding physical security hardware-inspections, tests, analyses and acceptance criteria. The revisions incorporate vehicle control measures under 10 CFR 73.55 and recommendations from a Sept. 23, 2010, regulatory issue summary. The revision

is effective June 23, 2017. Contact: Mark Notich; NRC, Office of New Reactors; 301-415-3053; Mark.Notich@nrc.gov

82 FR 23841 (05/24/2017)

Regulatory Update

TOXIC SUBSTANCES
Formaldehyde Emission Standards for Composite Wood Products
TOXIC SUBSTANCES

Direct final rule of the EPA amends regulations under 40 CFR 770.2, 770.3, 770.7, 770.10, 770.12, 77.015 and 770.30 to extend the compliance dates for a Dec. 12, 2016, final rule (81 FR 89674) that established formaldehyde emission standards for composite wood products and finished goods containing these products that are sold, supplied, manufactured or imported, or offered for sale in the U.S., under TSCA Title VI. The December 2016 rule set forth standards for laminated products and products made with no-added formaldehyde-based resins or ultra low-emitting formaldehyde resins and addressed testing requirements, product labeling, chain of custody documentation and recordkeeping, enforcement, import certification, and product inventory sell-through provisions. The rule also established a third-party certification program, provided procedures for the accreditation of third-party certifiers, and set forth general requirements for accreditation bodies and third-party certifiers. The current rule extends compliance dates for emission standards, recordkeeping and labeling provisions to March 22, 2018; import certification provisions to March 22, 2019; and provisions applicable to producers of laminated products to March 22, 2024. The current rule also extends the transitional period for California Air Resources Board third-party certifiers to March 22, 2019. The rule is effective July 10, 2017, unless adverse comments are received by June 8, 2017. Contact: Erik Winchester; EPA, Office of Pollution Prevention and Toxics; 202-564-6450; winchester.erik@epa.gov

82 FR 23735 (05/24/2017)

Regulatory Update

TOXIC SUBSTANCES
Formaldehyde Emission Standards for Composite Wood Products
TOXIC SUBSTANCES

Proposed rule of the EPA amends regulations under 40 CFR 770.2, 770.3, 770.7, 770.10, 770.12, 77.015 and 770.30 to extend the compliance dates for a Dec. 12, 2016, final rule (81 FR 89674) that established formaldehyde emission standards for composite wood products and finished goods containing these products that are sold, supplied, manufactured or imported, or offered for sale in the U.S., under TSCA Title VI. The December 2016 rule set forth standards for laminated products and products made with no-added formaldehyde-based resins or ultra low-emitting formaldehyde resins and addressed testing requirements, product labeling, chain of custody documentation and recordkeeping, enforcement, import certification, and product inventory sell-through provisions. The rule also established a third-party certification program, provided procedures for the accreditation of third-party certifiers, and set forth general requirements for accreditation bodies and third-party certifiers. The current rule extends compliance dates for emission standards, recordkeeping and labeling provisions to March 22, 2018; import certification provisions to March 22, 2019; and provisions applicable to producers of laminated products to March 22, 2024. The current rule also extends the transitional period for California Air Resources Board third-party certifiers to March 22, 2019. A concurrent direct final rule adopts the

provisions, effective July 10, 2017. Comments are due June 8, 2017. Contact: Erik Winchester; EPA, Office of Pollution Prevention and Toxics; 202-564-6450; winchester.erik@epa.gov

82 FR 23769 (05/24/2017)

Regulatory Update

WATER
New York/Clean Water Act Consent Decree
WATER

Notice of the Department of Justice announces a proposed consent decree in United States v. James F. Jerge Jr. (Civil No. 1:17-cv-00428), lodged on May 17, 2017, with the U.S. District Court for the Western District of New York. The consent decree resolves claims against the defendant under the Clean Water Act for alleged discharges of pollutants without a permit into waters of the U.S. and failing to comply with the terms and conditions of a permit issued by the Department of the Army. The consent decree requires the defendant to restore impacted areas, to perform mitigation and to pay a civil penalty. Comments are due June 23, 2017. Contact: Amy Okereke; DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 23839 (05/24/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Sun 7/16/2017 3:11:07 PM
Subject: POLITICO Playbook, presented by Better Medicare Alliance: MCCAIN OUT due to eye surgery: McConnell delays health care vote -- The president's week ahead -- DAWSEY DOWNLOAD -- Sekulow makes Sunday rounds -- RNC's talking points on DON JR. -- WEEKEND READS

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Today's POLITICO Playbook presented by Better Medicare Alliance
07/16/2017 11:08 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Sunday morning. BREAKING LATE LAST NIGHT -- JOHN MCCAIN OUT DUE TO EYE SURGERY -- STATEMENT FROM SENATE MAJORITY LEADER MITCH MCCONNELL: "Elaine and I, along with the entire Senate family, wish John the very best and wish him a speedy recovery. There are few people tougher than my friend John McCain, and I know he'll be back with us soon. Our thoughts are with Cindy and his family, his staff, and the people of Arizona.

"While John is recovering, the Senate will continue our work on legislative items and nominations, and will defer consideration of the Better Care Act."

-- BURGESS EVERETT and **SEUNG MIN KIM** , who broke the news of the delay: "The Senate may consider the Federal Drug Administration user fees extension and lower level nominees while McCain is out. The chamber may also try to raise the debt limit. McConnell canceled two weeks of recess last week as GOP senators grew antsy at the swelling workload. That leaves the Kentucky Republican the option of bringing up the health care vote in August if McCain is able to return." http://politi.co/2tXZAim

WHAT DOES THE DELAY MEAN? Who knows for sure, but here are some factors in play: it will give the White House and Senate leaders more time to lobby undecided lawmakers and governors to support the bill, but opponents are also on the march, and they could also benefit from the delay. Right now, there's no real sign of momentum. Yes, senators are holding their fire for now, but if this bill is going to pass, people need to start getting to yes.

SINCE FRIDAY NIGHT, the president of the United States has tweeted five times about

the U.S. Women's Open at a golf club that bears his name.

-- TWEETS THIS MORNING: at 6:35 a.m.: "HillaryClinton can illegally get the questions to the Debate & delete 33,000 emails but my son Don is being scorned by the Fake News Media?" ... **at 6:51 a.m.:** "Thank you to all of the supporters, who far out-numbered the protesters, yesterday at the Women's U.S. Open. Very cool!" ... **at 7:04 a.m.:** "Thank you to former campaign adviser Michael Caputo for saying so powerfully that there was no Russian collusion in our winning campaign." ... **at 7:15 a.m.:** "With all of its phony unnamed sources & highly slanted & even fraudulent reporting, #Fake News is DISTORTING DEMOCRACY in our country!" ... **at 10:10 a.m.:** "The ABC/Washington Post Poll, even though almost 40% is not bad at this time, was just about the most inaccurate poll around election time!"

ALSO: How is a 36 percent approval rating "not bad at this time?"

WHAT THE PRESIDENT DOESN'T WANT TO READ -- "Poll finds Trump's standing weakened since springtime," by WaPo's Scott Clement and Dan Balz: "Approaching six months in office, Trump's overall approval rating has dropped to 36 percent from 42 percent in April. His disapproval rating has risen five points to 58 percent. Overall, 48 percent say they 'disapprove strongly' of Trump's performance in office, a level never reached by former presidents Bill Clinton and Barack Obama and reached only in the second term of George W. Bush in Post-ABC polling." http://wapo.st/2tX7lXd

THINGS THE PRESIDENT HAS NOT TWEETED ABOUT IN THE LAST FEW DAYS: Wishing John McCain well after he announced he'd have surgery for a blood clot in his eye. Urging senators to raise the debt ceiling or pass the health care bill. Urging House Republicans to pass the air-traffic control overhaul bill, which is in big trouble.

-- "Trump becomes the star of the show at Bedminster," by Andrew Restuccia in Bedminster, New Jersey: http://politi.co/2uvijEU

TRUMP's WEEK AHEAD -- Monday: Trump meets with VP Mike Pence at 12:30 p.m. for lunch, then meets with Secretary of State Rex Tillerson at 1:30 p.m., and then he has a "Made in America product showcase" at 3 p.m. ...**Tuesday:** Trump meets with H.R. McMaster at 11 a.m. ... **Wednesday** : Trump has "Made in America certification event." ... **Thursday:** Trump makes a "Made in America announcement." ... **Saturday:** Trump attends the commissioning of the Gerald R. Ford CVN 78, a new aircraft carrier. The aircraft carrier is in Norfolk.

NYT's JONATHAN MARTIN and **ALEX BURNS: "Governors Give Chilly Reception to Health Bill Push":** "At a private luncheon for governors on Saturday, three Democratic governors called for the group to release some sort of joint, bipartisan statement on the health bill. Gov. Dannel P. Malloy of Connecticut proposed a letter formally opposing the Senate legislation, while Gov. Terry McAuliffe of Virginia, the chairman of the National Governors Association, and Gov. Steve Bullock of Montana suggested a more restrained approach that would communicate their unease with the

measure. But a handful of Republican governors opposed making a collective statement, noting there was no broad agreement about the nature of their opposition. 'It's important if anything goes out under the name of the N.G.A. that it has the endorsement of members certainly, and I think there was not consensus on that,' Gov. Matt Bevin of Kentucky, a Republican who voiced his discomfort with a joint communiqué during the lunch, said after the session." http://nyti.ms/2tXJgQe

THE DAWSEY DOWNLOAD -- At a recent Capitol Hill meeting of Senate communicators on health care messaging, a Trump press aide said the White House would also be focusing on its "energy week." The comment drew private guffaws, according to three people familiar with it. "What the hell is energy week?" one person familiar with the comment mused afterwards.

As the debate on one of the president's core agenda items has unfolded, some Hill aides and advisers have grown increasingly frustrated -- and even amazed -- that Trump hasn't used much besides his Twitter and a radio address to talk health care. No rallies on the topic. Few public comments. Two foreign trips in three weeks. Non-stop scandals and revelations. Fights with TV anchors on Twitter. "Does he just watch Fox all day?" one Hill aide asked.

And they have noted that Trump often uses "they" when referring to Republicans, almost like he's not even a part of the discussion. One person close to Senate Majority Leader Mitch McConnell noted how aggressive President Obama was in passing his health care law and added: "His people keep saying he's going to do more, or travel, or this or that, but it never seems to materialize."

What emerges from conversations with West Wing aides is that many, outside of Vice President Mike Pence, legislative affairs head Marc Short and a few others, have moved on. Many in the West Wing say they don't see a way for the bill to succeed -- and some privately note it "isn't the most popular thing," in the words of one. So while Short and his team have continued to visit the Hill every day, and Medicaid administrator Seema Verma has tried to woo weary senators, the White House often doesn't seem like one fighting for a signature policy item that could wide-ranging ramifications on the rest of its agenda.

YA CAN'T MAKE IT UP -- Cyndi Lauper brought Sen. Susan Collins (R-Maine) on stage Friday night in Bangor. http://bit.ly/2t4rCYg

THE MAN IN THE ROOM -- NYT A1, "Soviet Veteran Who Met With Trump Jr. Is a Master of the Dark Arts," by Andrew Higgins and Andrew E. Kramer in Moscow:"Rinat Akhmetshin, the Russian-American lobbyist who met with Donald Trump Jr. at Trump Tower in June 2016, had one consistent message for the journalists who met him over the years at the luxury hotels where he stayed in Moscow, London and Paris, or at his home on a leafy street in Washington: Never use email to convey information that needed to be kept secret. While not, he insisted, an expert in the technical aspects of hacking nor, a spy, Mr. Akhmetshin talked openly about how he had worked with a

counterintelligence unit while serving with the Red Army after its 1979 invasion of Afghanistan and how easy it was to find tech-savvy professionals ready and able to plunder just about any email account. ...

"Mr. Akhmetshin, a gregarious, fast-talking man with a sharp sense of humor, was a skilled practitioner in the muscular Russian version of what in American politics is known as opposition research. From his base in Washington, Mr. Akhmetshin has been hired by an ever-changing roster of clients, often Russians, to burnish their image and blacken those of their rivals. Some clients were close to the Kremlin. Others were its bitter foes." http://nyti.ms/2tfCs1z

-- "Here Are the RNC's Talking Points on Donald Trump Jr.," by The Daily Beast's Betsy Woodruff: "The [RNC] is directing its allied TV talking heads to emphasize that even though his son's meeting with a Kremlin-linked Russian attorney was harmless, President Donald Trump's attorney says the president didn't know about it. That's according to 'Pundit Prep,' a semi-regular email blast the RNC's communications team sends out to friendly TV and radio commentators ... The Daily Beast reviewed the email, which provides insight into how the GOP is gearing up for questions from the media on the president's son. 'Don Jr. has been transparent about the logistics and substance of the meeting,' one of the talking points says. 'He has released emails pertaining to the matter without being asked, and he has stated that he will happily cooperate with Congressional Committees should they need to investigate the matter further.'" http://thebea.st/2uxhlIh

-- "Trump campaign paid $50,000 to Trump Jr.'s attorney," by Maggie Severns: "President Donald Trump appears to have used more than half a million dollars in campaign funds to pay legal fees over the last three months, new campaign filings show. The spending included $50,000 in legal expenses to lawyer Alan Futerfas, who is now representing Donald Trump Jr., on June 27th. Trump disclosed $677,826 in payments described in filings as 'legal consulting' between April and June of 2017 - a significant chunk of the $4.37 million his campaign spent overall - as the number and velocity of investigations into potential Russian interference in the 2016 election increased. ...

"Trump's campaign and two affiliated joint fundraising committees disclosed raising $13.9 million on Saturday. ... The Trump campaign made the payment to Futerfas two weeks before The New York Times reported an exchange between Trump Jr. and a Russian official about arranging a meeting to discuss damaging research on the Clinton campaign. Futerfas' involvement was first reported by Reuters on July 10th." http://politi.co/2tXUx1j

WHAT AMERICA IS READING -- THE DESERT SUN (Palm Springs, California):"GOP PUSHES TRUMP ON NATIONAL MONUMENTS" http://bit.ly/2us1OIQ ...**THE MERCURY NEWS** (San Jose): "San Jose cat killer gets max sentence: Inability to prove sexual abuse of animals means man will serve time in county jail" http://bit.ly/2us01U9 ... **DENVER POST:** "Premiums could spike: State health insurers aim for an average of

a 27 percent increase" http://bit.ly/2v5NTq3 ...

... **CHICAGO TRIBUNE:** "Obama center adds Exelon to top-donors list ... Microsoft also contributing over $1M" http://bit.ly/2uxg18w ... **LAS VEGAS REVIEW-JOURNAL:** "Revised health bill near collapse: Heller could cast the deciding vote" http://bit.ly/2v67B4K ... **AUSTIN AMERICAN-STATESMAN:** "Texas leads in farms bought by foreigners" http://bit.ly/2tfXVaA

FOR YOUR RADAR -- NYT A1, "Iran Dominates in Iraq After U.S. 'Handed the Country Over,'" by Tim Arango: "Walk into almost any market in Iraq and the shelves are filled with goods from Iran - milk, yogurt, chicken. Turn on the television and channel after channel broadcasts programs sympathetic to Iran. A new building goes up? It is likely that the cement and bricks came from Iran. And when bored young Iraqi men take pills to get high, the illicit drugs are likely to have been smuggled across the porous Iranian border. And that's not even the half of it. Across the country, Iranian-sponsored militias are hard at work establishing a corridor to move men and guns to proxy forces in Syria and Lebanon. And in the halls of power in Baghdad, even the most senior Iraqi cabinet officials have been blessed, or bounced out, by Iran's leadership." http://nyti.ms/2v6dcrX

POLITICO MAGAZINE: "What Politicos Are Reading This Summer: Recommendations from 20 of the most interesting people we know" including Sen. John McCain, Leon Panetta, Jill Abramson, Gail Sheehy, David Petraeus, Bill Gates, Paul Ryan, Kori Schake, Jonathan Chait, Hugh Hewitt, Lawrence Tribe, Andrew Sullivan, Mitch Landrieu. http://politi.co/2tXusRI

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

SUNDAY BEST -- CHUCK TODD speaks with **SENATE MAJORITY WHIP JOHN CORNYN (R-TEXAS)** on **NBC'S "MEET THE PRESS": TODD:** "One of the things you were criticizing the Democrats back in 2010 during health care, you said the following, 'Americans have already seen and rejected the way Democrats bought their way to 60 votes in the Senate including political payoffs such as the Louisiana Purchase, the Cornhusker Kickback and billions of dollars in Gatorade.' Senator, as you know, this revised bill had a special carve to for Alaska, had money that senators from West Virginia and Ohio wanted for the opioid fund. The point is somebody from the other side of the aisle could easily say you guys are doing the same thing. You have redesigned the bill specifically to get wavering votes. You accept that criticism?"

CORNYN: "There's no state specific relief here. But what there is an attempt to try to accommodate the concerns of those states that expanded Medicaid under Obamacare and those that did not. And that's the hard task ahead of us. But I believe we're making

great progress as a result of the good work of the administration, particularly CMS administrator Seema Verma and Dr. Price. People are now understanding the benefits of this better care plan in terms of bringing down the price of health care and making it more available to more people as they can choose what they want at a price they can afford."

TODD: "If this health care bill does not pass, what's next? Some say it was a threat, but Senator McConnell has said it means you're going to have to work with the Democrats. Is that what happens?" **CORNYN** : "Well, if we're not successful now I assume we'll keep trying. But at some point if Democrats won't participate in the process then we're going to have to come up with a different plan. But what I don't want to happen is for us to just do a multi-billion dollar bailout of insurance companies without any reforms."

-- JOHN DICKERSON speaks to **SEN. RAND PAUL (R-KY.)** on **CBS's "FACE THE NATION"** -- **DICKERSON:** "The bill has been delayed because of Senator McCain's surgery on Friday. How will that change the way this goes forward?" **PAUL:** "You know, I think the longer the bill's out there, the more conservative Republicans are going to discover that it's not repeal. And the more that everybody's going to discover that it keeps the fundamental flaw of Obamacare."

-- FOX NEWS'S CHRIS WALLACE also spoke with **SEN. RAND PAUL: WALLACE:** "Whenever it comes up, whenever Sen. McCain is in good health and comes back, does Senate Majority Leader McConnell have the votes to pass this revised bill?" **PAUL:** "You know, I don't think right now he does, and the real problem we have is you know we won four elections on repealing Obamacare but this bill keeps most of the Obamacare taxes, keeps most of the regulations, keeps most of the subsidies and creates something that Republicans have never been for, and that's a giant insurance bailout super fund. That's not a Republican idea to give taxpayer money to a private industry that already makes $15 billion in profit."

-- JON KARL spoke with **JAY SEKULOW** on **ABC'S "THIS WEEK": KARL:** "Sen. Warner says that he is concerned the president will issue pardons to the key figures in this investigation. Will the president rule out giving pardons to people like Michael Flynn, Paul Manafort, any others that are in this investigation." **SEKULOW:** "I have not had that conversation with the president about any of that and I wouldn't share it if I did because it would be attorney-client privilege. But I've not had that conversation with the president on that and what he could or could not do. He can pardon individuals, of course that's because the founders of our country put that in the United States Constitution -- the power of pardon. But I have not had those conversations, so I could not speculate on that."

KARL: "So pardoning the key figures in this investigation is not off the table." **SEKULOW:** "No, I can't say that. The president told me in conversations that I've had with him about a variety of issues. But we've not talked about pardoning individuals in this at all. So you're asking me to speculate on something I cannot speculate on."

JAKE TAPPER speaks with **SEN. MARK WARNER (D-VA.)** on **CNN'S "STATE OF THE UNION": TAPPER:** "Do you think Kushner's security clearance should be suspended?" **WARNER:** "Listen, I think -- I'm trying to give all these people the benefit of the doubt until I get a chance to talk to them, until we get a chance to interview them. But it's very bothersome to me that Jared Kushner has forgotten not once, not twice, but three times to put down this information. But, again, we see this pattern. General Flynn failed to put down information. He got fired.

"The attorney general failed to disclose information. He had to recuse himself. We had examples that were put out about what the firing of Jim Comey was about. Then the president himself said he fired Jim Comey because of the Russia thing. So, the level of credibility from the senior levels of this administration really is suspect, and I think suspect regardless of which political party you belong to."

--JOHN DICKERSON also spoke with **SEN. MARK WARNER (D-Va.) - DICKERSON:** "Another area that it appears you're interested in is the data operation of the Trump campaign, which Jared Kushner was overseeing. Explain that. And is that, again, another extrapolation? Or do you have some evidence for that inquiry?" **WARNER:** "Well, we do know that there was a series of Russian trolls, paid individuals, who worked for the Russian services that were trying to interfere and put fake news out. We also know they created what's called bots. In effect, Internet robots that actually could interfere as well. The question we have is: Did they somehow get information from some of the Trump campaign efforts to target that interference? We don't know that for sure. But what we do want to know is - I'd like to talk to the folks with Cambridge Analytica. I'd like to talk to some of the folks from the Trump digital campaign."

Playbook Reads

PHOTO DU JOUR: President Donald Trump waves to spectators as he watches the third round of the U.S. Women's Open Golf tournament from his observation booth on July 15 in Bedminster, New Jersey. | Seth Wenig/AP Photo

COMING ATTRACTIONS -- "Comey's Writing a Book, and Publishers Are Eager to Pay Big Money for It," by NYT's Alexandra Alter: "James B. Comey, the former F.B.I. director who was fired in May by President Trump, is writing a book about his experience in public service, including his tumultuous and brief tenure in the Trump administration. Mr. Comey has been meeting with editors and publishers in New York in recent days, and is being represented by Keith Urbahn and Matt Latimer, partners at the literary agency Javelin. The book is expected to go to auction this coming week, and all the major publishing houses have expressed keen interest, Mr. Latimer said." http://nyti.ms/2vqF3SS

BUSINESS BURST -- **"New Jets Threaten Airbus and Boeing Duopoly:** Competitors

from China, Russia and Canada are moving into the so-called single-aisle air market," by WSJ's Robert Wall in Le Bourget, France: "Boeing and Airbus suddenly have competition. For nearly two decades, the two have had the global market for big commercial jets largely to themselves. That is all changing, with three new competitors-from China, Russia and Canada-rolling out their own entrees into the so-called single-aisle market. Orders for these new jets are few for now, and the Russian and Chinese makers won't deliver planes for years. The jury is also still out on how popular they will ever be. Boeing and Airbus, meanwhile, are selling plenty of their own, tried and tested work horses in the category." http://on.wsj.com/2tXmqrT

BEYOND THE BELTWAY -- "Darrell Issa was Obama's toughest critic. Here's why he's suddenly sounding like a moderate," by L.A. Times' Sarah D. Wire: "The hundreds of protesters who show up weekly to wave signs outside Rep. Darrell Issa's office in a drab office park in Vista, Calif., have written a song for him to the tune of 'Oh! Susanna.' 'Darrell Issa, you've got to oversee. You need to check-and-balance [Trump] before it's World War III,' they sing toward the tinted windows of the building. As chairman of the committee charged with overseeing the executive branch, Issa was once known as President Obama's toughest critic.

"Now the richest man in Congress has found himself with protesters at his door, no committee to lead, and a tough race expected in 2018. It has forced the nine-term congressman to walk a shaky line, reassuring his conservative base that he's not moderating his positions while showing the growing number of independents and Democrats in his district that he's not as partisan as people think." http://lat.ms/2tX1UHW

NEW DETAILS EMERGING -- "GOP donor Peter W. Smith's final day: 'It seemed like he had a lot on his mind'," by L.A. Times' Katherine Skiba, David Heinzmann and Todd Lighty: "Months after he said he'd started to quietly work to contact Russian hackers to look for a cache of Hillary Clinton's emails, Peter W. Smith called the Wall Street Journal on May 4 to explain. The next day, the longtime Republican operative and donor checked into a hotel near the Mayo Clinic, far from his Chicago-area home, police records show.

"Smith, 81, would kill himself there 10 days later. The detailed notes he left behind spoke to failing health since January. Also in January, his son David entered a state prison following a conviction on aggravated criminal sexual abuse charges, state records show. The notes also cite an expiring $5 million life insurance policy, and property records show he sold his Gold Coast condo last year amid a foreclosure threat." http://lat.ms/2ux0ipJ

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are

required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

BONUS GREAT WEEKEND READS, curated by Daniel Lippman, filing from Great Barrington, Massachusetts:

-- "Modern Economists: The Inept Firefighters' Club," by Dean Baker in Democracy Journal: "Suppose that our fire department was staffed with out-of-shape incompetents. That would be really bad news, but it wouldn't be obvious most of the time because we don't often see major fires. The inadequacy of the fire department would become apparent only when a major fire hit and we were left with a vast amount of unnecessary death and destruction. This is essentially the story of modern economics." http://bit.ly/2tqeXhz

-- "The Laws of Attraction," by Wendy Paris on the cover of July's Psychology Today: "Who we desire is driven by powerful evolutionary forces, but while most of us are drawn to looks first (whether or not we admit it), human attraction is far more complex than it appears at first sight." http://bit.ly/2tW2uUF

-- "What happened when Walmart left," by The Guardian's Ed Pilkington: "In West Virginia, the people of McDowell County can't get jobs, and recently lost their biggest employer - the local Walmart store. They describe the devastating loss of jobs, community and access to fresh food." http://bit.ly/2vnKrWR

-- "Balancing Act," by Luiza Ch. Savage on the cover of the July issue of Delta Sky magazine: "Canadian Prime Minister Justin Trudeau is busy running his country at home and abroad -- all while being a father, an active outdoorsman and the son of a former prime minister." http://bit.ly/2vnCTne ... ***The cover*** http://bit.ly/2vnCtNN

-- "Trump's Russian Laundromat," by Craig Unger on the cover of TNR: "Whether Trump knew it or not, Russian mobsters and corrupt oligarchs used his properties not only to launder vast sums of money from extortion, drugs, gambling, and racketeering, but even as a base of operations for their criminal activities. In the process, they propped up Trump's business and enabled him to reinvent his image. Without the Russian mafia, it is fair to say, Donald Trump would not be president of the United States." http://bit.ly/2t1C2YH

-- **"Next-Door Strangers: The Crisis of Urban Anonymity,"** by Marc J. Dunkelman in the University of Virginia's Hedgehog Review: "Today's reinvigorated cities boast much of what made urban America so vibrant during its heyday. The cultural amenities, the coffeehouse culture, the vast diversity, and even the convenience of public transit have emerged in places for which, in the mid-1970s, conventional wisdom predicted continued decline. But one feature distinguishes today's urban meccas from those of eras past. The core sociological building block that Jane Jacobs celebrated in 'The Death and Life of Great American Cities'-the Dunbarian village instantiated in an urban neighborhood-has all but collapsed." http://bit.ly/2upoXMm

-- **"The Night the Lights Went Out on Broadway,"** by Neil Demause in the Village Voice: "Forty years ago, a blackout plunged New York into what seemed like a failing city's final moment of chaos. Here's how it really looked." http://bit.ly/2uqqC44

--**"Did Brits Kill New York City Cops to Get U.S. into WWII?"** by Marc Wortman in The Daily Beast: "For 77 years the culprits behind a July 4, 1940, terror bombing at the New York World's Fair have never been found. Is this the answer?" http://thebea.st/2t4yzZj

-- **"Of money and morals,"** by Alex Mayyasi in Aeon Magazine: "Today, a banker listening to a theologian seems like a curiosity, a category error. But for most of history, this kind of dialogue was the norm. Hundreds of years ago, when modern finance arose in Europe, money lenders moderated their behaviour in response to debates among the clergy about how to apply the Bible's teachings to an increasingly complex economy." http://bit.ly/2v2QkcV

-- **"Burn Me Like a Forest Fire,"** by Leigh Cowart in Hazlitt: "Just because a forest is built to burn, or needs to burn, it doesn't mean the process is benign. I think a lot about those forests burning. I wonder if the trees are screaming. I wonder where the birds go. I wonder how on earth anything could ever escape an inferno, never mind find within the wreckage the raw materials of rebuilding. I think about my marriage. I know now that I made my home in a volatile forest." http://bit.ly/2vnBBsv

-- **"A Kingdom for a Horse,"** by Will Boast in VQR: "The most decorated athlete in all of Kazakhstan is a five-year-old Mongolian horse named Lazer. ... In the ancient nomadic game known here as kokpar (roughly, 'goat grabbing'), Lazer is a champion many times over, with eight Kazakh National Games and two Central Asian Games titles to his name. Kokpar's premise is simple: Two teams compete over a headless, freshly slaughtered goat, wrestling control back and forth in an attempt to score by flinging it into the opponent's goal." http://bit.ly/2tqFuve

-- **"Nuclear plant shutdowns a crisis for small towns across the USA,"** by The Journal News' Thomas Zambito: http://lohud.us/2vgGZxb

-- **"The Return of Monopoly,"** by Matt Stoller in TNR: "With Amazon on the rise and a business tycoon in the White House, can a new generation of Democrats return the

party to its trust-busting roots?" http://bit.ly/2tq9jMz

-- "The Louisiana Environmental Apocalypse Road Trip," by Justin Nobel in Longreads: "Louisiana serves as a terrifying example of what can become of a state that shortchanges science and environmental regulations to boost industry and infrastructure." http://bit.ly/2t1sGvT

-- "A New Era of Competition," by Christopher Walker in International Reports: "The growing threat from authoritarian internationalism as a global challenge to democracy." http://bit.ly/2unxOy8

Playbookers

SPOTTED IN NANTUCKET: Greta Van Susteren yesterday afternoon, strolling on Federal Street.

SPOTTED IN MARTHA'S VINEYARD at an all new DSCC "Legacy Circle" members lunch yesterday at the home of Christopher Celeste and Nancy Kramer: Phil Munger, Tony Podesta, Heather Podesta, Nancy and Harold Zirkin, Larry Parks, Robert Roche, Neil Simon, Sens. Gary Peters (D-Mich.), Heidi Heitkamp (D-N.D.), Chris Van Hollen (D-Md.), Joe Donnelly (D-Ind.), Debbie Stabenow (D-Mich.), Al Franken (D-Minn.) and Amy Klobuchar (D-Minn.). On the menu: Salmon and steak, corn, cherry tomatoes orzo with asparagus and Caesar salad. To be part of the "Legacy Circle," donors have to max out to the DSCC five years in a row.

TRANSITIONS -- Lila Nieves-Lee is starting on Monday at USTR as their new director of congressional affairs. She was previously the Trade LA for House Ways and Means. ... **Mike Naple,** a former Obama HHS communications director, is now strategic communications director at Smoot Tewes Group. ... **William Murray** is joining R Street Institute as federal energy policy manager. He was editor of RealClearPolitics' energy page for the last two years.

ENGAGED - Natalie Andrews, social media editor and Congress reporter at the Wall Street Journal, got engaged on Friday to **Christopher Silva,** who is moving to Washington in a few weeks to be the director of housing at AU. Silva is also pursuing a doctorate in higher education. He asked her: "Will you marry me?" She replied: "Are you serious?! I mean, yes!" He responded: "Yes!" Then she said: "Then, YES!" The couple met and dated at Utah State in 2004 and reconnected last year when he messaged her on Facebook. He proposed on Utah State's campus with a titanium ring he made himself. He learned how to make the rings from his grandfather in Brazil and then went to a Makers Lab in Denver to actually make the ring. It took two months. ***Pics*** http://bit.ly/2ttJs6t ... http://bit.ly/2tYjwlf ... ***The handmade rings*** http://bit.ly/2uwFizq

WEEKEND WEDDING - OBAMA ALUMNI: "Leslie Jones, Benjamin Flatgard" - N.Y.

Times: "The bride, 31 ...is the vice president for museum affairs and the decorative arts curator at Cheekwood Estate and Gardens, a museum and botanical garden in Nashville. She graduated from Miami University of Ohio, received a master's degree in the history of decorative arts from the Smithsonian Institution, and another master's, in the appraisal of fine and decorative art, from N.Y.U. ... The groom, 32, is a cybersecurity consultant in Nashville, and a fellow with the Atlantic Council, a research and policy center on national affairs in Washington. [He previously served as the director of cybersecurity policy at the National Security Council from 2015 to Jan. 2017 and is also a Treasury and Commerce alum.] He graduated from the University of Edinburgh. ... The couple met in 2014 through the dating app Hinge." ***With pic*** http://nyti.ms/2vqqKxN

BIRTHDAYS: Amanda Henneberg, COO of Cavalry ... Neil Chatterjee, picked by President Trump to be a FERC commissioner, is 4-0 ... Jeremy Martin is 4-5 (hat tip: little brother Jonathan) ... Margaret Ashbrook ... NYT's Shane Goldmacher ... Politico breaking news reporter Maddie Conway ... Chad Griffin, president of Human Rights Campaign, is 44. The team surprised him with Milk Bar's "crack pie" during HRC's summer meeting on Saturday (h/t Olivia Alair Dalton) ... Rep. Barbara Lee (D-Calif.) is 71 ... Rep. Mike D. Rogers (R-Ala.) is 59 ... Rep. Tim Ryan (D-Ohio) is 44 ... Rep. Jim Banks (R-Ind.), a native of Columbia City, Ind., serving in his first term in Congress, is 38 (h/t Matt Lahr) ... former Attorney General Dick Thornburgh is 85 ... John Leovy is 52 ... Kathy Calvin, president and CEO of the UN Foundation ... Betty Hudson ... AMA's Justin DeJong ... Charles O'Shea, lobbyist at Meyer Suozzi English & Klein and former head of NYC gov't relations for the N.Y. state DOT ... Karin Johanson, former DCCC, Emily's List and Tammy Baldwin strategist ... Andrea Fisher Newman, head of Delta DC office (h/ts Steve Elmendorf) ... Chris McNulty is 47 ... Rick Limardo ... Battalion Chief James "Jake" Lemonda, president of the Uniformed Fire Officers Association of the FDNY, is 6-0 (h/t James McCarthy) ... billionaire Stef Wertheimer is 91 ... Tony Ressler, owner of the NBA's Atlanta Hawks, is 58 (h/ts Jewish Insider) ...

... Anita McBride, former COS to First Lady Laura Bush and now executive-in-residence at the Center for Congressional and Presidential Studies at AU ... Riley Roberts, principal at West Wing Writers ... Texas Supreme Court Justice Don Willett is 51. He's the "Tweeter Laureate of Texas. Former rodeo bull rider. Fluent in legalese. Extravagantly blessed husband & cofounder of 3 wee Willetts," per his Twitter bio ... Politico Europe's Guillaume Blandet and Fleur Veldhuijzen Van Zanten ... Tim Krause ... Matt Zingsheim ... Molly Ritner ... Parker Payne ... Amanda Hallberg Greenwell ... Alexis Herman ... Phil Roeder ... Martin Chase ... JT Stocks ... Jeffrey Slavin ... Kamyl Bazbaz ... Neil Heinen (h/ts Teresa Vilmain) ... RNC alum Ramsey Ratcliffe ... Joe Ward, a younger brother of Jon ... Manuel Bonilla ... ABC News' Teri Whitcraft ... Michael Cwidak-Kusbach is 32 ... Lila Ibrahim Whatley ... Caroline Hughes Stevens ... Randy DeCleene is 43 ... Jeffrey Slavin ... Stephen David Simon ... Steven Levine ... Dan Cohen is 59 ... Claire E. Peters ... Parker M. Payne ... playwright Tony Kushner is 61 ... Will Ferrell is 5-0 ... Corey Feldman is 46 (h/ts AP)

****** **A message from BMA:** Better Medicare Alliance is helping to build the future of care through Medicare Advantage. As a community of experts, we're leading the way on

health care through research, policy, and grassroots advocacy. Together, we're creating a path forward for innovative, modern health care. Stand with us: http://www.bettermedicarealliance.org/special-needs-plans ******

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Subject: July 07 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 07, 2017 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Florida

GENERAL ENVIRONMENT AND SAFETY
Environmental Resource Permitting/Northwest Florida Water Management District
Florida GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Environmental Protection announces a workshop on proposed amendments to regulations under FAC 62-330.010 through .635 (nonconsecutive) and the Applicant's Handbook Volumes I and II regarding environmental resource permitting within the Northwest Florida Water Management District. The amendments would clarify regulatory processes and modify the application and notice form. The amendments also would provide exemptions for certain de minimis activities and remove duplicate submittal requirements. The workshop is scheduled for July 25, 2017, via webinar. Contact: Heather Mason; DEP; 850-245-8480; Heather.Mason@dep.state.fl.us

—Florida Administrative Weekly (07/03/2017)

Regulatory Update

WATER
Innovative Nutrient and Sediment Reduction and Conservation Pilot Project Program
Florida WATER

Final rule of the Department of Environmental Protection adopts regulations under FAC 62-570.100, .200, and .300 to establish procedures for participation in the Innovative Nutrient and Sediment Reduction and Conservation Pilot Project program. The program funds pilot projects to test the effectiveness of innovative or existing nutrient reduction or water conservation technologies, programs, or practices designed to minimize nutrient pollution or restore flows in state bodies of water. The rule also sets forth provisions concerning definitions, general program requirements, and project selection criteria. The rule is effective July 17, 2017. Contact: Kate Merchant; DEP, Division of Water Restoration Assistance; 850-245-2952

—Florida Administrative Weekly (07/05/2017)

Regulatory Update

WATER
State Revolving Fund Program for Drinking Water Facilities
Florida WATER

Final rule of the Department of Environmental Protection amends regulations under FAC 62-552.200 through .800 (nonconsecutive) and repeals regulations under FAC 62-552.350 through .900 (nonconsecutive) regarding the Drinking Water State Revolving Fund Program. The rule provides principal forgiveness funding to more communities to align with standards under FAC 62-503 concerning the Clean Water State Revolving Fund. The rule also adds exceptions to program requirements and establishes requirements for the department to perform an environmental review for each project to be funded. In addition, the rule revises construction and procurement requirements; general program information; and provisions concerning loan applications and agreements, planning, design, and required audits. Finally, the rule removes provisions concerning preconstruction loans and grants, program administration costs, project lists, priority determinations, program forms, and project allowances. The rule is effective July 17, 2017. Contact: Paul Brandl; DEP; 850-245-2986; paul.brandl@dep.state.fl.us

—Florida Administrative Weekly (07/05/2017)

Regulatory Update

New Hampshire

WATER
Drinking Water Programs/Grants for Public Water Systems
New Hampshire WATER

Proposed rule of the Department of Environmental Services amends regulations under NHAR Env-Dw 1002 regarding the Water Supply Land Protection Grant Program. The rule provides that match property does not have to be located in the same source water protection area as the grant property or in a protection area for another source serving the same grantee. The rule also updates the scoring system to address applicants that already have authorized funds and specifies that the history of land use runs from the present back to the property's first developed use or 1940, whichever is earlier. In addition, the rule requires annual stewardship reports to include a map or sketch and updates required contact information. A hearing is scheduled for July 27, 2017, in Concord. Comments are due Aug. 11, 2017. Contact: Holly Green; DES; 603-271-3114; Holly.Green@des.nh.gov

—New Hampshire Rulemaking Register (07/06/2017)

Regulatory Update

Texas

WATER

Clean Water/Drinking Water State Revolving Fund Intended Use Plans

Texas WATER

Notice of the Water Development board announces a hearing on the draft Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) and the draft Drinking Water State Revolving Fund (DWSRF) IUP for state fiscal year 2018. The IUPs both contain a list of prioritized projects to be considered for funding, with the CWSRF IUP containing wastewater projects and the DWSRF IUP containing drinking water projects. The hearing is scheduled for July 28, 2017, in Austin. Comments are requested, but a due date is not specified. Contact: Mark Wyatt; TWDB, Program Administration and Reporting; 512-463-7052; mark.wyatt@twdb.texas.gov

—Texas Register (07/07/2017)

Regulatory Update

Washington

AIR

Radiation Protection/Sources of Radionuclide Emissions

Washington AIR

Final rule of the Department of Health amends regulations under WAC 246-247-035 to update the incorporation by reference of national emissions standards for radionuclide emissions under 40 CFR 61, as of July 1, 2017. The rule is effective July 14, 2017. Contact: John Martell; DOH; 509-946-3798

—Washington State Register (07/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Energy Facility Site Evaluation Council/Rulemaking Agenda

Washington GENERAL ENVIRONMENT AND SAFETY

Notice of the Utilities and Transportation Commission, Energy Facility Site Evaluation Council, announces the availability of a semiannual rulemaking agenda for July 1 through Dec. 31, 2017. The council will address solid waste collection companies, gas companies, liquefied natural gas, air and water quality permitting, hazardous liquid pipelines, and enforcement and appeals. Contact: Paige Doyle; UTC, Energy Facility Site Evaluation Council; 360-664-1140; pdoyle@utc.wa.gov

—Washington State Register (07/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Board of Boiler Rules/Inspection, Examination, and Certificate Fees
Washington OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Industries, Board of Boiler Rules, amends regulations under WAC 296-104-700 to increase boiler and pressure vessel inspection, examination, and certificate fees by 4.16 percent for fiscal year 2018. The rule is effective July 31, 2017. Contact: Tony Oda; DLI; 360-902-5270

—Washington State Register (07/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Electric Power Generation, Transmission, and Distribution
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries to amend regulations under WAC 296-45 regarding electric power generation, transmission, and distribution to conform with the Division of Occupational Safety and Health eRules initiative. The rule also corrects provisions concerning hard hats and updates various provisions. Comments are requested, but a due date is not specified. Contact: Cynthia Ireland; DLI, Division of Occupational Safety and Health; 360-902-5522; cynthia.ireland@lni.wa.gov

—Washington State Register (07/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Manufactured Homes Installer Training and Certification Program
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries to amend regulations under WAC 296-150I regarding the Manufactured Home Installer Training and Certification Program. The rule replaces the mandatory $1,000 penalty for infractions with discretionary authority to issue a monetary penalty of up to $250 for a first penalty and $1,000 for subsequent infractions. Comments are requested, but a due date is not specified. Contact: Alicia Curry; DLI; 360-902-6244; Alicia.Curry@Lni.wa.gov

—Washington State Register (07/05/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Gas Companies–Safety
Washington OIL AND GAS INDUSTRY

Notice of the Utilities and Transportation Commission announces the withdrawal of a March 2, 2016, notice of intent to amend regulations under WAC 480-93-240 regarding annual pipeline safety fees for gas companies. The rule would have addressed the methodology for allocating the annual overhead charge, accounting for penalty money collected under the state dig law, and consideration of federal fund proceeds received that are different than projected. The rule also

would have provided for assessment of an annual fee for jurisdictional master meter operators. The withdrawal is dated June 9, 2017. Contact: Alan Rathbun; UTC; 360-664-1219

—Washington State Register (07/05/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Hazardous Liquid Pipelines–Safety
Washington OIL AND GAS INDUSTRY

Notice of the Utilities and Transportation Commission announces the withdrawal of a March 2, 2016, notice of intent to amend regulations under WAC 480-75-240 regarding annual pipeline safety fees for hazardous liquid pipeline companies. The rule would have addressed the methodology for allocating the annual overhead charge, accounting for penalty money collected under the state dig law, and consideration of federal fund proceeds received that are different than projected. The rule also would have provided for assessment of an annual fee for jurisdictional master meter operators. The withdrawal is dated June 9, 2017. Contact: Alan Rathbun; UTC; 360-664-1219

—Washington State Register (07/05/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/14/2017 2:31:58 AM
Subject: BREAKING NEWS Gillespie wins Virginia GOP gubernatorial primary

Ed Gillespie has narrowly won the Republican nomination for governor in Virginia, besting Prince William County Supervisor Corey Stewart by a slim and closer than expected margin Tuesday night.

Gillespie had 43.7 percent of the vote when the Associated Press called the GOP primary with 99 percent of precincts reporting. Stewart had 42.6 percent, while state Sen. Frank Wagner had 13.7 percent.

Gillespie will face Lt. Gov. Ralph Northam in the November general election. Northam defeated former Rep. Tom Perriello in the Democratic primary earlier Tuesday night. See http://www.politico.com/story/2017/06/13/virginia-governor-northam-perriello-gillespie-stewart-239517 for full primary coverage.

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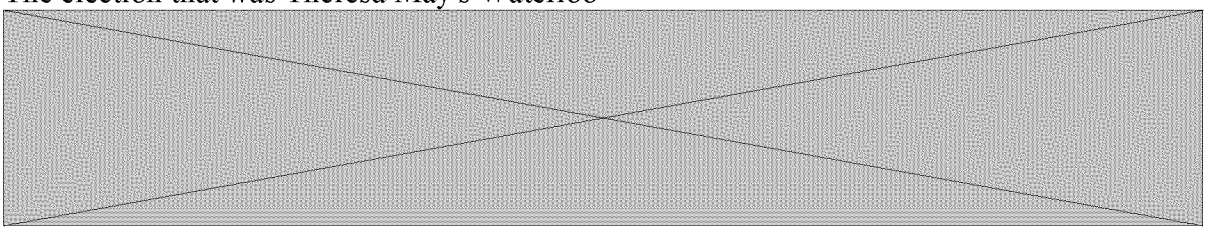
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Mon 6/12/2017 10:09:26 AM
Subject: AEI Today: The election that was Theresa May's Waterloo

The election that was Theresa May's Waterloo



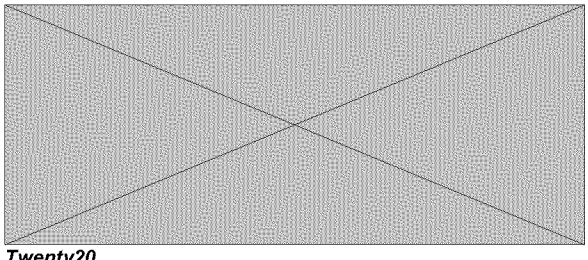
AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

The election that was Theresa May's Waterloo

Desmond Lachman | The Hill

It is said that those whom the gods wish to destroy they first make mad. This seems to be all too true of Theresa May. Without any real reason, she took a big gamble by calling a snap election three years ahead of schedule. Then, she managed to make every mistake in the book in fighting that election. In the process, she blew what had appeared to have been an impregnable lead in the polls for her Conservative Party.



Twenty20

How the private sector can lead delivery and

payment reform

James C. Capretta | Health Affairs

Employers and other private purchasers of medical services have played an important role in spurring health care delivery system and payment reform. The development of managed care has been accelerated by federal and state policies over the years but originated with private sector purchasers. These models are now being used to improve quality and lower costs in Medicare and Medicaid.

AEI

Understanding Qatar's diplomatic crisis

Michael Rubin | AEI video

On June 5th, 2017, four Arab nations — Egypt, UAE, Saudi Arabia, and Bahrain — cut ties with Qatar and moved to impose diplomatic and economic embargoes. AEI Resident Scholar Michael Rubin explains why these nations have severed diplomatic relations with Qatar and why Qatar thinks the United States will remain an ally.

Reuters

Confronting China on cybersecurity

Claude Barfield | TechPolicyDaily.com

The president and his top advisers should not wait to force a showdown with China over the web of market-closing laws and regulations that are shutting US and other foreign corporations out of China's high-tech sectors. Most

specifically, the administration should immediately confront Chinese leaders over the recently enacted cybersecurity law.

More from AEI

Wall Street isn't expecting much from the GOP tax cut plan
James Pethokoukis | AEIdeas

Parsing the facts in the Comey testimony

Ramesh Ponnuru | Bloomberg View

What does Donald Trump look like as a school choice leader?

Frederick M. Hess | Education Next

Breaking down Theresa May's eventful night

Michael Barone | Washington Examiner

How the vaping industry is reshaping the Food and Drug Administration's regulations

Sally Satel | AEI video

Theresa May bet poorly on Brexit

Desmond Lachman | US News & World Report

Taking an optimistic view on automation

James Pethokoukis | AEIdeas

The lessons learned from the UK election

Roger Bate | AEIdeas

RSVP: Rep. Adam Smith (D-WA) on how to counter Putin's Russia

Leon Aron | AEI event on Tuesday at 9:00 AM ET

Put it in your calendar: Rethinking school design for educational equality

Nat Malkus | AEI event on Tuesday at 4:00 PM ET

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/19/2017 5:43:29 PM
Subject: Pruitt meets with health groups on air issues

By Alex Guillén

06/19/2017 01:40 PM EDT

EPA Administrator Scott Pruitt will meet today with utility executives and representatives from several public health groups, an agency spokeswoman said.

"Administrator Pruitt is meeting with utility representatives today, and he also met with representatives from the American Lung Association, American Public Health Association, Alliance of Nurses for Healthy Environments, and other members of the Health Partners Group," EPA spokeswoman Amy Graham said in an email.

Pruitt and the health groups discussed clean air issues, according to EPA.

POLITICO reported earlier today that Pruitt meets this afternoon with at least 10 utility CEOs to discuss next steps on the Clean Power Plan, and potentially other topics.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/pruitt-meets-with-health-groups-on-air-issues-089290

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Mon 7/24/2017 9:44:40 PM
Subject: Today on Climate Beat

July 24, 2017

Today on Climate Beat . . .

. . . we went on the road, reporting that EPA Administrator Scott Pruitt has spent half of his time on the job so far in his home state of Oklahoma rather than at agency headquarters or any other EPA office, underscoring concerns that he is a "short-timer" at the agency, though an agency spokesperson says he is "not running for elected office."

Out on the wires, a prominent energy analyst is pointing to the "internal contradictions" within the Trump administration's approach to electricity and energy policy, accentuated by the Energy Department's (DOE) forthcoming grid study expected to explore whether it is necessary to prop up baseload power like coal and nuclear.

And our daily news roundup looked at a report that the Trump administration is reaching out to well-known conservative think tank Heartland Institute for help with its "red-team, blue-team" review of climate change science.

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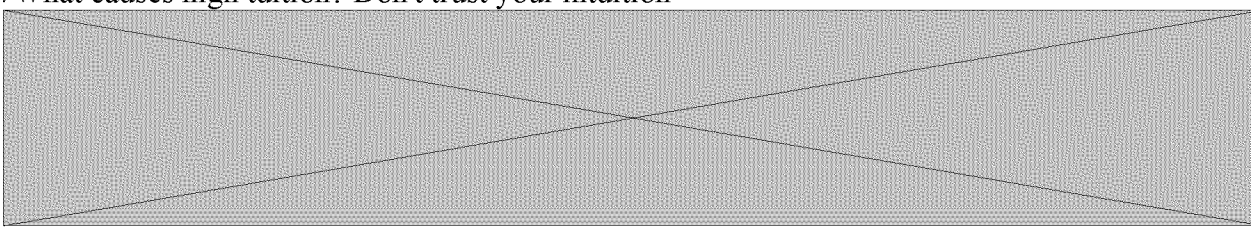
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Fri 6/9/2017 10:11:39 AM
Subject: AEI Today: What causes high tuition? Don't trust your intuition.

. What causes high tuition? Don't trust your intuition



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Twenty20

What causes high tuition? Don't trust your intuition.

Preston Cooper | The Wall Street Journal

A typical student at a US public college pays thousands of dollars more in tuition than he or she would have just a decade ago. Students and parents are frustrated, and many point the finger at state legislators, who have cut funds to state schools. Hillary Clinton agreed, throwing her support behind "free college." It's a simple and appealing narrative. It also collapses under scrutiny: Tuition goes up no matter what legislatures do.

AEI

AEI's halls are a battlefield in the competition of ideas

Michael R. Strain | AEIdeas

AEI's commitment to academic freedom for its scholars is one of the best parts of working here, says AEI Director of Economic Policy Studies Michael Strain. One example from the past month: Aparna Mathur leads a working group to advocate for paid family leave, which Benjamin Zycher argues will lead to undue government intrusion on labor markets. At the very least, it makes lunch hour with colleagues all the more fun.

Reuters

Can Democrats win with a gloomy view of our economic future?

James Pethokoukis | AEIdeas

According to an election autopsy performed by a Democratic super PAC, the party has a real problem with working-class voters, including many of its longtime core constituencies. One hurdle is that when it comes to the white working class, there is deep suspicion of the progressive agenda. How do Democrats "forge a workable coalition in their vision of a permanent low-income, low-growth world?," asks one Fed president.

Reuters

The Tehran attacks reveal a surprise: ISIS is deep in Iran

Marie Donovan and Frederick W. Kagan | AEI Critical Threats

The horrific Tehran terror attacks demonstrate that there is a well-resourced, well-prepared

ISIS support structure in the Islamic Republic. The Iranian regime is trying to downplay the significance of the attack, instead redirecting public anger toward the United States and Saudi Arabia. That Iran plans to respond to tragedy by escalating regional conflict should worry us all.

More from AEI

From the archives: All eyes are on Comey, but Russia remains on a collision course with the West
Frederick W. Kagan | AEI

In pushing carbon taxes, economists need to stop pretending to be politicians
Benjamin Zycher | AEI

Report: 'State disinvestment' in higher education isn't what's driving skyrocketing tuition
Preston Cooper | AEI

First-time homebuyers are snatching up houses . . . and taking on a lot more debt, too
Tobias Peter | US News & World Report

60-second take: What to know about Qatar's diplomatic crisis
Michael Rubin | AEI video

President Trump must learn that climate-change nationalism doesn't need to be bumptious
Ramesh Ponnuru | Bloomberg View

The latest solar scam: 'Investing' in 'solar time-shares' for only $100 a month over 20 years
Mark J. Perry | AEIdeas

Podcast: Heather Boushey and Doug Holtz-Eakin talk paid family leave

Spencer Moore | AEI Banter

'Fair trade' is just the latest — and lamest — economic myth for attacking free trade

Mark J. Perry | AEIdeas

AEI in the news: Why President Trump could use more economists

Greg Ip | The Wall Street Journal [paywall]

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 7/14/2017 12:24:05 PM
Subject: July 14 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 14, 2017 - Number 134

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California Regions

AIR
Fees
California Regions AIR

Final rule of the Bay Area Air Quality Management District amends Regulation 3 to increase fees by between 2.7 and 9 percent. The rule also establishes new fees to recover costs for facilitywide health risk assessments (HRAs) and risk reduction plans, effective upon adoption of Regulation 11, Rule 18. In addition, the rule establishes a new fee equal to the risk screening fee for HRA scenarios above three under Regulation 2, Rule 5, concerning new source review of toxic air contaminants. Finally, the rule adds diesel exhaust particulate matter to the schedule of toxic air contaminants subject to excess emission fees, revises fees for semiconductor and related operations, and updates terminology. The rule is effective June 21, 2017. Contact: Barry Young; Bay Area AQMD; 415-749-4721; byoung@baaqmd.gov

—California RegionsRegulations (06/21/2017)

Regulatory Update

AIR
Toxic Air Contaminants
California Regions AIR

Final rule of the San Diego County Air Pollution Control District amends Rules 1200 and 1210, Tables I, II, and III, to revise the lists of toxic air contaminants for which potential carcinogenic impacts, chronic noncancer impacts, and acute noncancer impacts must be calculated. The rule adds carbonyl sulfide (CAS 463-58-1), which is used as an intermediate in organic compound synthesis, to the lists of toxic air contaminants for which potential acute and chronic noncancer impacts must be calculated. The rule also adds sulfuric acid (CAS No. 7664-93-9) and sulfur trioxide (CAS No. 7446-71-9) to the lists of toxic air contaminants for which potential chronic noncancer impacts must be calculated. In addition, the rule makes technical corrections to all three lists. The rule is effective July 11, 2017. Contact: Angela Ortega; San Diego County APCD; 858-586-2753; Angela.Ortega@sdcounty.ca.gov

—California RegionsRegulations (07/11/2017)

Regulatory Update

AIR
Volatile Organic Compounds/Exemptions
California Regions AIR

Final rule of the San Diego County Air Pollution Control District amends Rule 2, Table 1, to update the list of exempt compounds that have negligible or very low photochemical reactivity and are not regulated as volatile organic compounds. The rule adds Chemical Abstracts Service registration numbers for previously listed compounds. The rule is effective July 11, 2017. Contact: Angela Ortega; San Diego County APCD; 858-586-2753; Angela.Ortega@sdcounty.ca.gov

—California RegionsRegulations (07/11/2017)

Regulatory Update

WATER
Agricultural Order/Discharges from Irrigated Lands
California Regions WATER

Notice of the Central Coast Regional Water Quality Control Board announces meetings on the development of a new agricultural order to conditionally waive waste discharge requirements for discharges from irrigated lands. The order would replace the board's March 8, 2017, three-year agricultural order (Ag Order 3.0, Order No. R3-2017-0002), which expires March 7, 2020. The 2017 order revised monitoring requirements and expanded the total nitrogen applied reporting requirement. The meeting will include discussion of the structure of the order, tiering and enrollment, and monitoring and reporting requirements. The meetings are scheduled for Aug. 7, 10, and 15, 2017, in Salinas, Santa Maria, and Watsonville, respectively. A comment due date is not specified. Contact: Central Coast RWQCB; 805-549-3147; AgNOI@waterboards.ca.gov

—California RegionsRegulations (07/13/2017)

Regulatory Update

WATER
Climate Change Strategy
California Regions WATER

Notice of the Los Angeles Regional Water Quality Control Board announces a workshop to discuss the development of the board's climate change strategy. The board seeks input on how facility dischargers and water resources and associated beneficial uses may be impacted by climate change. Input will be taken into consideration by the board in the development of drinking water, water quality, and other regulations. The board is developing the strategy in response to a March 7, 2017, resolution of the State Water Resources Control Board that requires a proactive approach to climate change in all board actions. The workshop is scheduled for Aug. 8, 2017, in Los Angeles. Comments are requested, but a due date is not specified. Contact: Celine Gallon; Los Angeles RWQCB; 213-576-6784; celine.gallon@waterboards.ca.gov

—California RegionsRegulations (07/11/2017)

Regulatory Update

New Hampshire

WATER
Public Water Systems/Operating Permits
New Hampshire WATER

Final rule of the Department of Environmental Services amends regulations under NHAR Env-Dw 501.01 and .02 regarding public water system operating permits. The rule clarifies provisions concerning information required and recorded for permits to operate. The rule is effective June 20, 2017. Contact: Debra Sonderegger; DES; 603-271-2862; Debra.Sonderegger@cies.nh.gov

—New Hampshire Rulemaking Register (07/13/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/27/2017 10:39:02 AM
Subject: POLITICO Playbook, presented by BP: POLITICO gets SCARAMUCCI'S financial disclosure, and he says he'll call the FBI -- SCHUMER to GOP: No amendments until repeal endgame -- TY COBB praises Mueller -- KATIE GLUECK on the Trump kids' Instagram obsession

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Today's POLITICO Playbook presented by BP
07/27/2017 06:36 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Thursday Morning. WE HEAR that Sean Spicer's private media tour in New York is continuing through the end of the week. ***N.Y. Post on Spicer's post-government gig hunting*** http://pge.sx/2u0SfwK

-- HADAS GOLD and **TARA PALMERI**: "Two sources tell POLITICO that ABC's 'Dancing With the Stars' has expressed interest in Spicer joining the show, in which celebrities are paired with professional dancers and compete with one another. The New York Post first reported on the reality TV show's interest in Spicer on Wednesday. Spicer did not respond to a request for comment. An ABC spokesperson said: 'We don't comment on casting.'

"Separately, multiple sources told POLITICO Spicer met in New York on Wednesday with ABC's news division, CBS, NBC and Fox. Some were conversations pertaining to a contributor-style position while others were just get-to-know-you sessions, according to people familiar with the meetings." http://politi.co/2v0zvSK

GOOD WORK IF YOU CAN GET IT -- BIG LORRAINE WOELLERT SCOOP: "Scaramucci still stands to profit from SkyBridge from the White House: The newly named White House communications director has earned millions from ownership stake since last year, according to his financial disclosure": "The incoming White House communications director earned $4.9 million from his ownership stake in SkyBridge in addition to more than $5 million in salary between Jan. 1, 2016, and the end of June, when he joined the Export-Import Bank, according to a financial disclosure filed with the Office of Government Ethics. ... In his disclosure, Scaramucci listed assets worth as much as $85 million. He has several real estate investments, including single-family

rental homes on Long Island. A minority stake in the New York Mets is worth as much as $5 million. He also is an investor in Juice Press, a chain of snack and smoothie shops in the Northeast." http://politi.co/2u1gDhT ... ***The financial disclosure*** http://bit.ly/2w2mCo1

-- @Scaramucci : "In light of the leak of my financial disclosure info which is a felony. I will be contacting @FBI and the @TheJusticeDept #swamp @Reince45". ***This tweet was later deleted***

-- @RyanLizza: "In case there's any ambiguity in his tweet I can confirm that Scaramucci wants the FBI to investigate Reince for leaking."

-- NOT SO, SAYS SCARAMUCCI: @scaramucci: "Wrong! Tweet was public notice to leakers that all Sr Adm officials are helping to end illegal leaks. @Reince45".

-- DOJ SPOX SARAH ISGUR FLORES at 10:39 p.m.: "I was watching Hannity's segment with Anthony Scaramucci [on Wednesday night] and have this comment on leaks: 'We have seen an astonishing increase in the number of leaks of classified national security information in recent months. We agree with Anthony that these staggering number of leaks are undermining the ability of our government to function and to protect this country. Like the Attorney General has said, 'whenever a case can be made, we will seek to put some people in jail,' and we will aggressively pursue leak cases wherever they may lead.'"

FOR THE RECORD, Scaramucci's financial disclosure is a public document that is released through official channels upon request.

WHAT DONALD TRUMP IS READING -- Reps. Jim Jordan (R-Ohio), Matt Gaetz (R-Fla.), Mike Johnson (R-La.) and Andy Biggs (R-Ariz.) are asking the "House Judiciary Committee to direct an investigation into former FBI Director James Comey's management of Hillary Clinton and her emails."

ABOUT LAST NIGHT ... -- @RyanLizza: "Scoop: Trump is dining tonight w/Sean Hannity, Bill Shine (former Fox News executive), & Anthony Scaramucci, per 2 knowledgeable sources".

****** **A message from BP: We delivered 11 billion gallons of fuel in the U.S. last year - that's enough to run all the cars in New York & New Jersey for the entire year.** *Find out what we're doing in your state.* ******

TRUMP'S THURSDAY -- POTUS is meeting with H.R. McMaster at 11 a.m. and participating in a ceremony honoring first responders to the shooting of Steve Scalise at 3 p.m. The rest of the day is blank.

SCHUMER'S HEALTH CARE PLAY -- "Dems to GOP: No amendments until you show us your bill," by Seung Min Kim: "Senate Democrats are taking their ball and

going home in the looming health care vote-a-rama - until Republicans finally cough up their actual Obamacare repeal plan. Fed up with the GOP's constant vacillations over how to dismantle Obamacare, Democrats say they will hold back on offering any more amendments in the health care floor fight until Senate Majority Leader Mitch McConnell (R-Ky.) shows what plan the GOP will ultimately coalesce around. 'Democrats are not going to participate in this one-sided and broken process,' announced Senate Minority Leader Chuck Schumer (D-N.Y.) Wednesday evening. 'Once the majority leader shows his hand, reveals what his bill will actually be, Democrats will use the opportunity to try and amend the bill.'" http://politi.co/2uz3PTh

ONE SENIOR REPUBLICAN AIDE noted that "during reconciliation Senators can offer zero or 100 amendments. Dems declaring they won't offer amendments is basically taking their ball and going to the sideline. It doesn't affect anything. ... In fact, all it does it show how unserious they are about participating. Hours will continue to be burned and we will keep voting."

-- THE SCHEDULE: @phil_mattingly: "The Senate will gavel in at 10am Thursday. About 10 hours of debate left on the health care clock. First amendment votes @ 2:30pm" ... First (and so far only) amendment on deck: @SteveDaines 'Medicare for All' proposal - i.e. effort to force Dems to take a tough vote".

GET SMART FAST -- "'Skinny' repeal could have big ramifications for Obamacare markets," by Paul Demko: "Senate Republicans are hoping a 'skinny' repeal bill can solve their stalemate over dismantling Obamacare. But this partial Obamacare repeal - which is gaining steam in the Senate - could destabilize already wobbly Obamacare insurance markets, make premiums jump and increase the number of uninsured by millions, health policy experts say. ... Killing the individual mandate would take away the primary mechanism that helped build the Obamacare insurance markets. The CBO estimated 16 million fewer people would have coverage in a decade without the individual mandate tax penalty in place, based on an analysis requested by Senate Democrats." http://politi.co/2uzjl1F

-- WHY A WORRIED REPUBLICAN WOULD VOTE AGAINST THE SKINNY REPEAL : The pitch from Republican leadership is this: vote for the skinny repeal so the House and Senate can move to a formal health care negptoatopm. But a negotiation between the House and Senate will be thorny: there is disagreement on changes to many things, including changes to Medicare. If you vote for the skinny repeal and end up with a negotiated product you don't like a few weeks or months later, it could be politically perilous.

-- BURGESS EVERETT, SEUNG MIN KIM and **JEN HABERKORN: "'Skinny' Obamacare repeal still lacks votes to pass:** A bare-bones plan picks up some key GOP support, but centrists and conservatives are skeptical": "Even a bare-bones repeal of Obamacare is no sure thing in the Senate. A handful of key Republican senators who had spurned earlier overtures from GOP leadership endorsed the latest plan to gut Obamacare's individual and employer coverage mandates and its medical device tax.

But several centrists said they're undecided on the so-called skinny repeal, leaving the GOP in limbo through at least the end of the week. ...

"Centrist GOP Sens. Rob Portman of Ohio and Shelley Moore Capito of West Virginia were undecided on the so-called skinny repeal Wednesday. Another Republican from an expansion state, Sen. Dean Heller of Nevada indicated he would back it. ... Conservatives could be another matter. 'I don't like it,' Sen. David Perdue of Georgia said of the process. 'Because I don't know where we end up. This whole [health care system] holds together or falls apart in totality. We've got a system that is collapsing.'" http://politi.co/2v1sWPs

****** **A message from BP: We generated about $67 billion in economic value for the U.S. last year.** *Take 90 seconds to see what that means to American jobs and businesses.* ******

TAX REFORM BY AUGUST? NOT SO FAST -- "White House adviser clashes with Mnuchin over tax plan," by Nancy Cook: "The White House is eager to present a unified front on tax reform, but those leading the effort inside the administration haven't been able to bridge deep fissures over how much to cut taxes and the best way to pay for it. The White House's top tax staffer, Shahira Knight, who works for Gary Cohn at the National Economic Council, has feuded in the last few months with Treasury Secretary Steve Mnuchin and other Treasury officials, according to a senior administration official and four other people familiar with their interactions. This comes as the administration and congressional leaders prepare to unveil a broad-brush tax proposal, weeks ahead of schedule, as a way to pivot from the grinding debate over health care - and to show movement on an issue significant to the business community before Congress adjourns for its August recess.

"Yet many key outstanding questions remain, including how low the corporate tax rate can go -- a major focus of the president who wants it at 15 percent -- and what if any tax benefits or breaks lawmakers will need to eliminate to pay for cuts. These trade-offs are part of what makes tax reform difficult. No businesses, or individuals, like to see any particular tax break eliminated and tend to mobilize when their goodie is threatened. Figuring out how to balance the many competing interests at play have been the focal point of Knight's disagreements with Treasury - and a foreshadowing of Republicans' challenges with any tax overhaul." http://politi.co/2uEKGhh

SESSIONS WATCH -- "Trump talks privately about the idea of a recess appointment to replace Sessions," by WaPo's Carol D. Leonnig, Ashley Parker, and and Philip Rucker: "President Trump has discussed with confidants and advisers in recent days the possibility of installing a new attorney general through a recess appointment if Jeff Sessions leaves the job, but he has been warned not to move to push him out because of the political and legal ramifications, according to people briefed on the conversations. ... Two of those people, however, described Trump as musing about the idea rather than outlining a plan of action ... Several people familiar with the discussions said that Trump's fury peaked over the weekend and that he and Sessions

now seem to be heading toward an uneasy detente." http://wapo.st/2tF4FuJ

-- "Allies Warn Trump of Conservative Revolt Unless He Backs Off Sessions," by NYT's Peter Baker and Jennifer Steinhauer: "For a week, some of President Trump's top aides have tried to talk him down from his public campaign against Attorney General Jeff Sessions. It was exposing tensions within the administration, stirring consternation with the conservative base and setting off a revolt among Senate Republicans incensed over the treatment of a former colleague. Among those urging Mr. Trump to spare Mr. Sessions have been Reince Priebus, the White House chief of staff; Stephen K. Bannon, the president's chief strategist; and Donald F. McGahn II, the White House counsel, according to officials who asked not to be named describing internal deliberations." http://nyti.ms/2tLvhyu

--FOR THE RECORD, NO NEW ATTORNEY GENERAL WILL BE CONFIRMED -- @chuckgrassley: "Everybody in D.C. Shld b warned that the agenda for the judiciary Comm is set for rest of 2017. Judges first subcabinet 2nd / AG no way".

FRIENDS IN HIGH PLACES -- "Sessions' powerful friends stand up to Trump," by Josh Gerstein and Josh Dawsey: "South Carolina Republican Sen. Lindsey Graham was among Sessions' most vocal defenders Wednesday, when he seemed to almost be taunting the president, suggesting that his failure to fire Sessions showed weakness, while also hinting that the impact of such a move could be catastrophic for Trump's presidency. ... Several Republican senators have reached out directly to Sessions and told him to stay put, expressing their frustrations with his puzzling situation, according to a person with knowledge of the contacts.

"Sessions has basically mused back to them he doesn't understand it either - but that he won't quit at the moment. The senators view Trump's treatment of their former colleague as 'offensive' ... Some GOP senators also fear that if Trump pushes out Sessions, the results could be dire for the president. Such a development might lead to mass resignations at the Justice Department and it might be impossible to find a majority in the Senate to confirm a replacement for Sessions." http://politi.co/2v0ZQ2w

POLITICO'S TY COBB INTERVIEW -- "Trump's newest Russia lawyer: 'I think very highly' of Mueller," by Darren Samuelsohn: "President Donald Trump is exasperated with the Russia probes that have overwhelmed his first six months in office, but his newest White House lawyer is looking to make nice with the president's main investigator - at least for now. 'I have a very respectful and professional relationship with Bob Mueller. I think very highly of him,' Ty Cobb, who starts Monday in a West Wing office as White House special counsel, said in an interview.

"Cobb, a prominent Washington white-collar lawyer who in the 1990s represented several Democrats under investigation during the Clinton era, was hired in part to help spearhead the internal Trump White House effort to respond to the expanding Russia

investigations by Congress and special counsel Mueller. ... In preparation for his arrival next week, Cobb met Wednesday with White House Communications Director Anthony Scaramucci. Both men are new to the Trump team and both answer directly to Trump. ... It's possible that he'll speak on television and on the record with reporters.

"'I'll certainly provide background willingly when appropriate, but will work primarily with the comms staff and try to make sure the message is accurate and not confusing and let them run with those kind of things,' Cobb said. 'I'm there to be a professional,' he added. 'And it's not about me. But I need to give the president good advice. and I need to make sure that anything we're asked to do at the White House and related to any of these investigations that we do well and on time.'" http://politi.co/2tF2yHy

FOR YOUR RADAR -- "GOP moves toward solution on Russia sanctions bill," by Elana Schor: "House and Senate Republicans clashed Wednesday over a bipartisan package of sanctions targeting Russia, Iran, and North Korea before appearing to resolve a dispute that threatened to delay the bill's arrival on President Donald Trump's desk. ... But further political headaches for the GOP appeared to be averted Wednesday night, when [Sen. Bob] Corker announced that he had reached agreement with House Majority Leader Kevin McCarthy (R-Calif.) on a solution that would pave the way for final approval of the sanctions bill. 'Going forward, the House has committed to expeditiously consider and pass enhancements to the North Korea language, which multiple members of the Senate hope to make in the very near future,' Corker said in a statement Wednesday night." http://politi.co/2tDuU4K

-- "AP sources: U.S. seeks to test Iran deal with more inspections," by Josh Lederman and Matt Lee: "The Trump administration is pushing for inspections of suspicious Iranian military sites in a bid to test the strength of the nuclear deal that President Donald Trump desperately wants to cancel, senior U.S. officials said. The inspections are one element of what is designed to be a more aggressive approach to preventing Iran from obtaining a nuclear weapon. While the Trump administration seeks to police the existing deal more strictly, it is also working to fix what Trump's aides have called 'serious flaws' in the landmark deal that - if not resolved quickly - will likely lead Trump to pull out." http://bit.ly/2h5gpVB

YIKES -- BuzzFeed's Cora Lewis, Dominic Holden and Nancy Youssef: "At the Pentagon, the first of the three tweets [on Trump's transgender decision] raised fears that the president was getting ready to announce strikes on North Korea or some other military action. Many said they were left in suspense for nine minutes, the time between the first and second tweet. Only after the second tweet did military officials receive the news the president was announcing a personnel change on Twitter." http://bzfd.it/2u0J1AQ

FUN READ - KATIE GLUECK in McClatchy, "Inside the Trumps' Instagram obsession": "Eric Trump was Making America Great Again at his father's New Jersey golf club just as United Nations Ambassador Nikki Haley crammed onto a couch with a gaggle of her 'sweet friends' and the sunglasses-clad Trump surrogate Katrina Pierson

reminisced about the days before politics forced her out of her car and into an Uber. Or, so said their Instagram feeds. If President Donald Trump's favorite form of social media is Twitter, the outlet of choice for many of his relatives, campaign boosters and even a Cabinet member is Instagram, the photo-sharing app owned by Facebook.

"People in Trump's orbit -including several of his children-use Instagram to highlight television appearances and tout the president's luxury properties. ... [T]hese social feeds closely say the Instagram accounts offer a glamorous glimpse into the president's inner circle and his ritzy enclaves, providing routine reminders of the days when' 'Trump' was more closely associated with celebrity than the White House. The feeds are a nonstop stream of fodder for a clamoring, adoring Instagram fan base that doesn't seem to mind the disconnect between that Trumpian lifestyle and that of the president's working-class base." http://bit.ly/2tFvu25

THE JUICE ...

-- MARK PRESTON and **CHRIS FRATES** are getting get their own SiriusXM shows. **FRATES** will take over "Politics Inside Out" and it will be renamed "Politics Inside Out with Chris Frates." **PRESTON**, the executive editor for CNN Politics, will have a new show called "Full Stop with Mark Preston." Preston's new show debuts Saturday at noon, and reairs Sunday at 1 p.m. "My goal with "Full Stop" is to provide listeners with an opportunity to step off of the breaking news wheel for one hour a week to hear interesting stories from compelling people in politics and pop culture," Preston told us. **ON THE DEBUT EPISODE** : Dana Bash and Gloria Borger. In the coming weeks he'll have Rep. Will Hurd (R-Texas) and George Shultz. ***The promo for Preston's show*** http://bit.ly/2v02QvV

-- KANSAS GOV. SAM BROWNBACK has been officially nominated as ambassador at large for religious freedom. He had been rumored to be up for the position for weeks. He gave his first interview to J.C. Derrick of WORLD Magazine. http://bit.ly/2h529wd

-- MICHAEL DUFFY will be on "Morning Joe" this morning at 8:30 a.m. to discuss the new Time Magazine cover story, "The Anti Antidepressant". ***See the cover:*** http://bit.ly/2tKrH7H

Playbook Reads

FOGGY BOTTOM WATCH -- "Tillerson faces fights on eliminating envoys," by Nahal Toosi: "As Secretary of State Rex Tillerson moves to restructure the State Department, he wants to slash dozens of positions known collectively as special envoys - ambassadors-at-large, coordinators and others who deal with specific issues such as food security, labor and LGBT rights. ... [But] a slew of critics have emerged to protest. Jewish organizations and many lawmakers are furious that Tillerson hasn't yet named a new special envoy to combat anti-Semitism. Digital gurus are unhappy that Tillerson

may chop the slot focused on cyber issues. Tillerson's attempt to discard the special envoy for Afghanistan and Pakistan spurred such an outcry among South Asia watchers that he went ahead and named someone to the role temporarily." http://politi.co/2tExQ1e

JEFF FLAKE PROFILE - MCKAY COPPINS in The Atlantic, "Jeff Flake's Gamble: The Arizona Republican is betting his Senate seat on the political appeal of decency-but can that pay off in Trump's America?": "In 2013, Flake was part of the bipartisan 'Gang of Eight,' which helped pass a comprehensive immigration-reform bill in the Senate (it died in the House). He recalled for me his deep personal frustration watching Trump and his fellow Republicans make naked appeals to 'nativist sentiment' last year. When Kaine traveled to Florida and in fluent Spanish praised the patriotism of newly naturalized citizens, 'I almost cried,' Flake said. 'I just thought, *That should be us. That* was *us, and now it's not.*' ...

"When I visited Flake and his wife, Cheryl, in his office on Capitol Hill the day after the shooting, he looked drained. Resting his head on the back of his armchair, he recounted the preceding 24 hours in a quiet, halting voice. 'It was a long day,' he said, glancing at Cheryl. 'Just-I'm just glad to be here.' He seemed to view the episode as a grim validation of his worst fears about the country. 'The deterioration of political discourse in general aids this,' he said. 'When we ascribe motives to our opponents, that they are evil, then we've almost given license to extreme behavior.'" http://theatln.tc/2uYNp7M

THE NEXT TURN OF THE SCREW -- "Lawyers for Brady, rival rebut claims of illegal campaign payoff," by the Philadelphia Inquirer's Jeremy Roebuck, Chris Brennan and Tricia L. Nadolny: "U.S. Rep. Robert Brady's lawyer pushed back Wednesday against federal prosecutors' claims that the congressman secretly paid a political rival $90,000 to drop a bid to unseat him in the 2012 Democratic primary. Scoffing at the depiction of the money as a covert payoff, attorney James Eisenhower said that the funds were intended in part to acquire exclusive rights to valuable polling data from the primary challenger, Municipal Court Judge Jimmie Moore.

"But almost as if they had anticipated that explanation, government lawyers shot back in a court filing made public for the first time Wednesday. At the time Brady bought the data, they said, the poll in question was irrelevant, outdated, and contained information that the congressman had already had his possession five months before his campaign cut the checks. What's more, wrote Assistant U.S. Attorney Eric L. Gibson, the price Brady paid was twice what it cost Moore to commission the survey." http://bit.ly/2uZNJDq

THE IVANKA BEAT -- "Trump Administration Tapping Tech CEOs for STEM Policy Approach," by Bloomberg's Margaret Talev: "White House officials including Ivanka Trump have begun an outreach campaign to major technology, business and education leaders including Laurene Powell Jobs and Apple's Tim Cook for advice on shaping funding approaches to science, technology, engineering and math education in U.S. public schools. ... [O]n Wednesday [she] joined Reed Cordish, the president's special

assistant for technology initiatives, on a conference call with politicians, educators and CEOs to discuss STEM education, according to two people with knowledge of the call. Other participants on the roughly hour-long call included Lockheed Martin CEO Marillyn Hewson; Accenture North America's CEO Julie Sweet, Microsoft President Brad Smith; Arkansas Governor Asa Hutchinson and representatives from the Chan Zuckerberg Initiative, Stanford, MIT and Broward County, Florida, Schools." https://bloom.bg/2tLCZZr

WEST COAST WATCH -- "The cannabis candidate: Gavin Newsom dominates donations from a growing industry aiming for influence," by L.A. Times' Ryan Menezes and Maloy Moore: "California will soon have open sales of recreational marijuana, and it needs to decide how to regulate its newest cash crop. Hoping to influence those decisions, the cannabis industry is seeking access to the state's political leaders. One candidate in 2018's open race for governor is actively inviting their support. ... Cultivators, retailers and others have given Newsom's campaign more than $300,000 ... As part of his aggressive fundraising drive, Newsom has become the first California gubernatorial candidate to solicit large sums from the cannabis industry - far eclipsing his rivals." http://lat.ms/2tLt5qG

MEDIAWATCH -- "Matt Drudge is firing warning shots at Trump, and that should worry the president," by CNN's Oliver Darcy: "Matt Drudge has been in the White House an awful lot these days - 'all the time,' as one senior administration official puts it. He's met with President Donald Trump, spent time with Ivanka Trump, and doled out advice to Jared Kushner. ... [He] has been one of Trump's most ardent supporters since Trump announced his candidacy. ... But ... lately Drudge has appeared irked by Trump and his White House, frustrated with the president's inability to carry out the ambitious agenda he campaigned on. ... Over the past several weeks, Drudge's website has covered the White House with a more critical eye, more frequently drawing attention to news not exactly flattering to the president." http://cnnmon.ie/2h4oTMF

Playbookers

SPOTTED: Wilbur Ross trotting through the House press gallery yesterday with his security detail to use the men's room ... Chris Wallace last night at the West End Bistro ... Tom Perez sitting behind the Brewers dugout last night and getting scolded by the usher for putting his feet up ... Sens. John McCain and Lindsey Graham and former Speaker John Boehner last night dining at Trattoria Alberto - ***pic*** http://bit.ly/2uz5hoD

OUT AND ABOUT -- Scott Mason, Jeff Freeland and Mackenzie Smith of the original Trump congressional campaign team hosted a happy hour for members and staff at Stanton & Greene last night. **SPOTTED:** HHS Secretary Tom Price, Reps. Marsha Blackburn (R-Tenn.), Kevin Cramer (R-N.D.), and Steve Palazzo (R-Miss.), Seth Appleton, Michael McAdams, Andrew Cooper, Andrew Smith, Tom Qualtere, Mark Gruman, Bill Tighe, Jonathan Hayes, Al Lytton.

--BIPARTISAN HAPPY HOUR -- Pool report: "On the roof at Bar Deco, Hoosier GOP and Dem staffers from the office of VP Pence, Sens. Donnelly and Young, and RNC and DNC [did] their part to return to regular order. The happy hour started after the 2010 elections when Republican and Democratic staffers from Indiana decided to 'bury the hatchet' and start hanging out together." **SPOTTED:** Mark Lee, Katie Wall, Lindsay Jancek, the pride of Fort Wayne, Joel Riethmiller, Adam Shifriss, Nick McGee, Jodi Richardson, Andrew Terp, Adrienne Watson, Elizabeth McWhorter, Erica Bordador.

TRANSITIONS - Kim Ford has been promoted to be SVP and head of gov't affairs at FirstData. She first started with the company in 2004. ... Michael Auslin is joining the Hoover Institution to be their inaugural Williams-Griffis fellow in contemporary Asia, focusing on Asian political and security issues, especially related to China and Japan. He was previously an associate professor of history at Yale and is an AEI alum. ... **Kate Geldaker** , deputy director of congressional affairs at the National Telecommunications & Information Administration, is moving to Alaska Airlines to do government affairs, based in DC. Geldaker is a Klobuchar and Begich alum. ...

... Andrew Gray has been promoted to be JPMorgan Chase's chief external communications officer of global finance, corporate technology and operations. The three year veteran of JPMC previously led media relations for a number of the bank's corporate groups. ... **Lauren Huston** is leaving Capitol Hill after four years on the Senate Commerce Committee and House Judiciary. She will pursue a J.D. full time at Catholic University's Columbus School of Law. ... **Brianna Manzelli** is the new press secretary and digital director on Senate Commerce. She most recently was on the press team at the RNC.

WELCOME TO THE WORLD -- Erin Oldfield, director of comms at Howard Consulting Group, and **Kyle McGettigan,** database manager at LHK Partners, welcomed Lyra Joy Oldfield McGettigan, who "has the best hair," according to her mom. ***Pic*** http://politi.co/2tEtqqZ

BIRTHMONTH (was last Monday): Emma Loop, the other Canadian half of BuzzFeed News in D.C. (hat tip: Erin Gee)

BIRTHDAY OF THE DAY: Cecilia Muñoz, VP of policy and technology and director of the New America National Network and former director of the Obama WH Domestic Policy Council. **A fun fact about her:** "I used to speak a lot of Spanish in the West Wing office now occupied by Stephen Miller. Lots and lots of Spanish. It's still in the walls." Read her Playbook Plus Q&A: http://politi.co/2h5fK6B

BIRTHDAYS: Priscilla Painton, executive editor at Simon & Schuster and a WaPo and Time alum ... FusionGPS' Neil King, a WSJ alum ... Andy Spahn ... BuzzFeed News' Paul McLeod, likely celebrating by sequestered in the Senate reporting on health care (h/t Erin Gee) ... DOT spox Allison Moore ... Jeremy Berkowitz, privacy counsel for Deloitte, is 34 ... Natalie Raabe, comms maestro at The New Yorker (h/ts Adrea Piazza

and Erica Hinsley) ... Susan Durrwachter ... former Commerce secretary Don Evans is 71 ... Rep. William Lacy Clay (D-Mo.) is 61 ... Rep. Dave Brat (R-Va.) is 53 ... Rep. G.T. Thompson (R-Pa.) is 58 ... Jeremy Adler, comms director at America Rising Squared, is 25 (h/ts Colin Reed and Ryan Williams) ... Parag Khanna is 4-0 ... David Spielfogel ... Lauren Durham ... Sarah Feinberg, finance manager for WaPo ... Amy Tilley ... SIFMA's Bo Ollison ... Aaron Lichtig is 37 ... Johanna Persing, RNC's director of media affairs/surrogates (h/t Ryan Mahoney) ... Georgie Whatmore, business development manager for AtlanticLIVE and an NBCUniversal alum (h/t Patrick Garrigan) ...

... Jonathan Strong, an alum of National Review and Roll Call ... Morning Chalk-Up publisher Justin LoFranco, a Team Issa, McCarthy, Romney and RNC alum, is 31 (h/ts Kurt Bardella) ... Sean Savett, press secretary for Sen. Duckworth and an O'Malley alum, is (h/ts fiancé Taylor and cousin Dan) ... Salvatore Colleluori ... Morgan Shoaff ... PJ Wenzel ... Jeremy Deutsch, COS for House Republican Conference Chair Cathy McMorris Rodgers ... Juan Mejia of CGCN Group (h/t Ali Swee) ... Nicholas Barnabò ... Saumitra Thakur, president of College-100 ... Sofia Gerard ... Andrew Grossman, who just started as a consultant at Bain and is a WSJ alum ... Alex Wirth, co-founder of Quorum ... Ben Rothenberg is 35 ... Ed Cohen ... Maya Goines ... Elizabeth Arledge ... Ellen Daniels ... Jamie Sullivan ... Phong Ngo ... Heather Piedmont ... Gaurav Parikh ... Pamela Reeves Kilian Fox ... Susan Phalen ... Suzanne Hanas ... Paul Caron is 6-0 ... Dennis Lewis ... Tim Kirby ... Carrie Ann Alford ... Diana Allen ... Terry Gouette ... Katie Wheelbarger ... Sally Adams ... Degee Wilhelm (h/ts Teresa Vilmain)

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EHS State Regulatory Alert

May 24, 2017 - Number 99

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

California

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Financing Authority
California GENERAL ENVIRONMENT AND SAFETY

Final rule of the Pollution Control Financing Authority adopts regulations under 4 CCR 8078.8 through 8078.14 to establish the California Americans with Disabilities Act Small Business Capital Access Financing Program. The program provides loans to assist small businesses in financing the costs of projects that alter or retrofit existing facilities to comply with the federal Americans with Disabilities Act. The rule is effective May 8, 2017. Contact: Bianca Smith; PCFA; 916-653-5408; bianca.smith@treasurer.ca.gov

—California Regulatory Notice Register (05/19/2017)

Regulatory Update

California Regions

AIR
Air Toxics Fees
California Regions AIR

Notice of the San Joaquin Valley Air Pollution Control District announces a workshop on a proposal to amend Rule 3110 to reduce air toxics fees charged to facilities. The workshop is scheduled for May 31, 2017, in Fresno and via teleconference and webcast. Comments are due June 14, 2017. Contact: David Garner; San Joaquin Valley APCD; 559-230-5938; david.garner@valleyair.org

—California RegionsRegulations (05/22/2017)

Regulatory Update

AIR
Architectural Coatings
California Regions AIR

Notice of the El Dorado County Air Quality Management District announces a hearing on a proposed rule to amend regulations under Rules 101 and 215 regarding architectural coatings and the volatile organic compound (VOC) exempt compound list. The rule reduces the allowable VOC content in architectural coatings to align with the California Air Resources Board's 2007 suggested control measure. The rule also aligns the VOC exempt compound list with those of the U.S. EPA and other state air districts and clarifies definitions. If adopted, the rule will be submitted to CARB and the U.S. EPA as a revision to the state implementation plan. The hearing is scheduled for June 20, 2017, in Placerville. Comments are requested, but a due date is not specified. Contact: Adam Baughman; El Dorado County AQMD; 530-621-7501; aqmd@edcgov.us

—California RegionsRegulations (05/22/2017)

Regulatory Update

WATER
Climate Change Work Plan
California Regions WATER

Notice of the Central Valley Regional Water Quality Control Board announces the availability of a draft climate change work plan. The plan specifies current and proposed efforts that board programs are undertaking in response to climate change and prioritizes major efforts that promote climate change resiliency. The plan addresses efforts concerning water supply and quality of surface water and groundwater. A workshop is scheduled for June 1, 2017, in Rancho Cordova. Comments are requested, but a due date is not specified. Contact: Andrew Altevogt; Central Valley RWQCB; 916-464-4656; RB5S-Climate-ChangeComments@waterboards.ca.gov

—California RegionsRegulations (05/18/2017)

Regulatory Update

Kentucky

SOLID WASTE
Area Solid Waste Management Plans
Kentucky SOLID WASTE

Proposed rule of the Department for Environmental Protection, Division of Waste Management, amends regulations under 401 KAR 49:011 regarding area solid waste management plans. The rule incorporates by reference the March 2017 versions of the solid waste management area annual report form and the guidance for preparing a solid waste management area plan five-year update. A hearing is scheduled for June 27, 2017, in Frankfort. Comments are due June 30, 2017. Contact: Michelle Mitchell; DEP, Division of Waste Management; 502-782-6713;

MichelleM.Mitchell@ky.gov

—Administrative Register of Kentucky (05/21/2017)

Regulatory Update

SOLID WASTE
Solid Waste Planning/Grant Programs and Registration
Kentucky SOLID WASTE

Proposed rule of the Department for Environmental Protection, Division of Waste Management, amends regulations under 401 KAR 49:080 regarding solid waste grant funds and solid waste collector and recycler registration. The rule removes quarterly status reporting requirements and the supplemental application process for the Illegal Open Dump Program. The rule also requires counties to report on the amount of recyclables collected by weight, establishes criteria for grant extensions, and adds a definition of "Litter Abatement Program." In addition, the rule clarifies that approval of supplemental grant requests for the household hazardous waste program is dependent on remaining funds and clarifies grant deadline extension procedures. A hearing is scheduled for June 27, 2017, in Frankfort. Comments are due June 30, 2017. Contact: Michelle Mitchell; DEP, Division of Waste Management; 502-782-6713; MichelleM.Mitchell@ky.gov

—Administrative Register of Kentucky (05/21/2017)

Regulatory Update

SOLID WASTE
Solid Waste Programs
Kentucky SOLID WASTE

Proposed rule of the Department for Environmental Protection, Division of Waste Management, adopts regulations under 401 KAR 49:091 to repeal regulations under 401 KAR 49:040, :090 and :210 to delete obsolete provisions concerning the Solid Waste Planning Assistance Program, the Waste Tire Trust Fund Loan Program and the Solid Waste Revolving Fund. A hearing is scheduled for June 27, 2017, in Frankfort. Comments are due June 30, 2017. Contact: Michelle Mitchell; DEP, Division of Waste Management; 502-782-6713; MichelleM.Mitchell@ky.gov

—Administrative Register of Kentucky (05/21/2017)

Regulatory Update

Montana

PESTICIDES
Pesticides
Montana PESTICIDES

Notice of the Department of Agriculture announces changes to and an extension of the comment period for a Dec. 9, 2016, proposed rule to amend regulations under ARM 4.10.201 through .1806

(nonconsecutive); adopt regulations under Rules I and II; and repeal regulations under ARM 4.10.702, .709 and .1801 regarding pesticides. The rule sets forth requirements and procedures for the Pesticide Container Recycling Program and exchangeable pesticides to reflect current practice and adds related recordkeeping requirements. The rule also updates provisions regarding applicator certification and competency, recordkeeping, licensure applications, dealers, classification and registration, storage, penalties, waste disposal and fees. In addition, the rule removes obsolete provisions regarding registration and the use of pesticides on pest infestations in alfalfa seed crops. The changes remove provisions concerning an obsolete credit for participation in the recycling program. Comments now are due July 15, 2017. Contact: Cort Jensen; Department of Agriculture; 406-444-3144; agr@mt.gov

—Montana Administrative Register (05/26/2017)

Regulatory Update

SOLID WASTE
Solid Waste Management/Landfarm Facilities and Organic Waste Compost Standards
Montana SOLID WASTE

Notice of the Department of Environmental Quality announces corrections to a March 10, 2017, final rule that amended regulations under ARM 17.50.403 and .502 and adopted regulations under ARMN 17.50.1601 through .1719 regarding solid waste management standards, landfarm facilities and compost standards. The rule updated and clarified definitions relating to the licensure and management of composting facilities for animal carcasses and butcher waste. The rule also updated standards for facilities that treat contaminated soils from underground storage tanks and other small-volume cleanup activities, reduced the amount of compost feedstock that facilities may accept annually and clarified the definition of "floodplains." In addition, the rule set forth standards for landfarm facility contaminated soil cleanup. Finally, the rule established standards for organic waste compost facilities, including application requirements, siting standards, design criteria, operation and maintenance plans, recordkeeping and reporting, remediation, sampling, and closure/post-closure plans. The corrections revise several typographical errors. The corrections are effective May 27, 2017. Contact: Denise Hartman; DEQ; 406-444-2630; dhartman2@mt.gov

—Montana Administrative Register (05/26/2017)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT
Underground Storage Tanks
Ohio HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Commerce, Division of State Fire Marshal, amends regulations under OAC 1301:7-9-01 through -19 (nonconsecutive); rescinds and readopts regulations under OAC 1301:7-9-05, -06 and -07; and rescinds regulations under OAC 1301:7-9-09 and -14 to clarify underground storage tanks (UST) standards and conform to a July 15, 2015, EPA final rule. The rule updates provisions concerning requirements for reporting hazardous substances, the list of hazardous substances, UST registration and permitting, and definitions.

The rule also updates provisions concerning financial responsibility for petroleum USTs; design, construction, installation, operation and maintenance requirements; release detection methods and requirements; and installer certification and training. In addition, the rule updates out-of-service, closure-in-place, permanent removal, change-in-service and closure assessment requirements; delegations of authority for inspection; contaminated soil, sampling and analysis of soil; delivery prohibitions; and operator training requirements. Finally, the rule deletes provisions concerning sensitive areas and voluntary corrective actions. A hearing is scheduled for June 20, 2017, in Reynoldsburg. Comments are due June 20, 2017. Contact: David Sauer; Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations; 614-752-7096; David.Sauer@com.state.oh.us

—Ohio Regulations (05/22/2017)

Regulatory Update

Texas

AIR

Asbestos Health Protection/General Provisions

Texas AIR

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.1 through .5 regarding general provisions for asbestos heath protection. The rule would have adopted by reference national emission standards for hazardous air pollutants regarding the national emission standard for asbestos and demolition and renovation activities, Asbestos Hazard Emergency Response Act (AHERA) standards for asbestos-containing materials in schools, and memorandums of understanding concerning inspection of solid waste facilities that receive asbestos waste. The rule also would have addressed compliance with AHERA standards and excluded single private residences or single apartment buildings with no more than four dwelling units from this rule. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.31 and .33. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Asbestos Abatement Supervisors

Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.71, .72, .73 and .74 to set forth license and registration fees for asbestos abatement supervisors. The rule would have reduced the licensure fee to $400, increased the fee to process refunds to $50, and added a fee of $30 for each returned check. The rule also would have specified circumstances that result in late fees and established provisions concerning payment devices that are not honored by the issuing financial institution. In addition, the rule would have clarified what constitutes good cause for denying a request for fee reimbursement. A concurrently withdrawn proposed rule would have

repealed existing provisions under 25 TAC 295.46. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Accreditation
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.151 to set forth accreditation requirements for asbestos abatement workers, contractors/supervisors, project designers and inspectors performing asbestos abatement in commercial buildings. The rule also would have added a requirement that such persons have a photo identification card onsite. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.57. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Definitions
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.21 regarding asbestos heath protection definitions. The rule would have defined new terms, clarified existing terms, and removed obsolete terms. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.32. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Enforcement
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.251 through .260 to set forth enforcement provisions for requirements related to asbestos abatement and other asbestos-related activities in public buildings, facilities and commercial buildings. The rule would have addressed denial, suspension and revocation of licenses; probation; denial, withdrawal or suspension of approval for training courses; penalties; and notice and hearing requirements. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Exemptions
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.171, .172, .173, .174 and .175 to set forth exemptions from licensure requirements related to asbestos health protection. The rule would have established exemptions for removal of resilient floor covering, emergency abatement, and small projects and repetitive tasks in public buildings. The rule also would have exempted state-registered architects and licensed professional engineers providing a written certification used as an asbestos survey from department licensure requirements and established a regulatory threshold for nonfriable material in a public building. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.36. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Inspections and Investigations
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.231 regarding inspections and investigations related to asbestos heath protection. The rule would have established that the department has the right to inspect or investigate the practices of any person involved with asbestos abatement or related activity in a public building, commercial building or facility. The rule also would have specified that advance notice of inspections is not required, that a person may not interfere with an inspection, and that attempting to bribe or threaten a department representative is a violation. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.68. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/License and Registration
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.41 through .59 regarding licensing and registration for asbestos workers, consultant agencies, transporters and laboratories. The rule would have established requirements for license and registration, initial and renewal licenses, acceptable academic credit, qualifying work experience, out-of-state

applicants and insurance. The rule also would have specified license or registration requirements, scope of practice and responsibilities for various asbestos workers entities. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.35 through .56. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Military Service Member Licensure and Registration
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.131 to set forth requirements for military service members, military veterans and military spouses to perform asbestos-related activities. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Notifications
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.211 to set forth requirements for notifying the department of any asbestos abatement or demolition. The rule would have required notification to be provided on the department's website or on a specified form and clarified the responsible party for notification purposes. The rule also would have described requirements for consolidated notifications and notifications of emergency renovation operations, demolitions, demolitions for structurally unsound buildings, abatement with demolition, and phased asbestos abatement and/or demolition projects. In addition, the rule would have set forth a tiered notification fee schedule and described requirements for payment and reimbursement of fees. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.61. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Operations
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.191 through .200 to set

forth requirements related to asbestos abatement in public and commercial buildings and facilities. The rule would have set forth asbestos survey, abatement and air clearance requirements. The rule also would have specified inspection requirements for asbestos consultants and designated project managers, requirements for respiratory protection programs and work practices specific to operations and maintenance activities in public buildings. In addition, the rule would have established exemptions from notification, licensing and registration requirements; abatement practices and procedures for low-risk materials, small projects and repetitive tasks; and recordkeeping requirements. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.58 through .62. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Standards of Conduct
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.31 and .32 regarding standards of conduct for asbestos workers. The rule would have established a code of ethics for licensees. The rule also would have prohibited specified conflicts of interest and exempted municipalities from such requirements. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.37. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/State Licensing Examination
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.111 through .118 regarding licensing examinations for asbestos workers. The rule would have established general examination provisions and required approved applicants to take the examination within six months of applying and to submit all necessary documents and fees within three years of passing the examination. The rule also would have set forth provisions concerning the examination schedule, qualifications, registration and confirmation, admittance and conduct, grading and reporting of scores, re-examinations and analyzing examination performance. In addition, the rule would have required a request for examination performance analysis to be made within one year of the examination date. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.41. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Asbestos Health Protection/Training Providers, Instructors and Courses
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have adopted regulations under 25 TAC 296.91, .92 and .93 to set forth license requirements, scope of practice and responsibilities for asbestos training providers. The rule also would have added a license category of asbestos training instructor and specified general, initial and refresher course training requirements for asbestos abatement workers, contractors/supervisors, air monitoring technicians, inspectors, management planners and project designers. A concurrently withdrawn proposed rule would have repealed existing provisions under 25 TAC 295.55, .64 and .65. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Occupational Health/Asbestos Health Protection
Texas OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of State Health Services announces the withdrawal of a Nov. 11, 2016, proposed rule that would have repealed regulations under 25 TAC 295.31 through .73 regarding asbestos abatement and other asbestos-related activities in public buildings, facilities and commercial buildings. The rules were being updated under new 25 TAC 296 in a series of concurrently withdrawn proposed rules. The withdrawal is effective May 9, 2017. Contact: Lisa Hernandez; DSHS; 512-776-6972

—Texas Register (05/26/2017)

Regulatory Update

RADIATION
Radioactive Substance Rules
Texas RADIATION

Final rule of the Texas Commission on Environmental Quality amends regulations under 30 TAC 336.103 regarding the schedule of fees for low-level radioactive waste disposal site licenses. The rule removes the word "quarterly" to allow flexibility for the Radioactive Materials Division and the Financial Administration Division to invoice cost-recoverable activities by TCEQ on an as-needed basis. The rule is effective June 1, 2017. Contact: Hans Weger; TCEQ, Radioactive Materials Section; 512-239-6465

—Texas Register (05/26/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 7/7/2017 12:10:08 PM
Subject: July 07 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

July 07, 2017 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
California SIP/Antelope Valley AQMD
AIR

Final rule of the EPA approves a revision to the Antelope Valley Air Quality Management District (AQMD) portion of the California SIP regarding volatile organic compounds and nitrogen oxide emissions from passenger vehicles. The revision addresses a mechanism for obtaining documentation of emission reductions resulting from trip reduction programs that encourage ridesharing and educate employees and the public on health impacts of motor vehicle pollution. The rule is effective Aug. 7, 2017. Contact: Jeffrey Buss; EPA Region 9; 415-947-4152; buss.jeffrey@epa.gov. Citations: 40 CFR 52.220

82 FR 31457 (07/07/2017)

Regulatory Update

AIR
Pennsylvania SIP/Volatile Organic Compound Reasonably Available Control Technology
AIR

Direct final rule of the EPA approves revisions to the Pennsylvania SIP to certify that the state's 2006 reasonably available control technology (RACT) controls that were approved by the EPA under the one-hour ozone NAAQS are based on currently available controls and that they continue to represent RACT for the 1997 ozone NAAQS for applicable control technique guideline (CTG) source categories and for three non-CTG volatile organic compound (VOC) categories. Pennsylvania makes a negative declaration that there are no sources in the commonwealth for five CTG source categories. The revisions do not address Pennsylvania's May 2016 VOC and nitrogen oxides RACT rule, which will be addressed in a separate action. The rule is effective Oct. 5, 2017, unless adverse comments are received by Aug. 7, 2017. Contact: Maria Pino; EPA Region 3; 215-814-2181; pino.maria@epa.gov. Citations: 40 CFR 52.2020

82 FR 31464 (07/07/2017)

Regulatory Update

AIR

Pennsylvania SIP/Volatile Organic Compound Reasonably Available Control Technology

AIR

Proposed rule of the EPA would approve revisions to the Pennsylvania SIP to certify that the state's 2006 reasonably available control technology (RACT) controls that were approved by the EPA under the one-hour ozone NAAQS are based on currently available controls and that they continue to represent RACT for the 1997 ozone NAAQS for applicable control technique guideline (CTG) source categories and for three non-CTG volatile organic compound (VOC) categories. Pennsylvania makes a negative declaration that there are no sources in the commonwealth for five CTG source categories. The revisions do not address Pennsylvania's May 2016 VOC and nitrogen oxides RACT rule, which will be addressed in a separate action. A concurrent direct final rule adopts the revisions, effective Oct. 5, 2017. Comments are due Aug. 7, 2017. Contact: Maria Pino; EPA Region 3; 215-814-2181; pino.maria@epa.gov. Citations: 40 CFR 52.2020

82 FR 31547 (07/07/2017)

Regulatory Update

AIR

Tennessee/Reid Vapor Pressure Requirements

AIR

Final rule of the EPA approves Tennessee's noninterference demonstration regarding revisions to gasoline Reid vapor pressure (RVP) requirements in Shelby County. The revisions modify the RVP standard to 9.0 pounds per square inch for gasoline sold from June 1 to Sept. 15 each year. The noninterference demonstration supports the conclusion that the revision will not interfere with the attainment or maintenance of any NAAQS or with any other applicable requirement of the Clean Air Act. The rule is effective July 7, 2017. Contact: Sean Lakeman; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9043; lakeman.sean@epa.gov. Citations: 40 CFR 52.2220

82 FR 31462 (07/07/2017)

Regulatory Update

AIR

Wisconsin SIP/Site-Specific SO2 Requirements for USG-Walworth

AIR

Direct final rule of the EPA approves revisions to the Wisconsin SIP regarding site-specific sulfur dioxide (SO2) requirements for the USG Interiors LLC facility in Walworth (USG-Walworth). The revisions include an increase in the height of the cupola exhaust stack to 175 feet and an SO2 emission limit of 301.3 lbs/hour in conjunction with a minimum cupola stack flue gas flow rate. The revisions also address sampling requirements for sulfur, moisture, and heat content of each of the materials input to the cupola and sulfur content of the mineral wool product or waste material output from the cupola. The revisions will enable the area near USG-Walworth to qualify for designation as attainment of the 2010 primary SO2 national ambient air quality standards,

which will be addressed in a future rulemaking. The rule is effective Sept. 5, 2017, unless adverse comments are received by Aug. 7, 2017. Contact: Jenny Liljegren; EPA Region 5; 312-886-6832; Liljegren.Jennifer@epa.gov. Citations: 40 CFR 52.2570

82 FR 31458 (07/07/2017)

Regulatory Update

AIR
Wisconsin SIP/Site-Specific SO2 Requirements for USG-Walworth
AIR

Proposed rule of the EPA would approve revisions to the Wisconsin SIP regarding site-specific sulfur dioxide (SO2) requirements for the USG Interiors LLC facility in Walworth (USG-Walworth). The revisions include an increase in the height of the cupola exhaust stack to 175 feet and an SO2 emission limit of 301.3 lbs/hour in conjunction with a minimum cupola stack flue gas flow rate. The revisions also address sampling requirements for sulfur, moisture, and heat content of each of the materials input to the cupola and sulfur content of the mineral wool product or waste material output from the cupola. The revisions will enable the area near USG-Walworth to qualify for designation as attainment of the 2010 primary SO2 national ambient air quality standards, which will be addressed in a future rulemaking. A concurrent direct final rule adopts the provisions, effective Sept. 5, 2017. Comments are due Aug. 7, 2017. Contact: Jenny Liljegren; EPA Region 5; 312-886-6832; Liljegren.Jennifer@epa.gov. Citations: 40 CFR 52.2570

82 FR 31546 (07/07/2017)

Regulatory Update

ENDANGERED SPECIES
New Jersey/Marine Mammals Incidental Take
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the issuance of an incidental harassment authorization to Ocean Wind LLC to take marine mammals incidental to 2017 geophysical survey investigations off the coast of New Jersey in the area of the commercial lease of submerged lands for renewable energy development on the Outer Continental Shelf. The authorization allows take in the form of Level B harassment of the blue whale, fin whale, right whale, sei whale, and sperm whale for 42 days for geophysical survey activities and 12 days for geotechnical survey activities to support development of an offshore wind project. The authorization is effective June 8, 2017, and expires June 7, 2018. Contact: Laura McCue; NMFS, Office of Protected Resources; 301-427-8401

82 FR 31562 (07/07/2017)

Regulatory Update

ENDANGERED SPECIES
New Mexico, Texas/Texas Hornshell
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of applications from the Center

of Excellence in Hazardous Material Management and the New Mexico State Land Office for two separate enhancement of survival permits and draft programmatic candidate conservation agreements with assurances for the endangered Texas hornshell and sensitive species that inhabit the same habitat, including the Rio Grande River cooter, gray redhorse, blue sucker, and Pecos springsnail. The first permit application addresses activities in west Texas and southeast New Mexico and the second permit application addresses activities on New Mexico state trust lands. The permits and agreements would authorize incidental take resulting from voluntary activities to restore, maintain, enhance, or create habitat for the species for a 30-year term. The notice also announces the receipt of a draft candidate conservation agreement for the species from the Bureau of Land Management that addresses activities on federal land in southeastern New Mexico and that would provide participants with a high degree of certainty that additional conservation measures or limitations will not be imposed upon them should one or more of the species become listed in the future. In addition, the notice announces the availability of a draft environmental assessment. Comments are due Aug. 7, 2017. Contact: Debra Hill; USFWS, New Mexico Ecological Services Field Office; 505-346-2525

82 FR 31625 (07/07/2017)

Regulatory Update

ENDANGERED SPECIES
Washington State/Marine Mammals Incidental Take
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service, announces the issuance of an incidental harassment authorization to the Washington State Department of Transportation to take seven species of marine mammals incidental to the Seattle Multimodal Construction Project. The project involves preservation and reconfiguration of the Seattle Ferry Terminal at Colman Dock. The authorization allows take in the form of Level A and Level B harassment. The authorization is effective Aug. 1, 2017, through July 31, 2018. Contact: Shane Guan; NMFS, Office of Protected Resources; 301-427-8401

82 FR 31579 (07/07/2017)

Regulatory Update

FOOD SAFETY
Meat, Poultry, and Egg Product Importation Guidance
FOOD SAFETY

Notice of the Food Safety and Inspection Service announces availability of guidance concerning importation of meat, poultry, and egg products. The document, which is intended for U.S. importers, customs brokers, official import inspection establishments, egg products plants, and other interested parties, summarizes existing requirements and best practices for complying with inspection requirements. Comments are due Sept. 5, 2017. Contact: Roberta Wagner; FSIS; 202-205-0495

82 FR 31549 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Impact Statements
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of environmental impact statements filed June 26-30, 2017. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146. Citations: 40 CFR 1506.9

82 FR 31597 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
National Marine Fisheries Service, National Ocean Service/Regulatory Reform
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Marine Fisheries Service and the National Ocean Service requests comments concerning the efficiency and effectiveness of current regulatory processes and whether such processes may be revised or expedited. The agency seeks to identify regulations that eliminate jobs or inhibit job growth; are outdated, ineffective, or inconsistent with regulatory reform initiatives or policies; impose costs that exceed benefits; or are inconsistent with legislative requirements, executive orders, or other presidential directives. The request is in response to recent executive orders 13766, 13771, 13777, 13783, and 13795. The agency also seeks comments regarding the application of federal regulations to marine aquaculture. Comments are due Aug. 21, 2017. Contact: Kelly Denit; NMFS, Office of Sustainable Fisheries; 301-427-8500

82 FR 31576 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
New York/Genetically Engineered Diamondback Moths
GENERAL ENVIRONMENT AND SAFETY

Notice of the Animal and Plant Health Inspection Service announces the availability of a final environmental assessment and finding of no significant impact for the proposed field release of diamondback moths that have been genetically engineered for repressible female lethality. The assessment is in response to a permit application from Cornell University in Ithaca, N.Y., for open and caged field releases at the New York State Agricultural Experiment Station in Geneva, N.Y. The agency is issuing a permit for the field release of the genetically engineered diamondback moths concurrent to this notice. Contact: Chessa Huff-Woodard; APHIS, Biotechnology Regulatory Services; 301-851-3943; chessa.d.huff-woodward@aphis.usda.gov. Citations: 7 CFR 340

82 FR 31548 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Ohio/Surface Transportation Project Delivery Program Audit Report

GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Highway Administration announces the finalization of the first annual Ohio Department of Transportation (ODOT) Surface Transportation Project Delivery Program audit report. The audit report addresses state compliance with the program under a Dec. 11, 2015, memorandum of understanding between the FHWA and ODOT under which ODOT assumed environmental review responsibilities for federally funded highway projects in the state. The program requires one audit each year during the first four years of program participation. The audit report, which finalizes a March 16, 2017, draft report (82 FR 14096), finds ODOT to be in substantial compliance with the MOU. Contact: Kreig Larson; FHWA, Office of Project Development and Environmental Review; 202-366-2056; Kreig.Larson@dot.gov

82 FR 31673 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
U.S. Coast Guard/Regulations, Guidance Documents, Interpretative Documents
GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Coast Guard announces an extension of the comment period for a June 8, 2017, notice (82 FR 26632) concerning a request for comments on guidance documents; interpretative documents; information collections; and provisions regarding navigation and navigable waters, shipping, and transportation. The information collected will be used to support efforts within the Department of Homeland Security's Regulatory Reform Task Force to identify regulations that eliminate jobs, are outdated or ineffective, or impose costs that exceed benefits. The initial request is in response to executive orders 13771, 13777, and 13783. Comments now are due Sept. 11, 2017. Contact: Adam Sydnor; USCG; 202-372-1490; HQSSMB-REGreforminput@uscg.mil. Citations: 33 CFR 1 through 199, 46 CFR 1 through 499 (nonconsecutive), and 49 CFR 400 through 499

82 FR 31545 (07/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Wyoming/Normally Pressured Lance Natural Gas Development Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Land Management announces the availability of a draft environmental impact statement for the proposed Normally Pressured Lance (NPL) natural gas development project within the bureau's Pinedale and Rock Springs Field Offices, in Sublette County, Wyoming. The project would consist of the co-location of wells to a single pad, with no more than four well pads per 640 acres in areas outside of the greater sage grouse priority habitat management area. The project also would include associated access roads, pipelines, and other ancillary facilities. Comments are due Aug. 21, 2017. Contact: Susan Dailey; BLM, Pinedale Field Office; 307-367-5310; sdailey@blm.gov

82 FR 31628 (07/07/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carrier Safety/Accident Recordkeeping Requirements
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the submission of a continuing information collection request to the OMB regarding commercial motor vehicle (CMV) accident recordkeeping requirements. The collection addresses the requirement for motor carriers to maintain a registry that includes information including the date, location, driver name, number of injuries and fatalities, and whether certain hazardous materials were released for each CMV accident. The collection also addresses the requirement for motor carriers to maintain copies of all accident reports required by insurers and government entities. Comments are due Aug. 7, 2017. Contact: Robert Schultz; FMCSA, Driver and Carrier Operations Division; 202-366-4325; MCPSD@dot.gov. Citations: 49 CFR 390.15

82 FR 31682 (07/07/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
New Jersey/Alfred Heller Heat Treating Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces a proposed settlement under CERCLA Sections 104, 106, 107, and 122 with 356 Getty Avenue LLC regarding the Alfred Heller Heat Treating Superfund Site in Clifton, N.J. The settlement requires 356 Getty to pay $25,000 for the EPA's future oversight costs at the site and to perform a CERCLA removal action. The settlement also includes a covenant not to sue by the agency regarding existing contamination. Comments are due Aug. 7, 2017. Contact: Deborah Schwenk; EPA Region 2, Office of Regional Counsel; 212-637-3149; schwenk.deborah@epa.gov

82 FR 31593 (07/07/2017)

Regulatory Update

OIL AND GAS INDUSTRY
OCS Oil and Gas Drilling Operations
OIL AND GAS INDUSTRY

Notice announces the intention of the Bureau of Safety and Environmental Enforcement to seek OMB approval for a continuing information collection request regarding oil and gas drilling operations on the Outer Continental Shelf (OCS). The collection addresses the safety of drilling crews, proper use of equipment, environmental protection, and compliance with safety standards. The collection also addresses end-of-operation reporting (BSEE-0125) and well and status drilling operations (BSEE-0133/0133S). Comments are due Sept. 5, 2017. Contact: Nicole Mason; BSEE, Regulations and Standards Branch; 703-787-1607. Citations: 30 CFR 250, Subpart D

82 FR 31629 (07/07/2017)

Regulatory Update

PESTICIDES

Pesticide Tolerances/Flonicamid

PESTICIDES

Final rule of the EPA establishes tolerances for residues of the fungicide flonicamid in or on succulent shelled peas and beans at 7.0 parts per million (ppm); dried shelled peas and beans, except for soybeans, at 3.0 ppm; and legumes with an edible pod at 4.0 ppm. The rule is issued in response to a petition filed by Interregional Research Project Number 4, of Princeton, N.J. The rule is effective July 7, 2017. Objections and hearing requests are due Sept. 5, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.613

82 FR 31468 (07/07/2017)

Regulatory Update

PESTICIDES

Pesticide Tolerances/Prosulfuron

PESTICIDES

Final rule of the EPA establishes tolerances for residues of the herbicide prosulfuron in or on multiple commodities. The rule is issued in response to a petition filed by Syngenta Crop Protection LLC, of Greensboro, N.C. The rule is effective July 7, 2017. Objections and hearing requests are due Sept. 5, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.481

82 FR 31471 (07/07/2017)

Regulatory Update

RADIATION

List of Approved Spent Fuel Storage Casks

RADIATION

Direct final rule of the NRC revises the EnergySolutions™ Corp. VSC-24 Ventilated Storage Cask System listing in the list of approved spent fuel storage casks to renew the initial certificate (No. 1007) and Amendment Nos. 1-6 for an additional 40 years. The renewal requires cask users to establish, implement, and maintain written procedures for aging management program elements, including a lead cask inspection program, for VSC-24 Storage Cask structures, systems, and components important to safety. The rule also requires users to conduct periodic tollgate assessments of new information on structure, system, and component aging effects and mechanisms. The rule is effective Sept. 20, 2017, unless adverse comments are received by Aug. 7, 2017. Contact: Robert MacDougall; NRC; 301-415-5175; Robert.MacDougall@nrc.gov. Citations: 10 CFR 72.214

82 FR 31433 (07/07/2017)

Regulatory Update

RADIATION

List of Approved Spent Fuel Storage Casks
RADIATION

Proposed rule of the NRC revises the EnergySolutions™ Corp. VSC-24 Ventilated Storage Cask System listing in the list of approved spent fuel storage casks to renew the initial certificate (No. 1007) and Amendment Nos. 1-6 for an additional 40 years. The renewal requires cask users to establish, implement, and maintain written procedures for aging management program elements, including a lead cask inspection program, for VSC-24 Storage Cask structures, systems, and components important to safety. The rule also requires users to conduct periodic tollgate assessments of new information on structure, system, and component aging effects and mechanisms. A concurrent direct final rule adopts the provisions, effective Sept. 20, 2017. Comments are due Aug. 7, 2017. Contact: Robert MacDougall; NRC; 301-415-5175; Robert.MacDougall@nrc.gov. Citations: 10 CFR 72.214

82 FR 31512 (07/07/2017)

Regulatory Update

TOXIC SUBSTANCES
Chemical Substance Risk Evaluations/Scoping Documents
TOXIC SUBSTANCES

Notice of the EPA announces the availability of scoping documents for the 10 chemical substances designated for initial risk evaluations under the June 2016 amendments to TSCA (81 FR 91927; 12/19/2016). The scoping documents address the hazards, exposures, conditions of use, and potentially exposed or susceptible subpopulations the EPA expects to consider in conducting the risk evaluations. The listed chemicals are 1,4-dioxane; 1-bromopropane; asbestos; carbon tetrachloride and cyclic aliphatic bromide cluster; methylene chloride; N-methylpyrrolidone; Pigment Violet 29; trichloroethylene; and tetrachloroethylene. Because the first 10 chemicals were not subject to the prioritization process, the EPA will issue problem formulation documents intended to refine the current scope prior to publishing draft risk evaluations. The problem formulation documents are expected to be available by January 2018. The notice also announces the reopening of the existing dockets for the chemicals to receive additional information for problem formulation. Contact: Christina Motilall; EPA, Office of Pollution Prevention and Toxics; 202-564-1287; motilall.christina@epa.gov

82 FR 31592 (07/07/2017)

Regulatory Update

TOXIC SUBSTANCES
Confidential Business Information Under TSCA
TOXIC SUBSTANCES

Notice of the EPA announces the authorization of its contractor and subcontractors, Syracuse Research Corp., of North Syracuse, N.Y.; BeakerTree Corp., of Arlington, Va.; Essential Software Inc., of Potomac, Md.; and Versar Inc., of Springfield, Va., to access confidential business information submitted under TSCA. The access will occur no sooner than July 14, 2017. Contact: Scott Sherlock; EPA, Office of Pollution Prevention and Toxics; 202-564-8257; sherlock.scott@epa.gov

82 FR 31596 (07/07/2017)

Regulatory Update

TOXIC SUBSTANCES
TSCA Premanufacture and Notice of Commencement
TOXIC SUBSTANCES

Notice of the EPA announces the availability of receipt and status information regarding 47 premanufacture notices and 13 applications for test marketing exemptions received by the agency from April 3-28, 2017. Comments are due Aug. 7, 2017. Contact: Jim Rahai; EPA, Office of Pollution Prevention and Toxics; 202-564-8593; rahai.jim@epa.gov

82 FR 31598 (07/07/2017)

Regulatory Update

TOXIC SUBSTANCES
TSCA Section 4 Chemical Testing/Propanoic Acid
TOXIC SUBSTANCES

Notice of the EPA announces the receipt of information regarding propanoic acid, 2-methyl-,3-(benzoyloxy)-2,2,4-trimethylpentylester (CASRN 22527-63-5), pursuant to TSCA Section 4 and the chemical testing requirements for the third group of high production volume chemicals manufacturing (40 CFR 799.5089). The chemical substance is a plasticizer in rubber and plastic products. Contact: John Schaeffer; EPA, Office of Pollution Prevention and Toxics; 202-564-8173; schaeffer.john@epa.gov

82 FR 31596 (07/07/2017)

Regulatory Update

WATER
West Virginia/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of West Virginia's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective Aug. 7, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citations: 40 CFR 142

82 FR 31595 (07/07/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 6/15/2017 3:28:38 PM
Subject: House EPA spending chair: Budget cuts are 'untenable'

By Alex Guillén

06/15/2017 11:26 AM EDT

Lawmakers from both parties made it clear at the outset of EPA's first appropriations hearing of the year that the White House's proposed $2.4 billion cut to the agency won't fly.

House Interior-EPA spending panel Chairman Ken Calvert (R-Calif.) told EPA Administrator Scott Pruitt that the proposed budget is "untenable."

Calvert said the budget managed to cut programs important to every member of the spending subcommittee. He specifically noted cuts to a program that upgrades dirty diesel engines as key for his state of California, along with targeted air shed grants that were cut entirely from the budget, and a 31 percent reduction to Superfund clean-ups.

"These are all proposals we are unlikely to entertain," Calvert said. "This is perhaps not how you would personally craft EPA's budget, but it's the budget you have to defend here today."

The panel's top Democrat, Betty McCollum (D-Minn.) also had even harsher words for the budget proposal, which she said "would endanger the health of millions of Americans, jeopardize the quality of our air and water and wreak havoc on the economy." McCollum also slammed the proposed reduction of thousands of workers.

Calvert did praise the budget proposal for maintaining funding for key state water grants and the nascent Water Infrastructure Finance and Innovation Act program.

WHAT'S NEXT: Pruitt is facing questions today from the House spending subcommittee that will write EPA's fiscal 2018 spending bill later this summer.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/house-epa-spending-chair-budget-cuts-are-untenable-089155

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 11/16/2017 10:44:16 AM
Subject: Morning Energy, presented by Chevron: U.S. speaks today in Bonn — Burr, Tillis won't support EPA nominee — Durbin lifts some Interior holds

By Anthony Adragna | 11/16/2017 05:42 AM EDT

With help from Darius Dixon, Alex Guillén, Sara Stefanini and Eric Wolff

FINDING TEA LEAVES TO READ: The top U.S. diplomat at an international climate summit is scheduled to deliver a closely watched speech today, as world diplomats attempt to tease out a firmer sense of where the country stands in the climate negotiations. Judith Garber, the acting assistant secretary for oceans, environment and science who stepped in at the last minute to lead the State Department delegation in Bonn, Germany, is not expected to promote the White House effort calling for developing countries to build more efficient fossil fuel-fired power plants. Garber is set to speak sometime in the mid-to-late morning in the U.S., and a webcast will be available here.

World leaders who descended on COP23 Wednesday didn't dwell on President Donald Trump's intention to leave the landmark climate accord, focusing instead on the need for action, Pro's Emily Holden reports from Bonn. "The point is now to keep working [with] those that are in the agreement, those that are staying in the agreement, to walk forward, to walk fast and be able to implement Paris," said J. Antonio Marcondes, chief negotiator for Brazil. "The U.S. decision is the U.S. decision and it's up to them."

But some were worried about funding. "The U.S. team has been on the ground and they are working with us," said South Africa's Minister of Environmental Affairs Edna Molewa. "But the actual payment of the money they have committed already — it has to come." The Trump administration has said it would not pay what's left of the $3 billion the Obama administration promised to the Green Climate Fund — while leaving open the possibility working with other countries or institutions like the World Bank to finance fossil fuel or nuclear plants.

A carbon tax on EU imports?: French President Emmanuel Macron called for the European Union to impose a border tax on carbon emissions, Sara Stefanini reports from Bonn. "We need a border tax to make it possible for us to protect imports from countries that do not protect our goals," Macron said in a speech at the summit.

Germany's coal problem: Chancellor Angela Merkel broached the uncomfortable topic of Germany's coal addiction at the summit, as talks to form a coalition government after the country's recent election get down to the wire. "We know we have a long way yet to go," Merkel said in her speech. Still, coal has to make a "very important contribution" to cutting emissions, and how it does that will be discussed "very precisely" in the coming days, she said.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and the Pebble Partnership's Peter Robinson was first to identify former Rep. Austin Murphy as the person convicted of voter fraud at nursing homes. For today: Who was the other congressman, in addition to Dan

Rostenkowski, convicted in the Congressional Post Office scandal? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energ, and @POLITICOPro.

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TROUBLE FOR EPA CHEMICAL NOMINEE: Michael Dourson is one vote away from seeing his nomination go down the drain. North Carolina Republican Sens. Richard Burr and Thom Tillis announced late Wednesday they would vote against confirming his nomination to lead EPA's chemicals office, according to the Wilmington Star News . The senators cited their home state's water problems and Dourson's industry-friendly history. One more Republican defection would leave Dourson short of the support to clear the chamber, with Democrats expected to oppose him unanimously. Burr confirmed his opposition to ME: "I will not be supporting the nomination of Michael Dourson. With his record and our state's history of contamination at Camp Lejeune as well as the current Gen X water issues in Wilmington, I am not confident he is the best choice for our country."

Don't forget: Dourson is already working at EPA as a senior adviser to Administrator Scott Pruitt — a position that does not require him to go through Senate confirmation. Ethics groups said that was inappropriate when reports of the arrangement emerged last month, but EPA defended itself by pointing to other administrations that had brought on employees who were waiting to be confirmed. In fact, Pruitt began laying the groundwork to get Dourson into the building without waiting on the Senate even before his first committee hearing. Pro's Alex Guillén lays out the timeline, based on a newly FOIA'd document.

Senate EPW Ranking Member Tom Carper tweeted: "Dr. Dourson's nomination must be pulled, he should not remain in an unconfirmed role at @EPA and we must find a credible regulator who the American people can trust."

What's EPA to do? If it becomes clear Dourson doesn't have the votes, EPA would face criticism for circumventing the Senate's duty to provide advice and consent, but its other option would be to acknowledge hiring someone who couldn't clear a Republican Senate and fire him. Both seem super awkward. The agency didn't respond to request for comment.

** **A message from Chevron:** We're piloting a program that uses drones to keep an eye on Chevron wells, tanks, and pipelines—all to keep DOERS and what they're doin' safer. Watch the video: http://politi.co/2zx6RdM **

QUOTABLE: From former EPA transition official David Schnare at the Heartland Institute's gathering last week in Houston on a recording obtained by The Washington Post:

—On getting allies in the administration: "There are ways to get names in, and we've used every door and window and crack in the wall we can use."
—On forcing EPA to challenge the endangerment finding using what conservatives have derided

as the "sue and settle" approach: ""If we come up with this case and say, well, this is what we want to do, and then we send a little note off to Scott Pruitt and say, 'We are going to sue you, would you like to sit down and talk.' It's not exactly sue and settle, it's just, 'We are going to sue your a--, and you ought to settle.'"

EPA WANTS TWO YEARS TO RECONSIDER COAL ASH RULE: EPA told the D.C. Circuit on Wednesday night that it would take until December 2019 to finish reconsidering a swath of technical issues in the coal ash rule. That answer may not please the court, which will hold oral arguments over the rule on Monday and has already once rejected EPA's request to pause that lawsuit in the meantime. EPA only just last week asked for a handful of issues be remanded for reconsideration, enraging environmental groups who noted the court date is so close. In a filing Wednesday night, EPA noted that it's already working on several provisions that were remanded back in June 2016, and said completing a review and potential rewrite of all the provisions in question would mean a proposal in September 2018 and finalization in December 2019.

EASY DOES IT: The National Association of Regulatory Utility Commissioners urged the Trump administration in a resolution approved Wednesday to tread carefully as it considers trade tariffs for imported solar panels, Pro's Eric Wolff reports. "NARUC is concerned that at least some of the requested trade protections could significantly increase the price of solar panels and therefore the cost of solar electricity generation," the resolution said.

YEAH I'M THE TAX MAN: House lawmakers expect to pass their tax package, H.R. 1 (115), today but that isn't stopping the flurry of groups pushing their priorities for the final product. Upset with reductions in value to the wind production tax credit, more than 200 companies in the wind industry asked House leaders to scrap an "unprecedented claw back" of the credit and stick to a phase-out deal reached two years ago.

Ahead of the vote: A roundup of the energy and environmental provisions in the legislation here.

Wither infrastructure? The House tax vote may also spell doom for Trump's hope for a trillion-dollar infrastructure package, Pro Financial Services' Colin Wilhelm reports. The bill eliminates tax preferences for private activity bonds, which support public-private partnerships similar to those Trump had pitched as a way to pay for infrastructure investments. "If that moved forward it would pretty substantially undermine the Trump infrastructure plan," said Michael Likosky, a principal at the infrastructure advisory firm 32 Advisors.

DURBIN LIFTS SOME HOLDS: After meeting with Secretary Ryan Zinke on Tuesday, Senate Minority Whip Dick Durbin lifted two of his holds on Interior nominations, your ME host reports . That may clear a floor path for Joseph Balash's nomination to be assistant secretary for land and minerals management and Brenda Burman's selection to lead Interior's Bureau of Reclamation. Durbin didn't offer details on Zinke's decisions on each national monument designation, but told reporters: "He went through his reasoning on each one of them." Five Senate Democrats attended the session, according to the Illinois Democrat.

DOE nominees announced: Trump announced Wednesday his selection of John Vonglis, a senior adviser with Cross Range Capital, a private equity firm in New York, as the Energy Department's chief financial officer, Pro's Darius Dixon reports. He also tapped Melissa Burnison, currently the Nuclear Energy Institute's director of federal affairs, as the agency's head of congressional affairs.

TODAY'S FERC MEETING: This is expected to be Neil Chatterjee's last FERC meeting as chairman before Kevin McIntyre takes the gavel, and regulators have a few items of note on the agenda. Commissioners are slated to get their annual briefing on the agency's enforcement work, and they will consider a petition from NERC, the electric industry's reliability organization, to rework standards for detecting, assessing and limiting faults on the electric grid.

The agenda also includes the Millennium Pipeline Co.'s 7.8-mile Valley Lateral Project. FERC on Wednesday night denied a rehearing request from New York environmental regulators who were upset that FERC overrode their opposition to the pipeline. But that order did not appear to address a challenge to the underlying certificate that acted as FERC's initial green light, so commissioners may weigh in on that rehearing request today.

FERC on top? When Chatterjee met with reporters last week, he said he hoped that by the end of today's meeting he might be able to announce that FERC was "dug out from that backlog" that accumulated when it was without a quorum earlier this year. So...?

NEW PAGE: A proposal issued Wednesday by PJM Interconnection to alter its wholesale power market that is likely to lead to higher electricity prices in the region, Pro's Darius Dixon reports. "We expect that under this proposal energy market prices — and therefore energy market payments — will go up," Stu Bresler, a PJM operations and markets executive, told reporters.

FLINT MAYOR TO MEET PRUITT: Fresh off beating back a recall attempt, Flint mayor Karen Weaver returns to Washington today for meetings with White House officials and Pruitt. "This is a significant step in our effort to communicate to White House officials what we still need in Flint to fully recover from the water crisis," she said in a statement.

McCASKILL PROBES GRID CONTRACTS IN PUERTO RICO: Senate Homeland Security ranking member Claire McCaskill sent a letter to the Army Corps of Engineers on Wednesday seeking additional information on four contracts the agency awarded for grid restoration work on Puerto Rico. Among her requests: How it awarded each of the four contracts, how they each relate to grid restoration contracts given out by the island's utility and what the terms of performance are for each of them.

Ahem, seems timely: McCaskill's letter comes as much of the island was left in the dark again Wednesday after a line repaired by Whitefish Energy under its now-cancelled $300 million contract failed again, Mashable reports. Puerto Rico Gov. Ricardo Rosselló set Wednesday as his goal of restoring power to half the island, which government figures showed he met.

INHOFE OKAY WITH CLIMATE STUDY: Sen. Jim Inhofe, arguably the most ardent denier

of mainstream climate science, said he has no problem with a provision in the compromise version H.R. 2810 (115) of the National Defense Authorization Act requiring the Pentagon to detail threats posed by climate change to military installations. "Let's have it so we know if they really believe that [it's an increasing security threat to the United States]," he told reporters. "I didn't object at all to that."

FIAT CHRYSLTER HIRES TSCA REFORM AUTHOR TO LOBBY ON EMISSIONS: The American subsidiary of automaker Fiat Chrysler, has hired a bipartisan team of lobbyists from Holland & Knight, according to a newly filed disclosure. They include Dimitri Karakitsos, a Republican former EPW aide who helped write the Toxic Substances Control Act reform bill, and Rich Gold, a former aide to then-EPA Administrator Carol Browner. FCA US is currently battling EPA allegations that the company sold more than 100,000 diesel vehicles equipped to cheat emissions tests.

MAIL CALL! BIODIESEL TO TRUMP: HIGHER VOLUMES, PLEASE: The National Biodiesel board is calling on Trump to ask EPA to set advanced biofuel and biodiesel volumes significantly higher than the agency proposed over the summer. "These base numbers contained in EPA's original, July proposal ... are themselves so low that, if finalized, they will halt the growth of the biomass-based diesel industry," the board writes.

— The National Association of Convenience Stores sent a letter to the Senate Finance Committee urging it "to retain the biodiesel tax credit as a blenders' credit and phase it out responsibly." Link here.

SHOTS FIRED BACK: The Renewable Fuels Association is taking issue with a letter sent earlier this week by the Petroleum Marketers Association of America arguing the underground storage tank systems of many small businesses would be unable to handle higher percentage ethanol blends. "PMAA's claims that underground storage tanks at fueling stations cannot legally store gasoline containing 15% ethanol are grossly overstated, and their conclusion that the Renewable Fuels Standard (RFS) should thus be reduced is completely unfounded," Bob Dinneen, the group's head, said in a letter to EPW Chairman John Barrasso. "There is no basis whatsoever to PMAA's claims and there is no legal justification for this group or any other to seek a reduction in ethanol volumes under the RFS."

NEWSPAPER SUES EPA: Bay Journal Media, Inc., publisher of the *Bay Journal* newspaper, filed a lawsuit against EPA seeking documents that might explain why the agency abruptly cut off grant funding to the newspaper that had been funded since 1991. "If this decision stands, it will leave a gap in Chesapeake Bay news coverage by threatening our ability to provide the public with information about how actions by the EPA, and others, may affect restoration efforts," editor Karl Blankenship said.

MOVER, SHAKER: Colin Hayes, who stepped down as Senate Energy staff director in September, will team up with Josh Lahey, a principal at the Podesta Group, to launch their own public affairs firm, called Lot Sixteen. The new firm will focus on energy work, but "it's absolutely going to be broader than that," Lahey said (h/t POLITICO Influence).

QUICK HITS

— Perry says renegotiating NAFTA needed because of U.S. energy bounty. Houston Chronicle.

— Chemical Plant Owners Urged to Prepare for Worst-Case Flooding. Wall Street Journal.

— Woman injured in pipeline protest still being investigated. AP.

— OPEC Nears Meeting Without Clear Plan on How to Extend Cuts. Bloomberg.

— Pence promises to bring Texas 'all the way back' from Harvey. San Antonio Express-News.

— Internet Reacts to Interior Secretary Participating in Indigenous Hashtag. Teen Vogue.

HAPPENING TODAY

8:30 a.m. — Progressive Policy Institute and Common Good host a Capitol Hill forum on "Rebuilding America: What Are We Waiting For?" The Reserve Officers Association Building, Symposium Center, 4th Floor, 1 Constitution Ave NE

10:00 a.m. — "Successful Pre-Salt Auctions put Brazil's Oil & Gas Sector on Promising Path," Wilson Center, One Woodrow Wilson Plaza, 1300 Pennsylvania Ave. NW

12:00 p.m. — "Beyond Batteries: Grid-interactive Efficient Buildings," Alliance to Save Energy, Rayburn 2045

THAT'S ALL FOR ME!

** **A message from Chevron:** This is a story about energy, safety, and some truly high-flyin' doin'. We're piloting a program that uses drones, HD imaging, and thermal mapping to help keep a close eye on Chevron wells, tanks, and pipelines—all to keep DOERS and what they're doin' safer. Watch the video: http://politi.co/2zx6RdM **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/11/us-speaks-today-in-bonn-025575

Stories from POLITICO Pro

World leaders press climate case as poor countries decry loss of U.S. funds Back

By Emily Holden | 11/15/2017 03:13 PM EDT

BONN, Germany — Heads of state arrived at the international climate conference Wednesday to press ahead with negotiations on implementing the global pact, while developing countries warned the loss of U.S. money would imperil their ability to meet their goals.

Few world leaders dwelled on President Donald Trump's move to withdraw the U.S. from the Paris agreement, instead focusing on the need to set the rules for the pact.

But Germany's Chancellor Angela Merkel lauded the U.S. governors and mayors who traveled here to promote their efforts to curb carbon pollution despite the Trump administration's work to erase any trace of former President Barack Obama's climate actions.

"I very much welcome this," Merkel said. "It underlines the importance attached to climate change in broad swaths of American society, irrespective of the decision of President Donald Trump to leave the Paris agreement."

J. Antonio Marcondes, chief negotiator for Brazil, declined to comment on how the U.S. negotiators were influencing the talks other than to say "[w]e're working with them. We're talking with them. They are participating in meetings."

Countries were disappointed by the U.S. plan to withdraw from the Paris agreement, he said, but the talks were proceeding.

"The point is now to keep working [with] those that are in the agreement, those that are staying in the agreement, to walk forward, to walk fast and be able to implement Paris. The U.S. decision is the U.S. decision and it's up to them."

China's special representative for climate change, Xie Zhenhua, said the U.S. remained active in the talks and that China "hopes that the United States will continue to play a constructive role in those negotiations."

State Department negotiators in talks hadn't veered far from the positions held under previous administrations. And the White House hasn't sought to renegotiate terms already settled in Paris, raising hopes that the U.S. might ultimately alter its course and decided to remain a party to the deal after all.

Still, developing countries were worried about Trump's pronouncements that he won't fulfill Obama-era promises to fund climate action around the world.

"The U.S. team has been on the ground and they are working with us," said South Africa's Minister of Environmental Affairs Edna Molewa. "But the actual payment of the money they have committed already — it has to come."

The U.S. has contributed $1 billion of the $3 billion that Obama pledged to help poor nations fight climate change under the Green Climate Fund, but the Trump administration has said it would not pay the rest. The GCF funding, which the Paris deal says should rise to $100 billion annually from 2020 to 2025, has long been a source of tension between industrialized nations that produced most of the carbon pollution over the past century and developing countries that are seeing their emissions now climb.

Asked whether the world should trust the U.S. after it has backed out of more than one climate agreement in recent decades, Molewa said the global community is "fairly concerned."

"That's why everybody is dong the level best to get all of us sobering up and really just thinking hard about what the world needs," she said. "The issue of climate change, the fight we are engaging in, is not about us only as individual countries, but it is beyond us. For humanity to survive, it is important that we all work together."

After a last-minute announcement that U.S. Undersecretary of State Tom Shannon would not attend the high-level segments of the talks because of a family emergency, acting Assistant Secretary Judy Garber is set to make the first big speech on behalf of the U.S. on Thursday. Like Shannon, she is a career State Department official, and she is not expected to promote the White House effort calling for developing countries to build more efficient fossil fuel-fired power plants.

Although the U.S. won't contribute to the GCF, Trump aides here say they're open to working with other countries to build coal, natural gas and nuclear plants. White House energy adviser George David Banks said the U.S. may band together with countries that may want coal plants but can't get financing for fossil fuels.

"It's come up a few times, but I don't know if we've had any sort of real international discussions or lengthy discussions with potential partners on that kind of arrangement," Banks said. "I would say that the administration is interested in the idea and would like to explore exactly what it means."

The White House may also initiate discussions with development banks, like the World Bank, about financing coal projects, he said.

The administration's coal pitch could cheer politicians from heavy coal-producing nations. Jerzy Buzek, the former prime minister of Poland and current chair of the European Parliament's Committee on Industry, Research and Energy, raised questions in Brussels last week about the financing necessary to transition off of fossil fuels.

"In the medium term, we still need huge investments also into existing systems," he told reporters in Brussels.

Buzek said he supports a transition to cleaner technologies but that it "is not very easy to achieve in all the regions of the European Union. In the regions with heavy industry — let's say coal- and carbon-intensive regions — it's not easy."

Banks said the administration also supports renewable energy but couldn't offer any evidence of how.

"The United States has been helping finance the deployment of renewable energy technologies, right? But it's essentially been a job program for China and for other countries," he said.

He said the White House is conducting a review of its renewable energy policies, but declined to offer details.

David Siders, Kalina Oroschakoff and Sara Stefanini contributed to this report.

To view online click here.

Back

Macron to call for a carbon border tax and other climate measures Back

By Sara Stefanini | 11/15/2017 03:07 PM EDT

BONN, Germany — France will call on the EU to impose a border tax for carbon emissions and include environmental goals in its trade policy, among other efforts to reduce greenhouse gas emissions, President Emmanuel Macron said Wednesday.

"We need a border tax to make it possible for us to protect imports from countries that do not protect our goals," Macron said in a speech at the COP23 climate summit.

He also said France will work in the coming months on a "CO2 plan for Europe" to push the carbon trading price to €30 per ton.

"It will not be easy in any European country, there will be industrial groups who will ask for more time, say they won't be able to reach these goals," Macron said, adding that the plan will build on the "excellent" deal reached last week to reform the EU's Emissions Trading System from 2021.

"This agreement is in the right direction, but in the coming year it must be complemented with more action," he said.

Furthermore, France will support the development of electricity interconnectors with Germany, Ireland, Spain, Italy, Benelux and elsewhere to boost renewable energy use, Macron said.

France is "literally obsessed with reducing our greenhouse gases," he said, noting that it aims to close all coal-fired power plants by 2021.

That's why the government decided to drop a goal to reduce the share of nuclear power in France from 75 to 50 percent of the mix by 2025, Macron said, as closing nuclear plants would mean re-opening coal-fired power.

This article first appeared on POLITICO.EU on Nov. 15, 2017.

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EPA started hiring process for Dourson ahead of hearing, document shows Back

By Alex Guillén | 11/15/2017 05:18 PM EDT

EPA began laying the groundwork to get Michael Dourson onto the agency payroll without waiting for him to be confirmed — even before his nomination hearing occurred, according to documents obtained by POLITICO via a Freedom of Information Act request.

Dourson joined EPA as a senior adviser to Administrator Scott Pruitt sometime last month. On Sept. 20, Pruitt and EPA chief of staff Ryan Jackson signed Dourson's "position description coversheet," outlining his duties advising Pruitt on legislative and regulatory issues related to chemicals and pesticides. That was two weeks before Dourson's Oct. 4 hearing before the Senate Environment and Public Works Committee, though President Donald Trump nominated him in July as the assistant administrator for toxic substances. (In an apparent error, the document does not include Dourson's name, but was identified by EPA as Dourson's paperwork.)

The committee approved his nomination along party lines Oct. 25, but a Senate floor vote has not yet been scheduled. Dourson has drawn criticism over his past toxicology work for various companies, and some Republicans have indicated they have reservations.

EPA last month pointed out that previous administrations had hired nominees to begin working before their confirmation. The agency did not immediately respond to a request for a comment today.

Susan Bodine, who is awaiting a confirmation vote to become EPA's enforcement chief, also has already started at EPA. Pruitt and Jackson signed off on her job description July 12, according to a copy of the document obtained by POLITICO.

WHAT'S NEXT: It is unclear when Dourson may receive a final floor vote in the Senate.

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State power regulators oppose hefty solar tariffs Back

By Eric Wolff | 11/15/2017 05:50 PM EDT

The National Association of Regulatory Utility Commissioners today approved a measure asking the Trump administration to go easy on trade tariffs for imported solar panels.

The group, a trade association for public utility regulators, approved a resolution at its annual

meeting in Baltimore that said it "does not dispute" the U.S. International Trade Commission's finding that cheap imports from China and elsewhere harm U.S. manufacturing, but was concerned about potential trade barriers.

"NARUC is concerned that at least some of the requested trade protections could significantly increase the price of solar panels and therefore the cost of solar electricity generation," the resolution said.

The ITC sent its recommendations for tariffs and quotas to President Donald Trump on Monday. The Office of the U.S. Trade Representative is now taking comments on proposed remedies that it will present to Trump, who will make the final decision.

NARUC "urges the USTR, in its consideration of potential action, to carefully weigh the harm that could result to energy customers from increasing the costs of solar inputs across the country, and the potential challenges to achieving state renewable energy and greenhouse gas goals that may result from higher solar energy prices," the group said.

WHAT'S NEXT: The USTR will take comment until Nov. 20. Trump has until January to make a decision.

Emily Holden contributed to this report.

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Tax bill teed up for House vote Back

By Rachael Bade and Heather Caygle | 11/15/2017 01:15 PM EDT

House Republicans are set to pass a sweeping rewrite of the tax code Thursday, bringing President Donald Trump and the GOP closer to the major legislative win they so desperately want. And leadership apparently barely lifted a finger to whip votes this week.

Speaker Paul Ryan and his top lieutenants have been working behind the scenes on a few tax reform holdouts in recent days. But House Republicans think they've already got enough votes lined up — and have not needed to turn to Trump to flip opponents.

Republicans cleared a key procedural vote on the massive tax-cuts package Wednesday afternoon on a party-line vote. The final passage vote is expected soon after Trump rallies the GOP Conference at an 11:30 a.m. closed-door meeting in the Capitol on Thursday.

There's little room for error for Republicans. House Democrats have been working to keep their 194-member caucus together, not only to show unified opposition but to deny Republicans any opportunity to tout the bill as a bipartisan effort.

Massachusetts Rep. Richard Neal, ranking member on the Ways and Means Committee, has been keeping close tabs on the Democratic Caucus' most squishy members for months and recently redoubled his outreach to individuals who may be considering voting for the GOP plan. On Wednesday, House Minority Whip Steny Hoyer predicted that not a single Democrat will vote for the tax package.

"I don't think we'll lose anybody," Hoyer told reporters. "I think the consensus conclusion of almost every Democrat — pro-business Democrat, conservative Democrat — is that this bill is not good for the country, is not good for average working people."

White House sources say they're focusing all their energy on the Senate, with little concern about the House vote. The House whip team has not had to turn to the president to move people from "no" to "yes" — if only because most Republicans are so desperate for a legislative win. That's a shift from a few months ago, when Trump persuaded wavering House members to pass legislation repealing Obamacare.

Republicans can afford to lose only 22 GOP votes. Most of those opponents, House Republican sources say, will be lawmakers from high-tax states, including half the delegation from New York and most of New Jersey, and perhaps one or two from California. Those members' constituents could see a tax increase under the GOP plan because the bill axes their most prized tax break: the state and local tax deduction.

House Majority Leader Kevin McCarthy of California has been working to keep fellow California Republicans on board after Rep. Darrell Issa peeled off last week. It's unclear whether any other Golden State Republicans will join him in opposing the legislation, though sources say several are concerned about how the bill will affect their districts.

Issa told reporters Wednesday that he expects "two or three" California Republicans to follow suit.

Meanwhile, some conservatives are sulking over leadership's refusal to include a repeal of Obamacare's individual mandate in the tax bill.

GOP leaders originally argued that mixing controversial health care matters with taxes could kill the tax package, legislation they believe they must pass to save their majority in 2018. They speculated that the Senate would be unlikely to pass such legislation if the two were combined — particularly because the upper chamber failed to rally around a single Obamacare replacement proposal.

But on Tuesday, Senate Republicans added the mandate repeal to their bill, surprising House GOP leaders and causing envy among some rank-and-file House members. Republican Study Committee Chairman Mark Walker of North Carolina tried to persuade House leaders Tuesday night to add the mandate repeal to the House bill, offering an amendment cosigned by 60 House Republicans during a Rules Committee hearing to combine the two issues. Leaders rebuffed him.

Despite some unhappiness with the final House product, GOP leaders have been selling members on the House plan by arguing that the bill they pass Thursday will not be the final version that heads to Trump's desk. Ryan has promised lawmakers that the House will go to conference with the Senate — and that any outstanding concerns could be addressed at that time.

That argument appears to have won over a large swath of lawmakers. Conservatives who want the individual mandate in the bill are willing to wait. Others with more niche concerns — like preserving the historic tax credit to renovate older buildings, or changes they want made to the small business tax cuts — are similarly holding their fire.

That's still a few weeks away, as Senate Republicans are expected to vote on their tax bill after Thanksgiving. After Senate passage, GOP leaders in both chambers will appoint conferees to begin hashing out their differences, from the phase-in of the corporate tax cuts to how they handle high-tax areas.

House Democrats, meanwhile, are working to keep members unified in opposition to the bill.

The White House and Ways and Means Committee Chairman Kevin Brady had courted some Blue Dogs and other moderate Democrats since the spring, hoping to pick off a few when their bill eventually made it to the floor.

Neal has met with each coalition within the caucus in recent months from the pro-business New Democrats to the Congressional Progressive Caucus to get a read on members. And in the two weeks since the House GOP bill was first introduced, he touched base with members considering supporting the plan, working them on the House floor or coordinating with other messengers to talk to them.

In a coup for Democrats, the leaders of the centrist Blue Dog Coalition put out a statement Wednesday announcing their opposition to the bill. The group, whose 18 members were seen as the most likely defectors, cited the tax bill's deficit-busting numbers as the ultimate reason they decided to oppose the plan.

But privately, Democrats said they also were discouraged by Republicans' promises of bipartisanship before shutting them out of every part of the process.

"I think this is probably one of the most hypocritical bills that I've seen on the floor of the House of Representatives," Hoyer said. "It is one of the most fiscally reckless bills that has been presented. And I think there's a consensus in our party that that's the case."

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House tax bill slashes value of wind energy tax credit Back

By Eric Wolff | 11/02/2017 02:20 PM EDT

The House tax bill released Thursday would substantially reduce the value of a key wind energy incentive, tighten requirements on what renewable energy companies have to do to qualify for tax credits, extend a nuclear energy tax break, and restore support for clean energy technologies that had been "orphaned" from an earlier tax extenders law.

The bill also eliminates an electric vehicle tax credit and jettisons some little-used oil industry tax breaks — as well as getting rid of the more significant domestic production tax deduction enjoyed by oil companies and other manufacturers.

The wind industry was quick to condemn the changes to its tax treatment.

"Despite comments to the contrary, this proposal reneges on the tax reform deal that was already agreed to, and would impose a retroactive tax hike on an entire industry," Tom Kiernan, CEO of the American Wind Energy Association, said in a statement. "The House proposal would pull the rug out from under 100,000 U.S. wind workers and 500 American factories, including some of the fastest growing jobs in the country. We expect members of the House and Senate to oppose any proposal that fails to honor that commitment, and we will fight hard to see that wind energy continues to work for America."

Here are some highlights from the text and a section-by-section summary provided by the Ways and Means committee.

— **PTC cutbacks:** The bill would reduce the value of the Production Tax Credit to 1.5 cents per kilowatt-hour, the level it was set at in 1992, rather than indexing it for inflation. That would reduce its value far beyond the terms of a tax credit phase-out that was implemented with bipartisan support in 2015. Wind farms and other eligible projects that begin construction this year can now claim a 1.9 cents/kWh credit, down from 2.3 cents/kWH for projects that started last year. The credit is scheduled to disappear for projects built after 2019 under current law, a schedule maintained in the House bill.

Developers also would face tougher requirements to claim the credit, the value of which is determined by when construction begins. The House bill requires a "continuous program of construction" until a facility comes online in order to qualify for the credit, eliminating provisions of existing law that allow developers to make "safe harbor" investments to qualify. The Joint Committee on Taxation says eliminating the inflation-adjustment and tightening the construction requirements will save $12.3 billion over 10 years, according to the bill summary.

— **ITC repealed after 2027, orphan credits revived** : The House bill extends the investment tax credit for a set of "orphaned" technologies left out of the 2015 legislation phasing out the ITC and PTC over five years. Fuel cells, small wind turbines, combined heat and power systems and microturbines can now claim the ITC until Jan. 1, 2022, with the credits phasing down at the same rate as the solar ITC. But what was to be a permanent 10 percent tax credit for solar investments will now terminate at the end of 2026. The House bill includes similar "continuous construction" requirements for the ITC as for the PTC. The changes would cost the government

$1.2 billion in reduced revenues over 10 years, according to JCT estimates cited in the bill summary.

— **Advanced nuclear tax credit extended:** The bill extends a tax credit for advanced nuclear projects, allowing the secretary of Treasury to transfer unused credits after 2020, which was the in-service deadline under current law. The extension has long been a priority for South Carolina Republican Sens. Lindsey Graham and Tim Scott, among others. The credits would cost $400 million over 10 years.

— **Utilities keep interest deduction**: The bill would change how much loan interest some businesses can deduct form their taxes, while allowing them to take advantage of full expensing of capital investments. However, it excludes regulated utilities from the new rules, providing a win for the industry. Eric Grey, director of government relations for the Edison Electric Institute, a trade group, told POLITICO in September that losing the interest tax deduction was a major concern for utilities. Overall, JCT estimates the deduction-and-expensing changes would save the government $172 billion over 10 years.

— **No more 199:** The House bill would eliminate the domestic manufacturing credit known as section 199. Current law allows certain oil and gas companies to claim a 6 percent tax deduction, and other manufacturers can claim a 9 percent deduction, but the House bill would strip section 199 from the tax code starting next year. Doing so would save $95.2 billion over 10 years.

— **Minor oil credits repealed:** The bill repeals two small oil industry credits that have barely been used because they only kick in when commodity prices are low. Repealing the enhanced oil recovery credit would cost the government about $200 million over 10 years, while eliminating the marginal well production credit would have no effect on revenues.

— **EVs lose credit:** The bill repeals a $7,500 tax credit for electric vehicles. It is part of a slew of tax credits, along with a mortgage credit, and an adoption credit, that the bill proposes repealing. Repealing all of the credits would save $4 billion over 10 years, but the summary does not include a JCT estimate for the electric vehicle credit alone.

— **Biodiesel, CCS missing:** An expired biodiesel blenders credit was not restored, something likely to become an issue in the Senate where Sen. Chuck Grassley wants it revived as a producers credit; and a credit for carbon capture and sequestration did not get in the text, despite having bipartisan support.

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Tax reform may doom Trump infrastructure plan Back

By Colin Wilhelm | 11/16/2017 05:01 AM EDT

The tax reform bill set to be voted on Thursday by the House of Representatives could kill any chance of the Trump administration's trillion-dollar infrastructure plan ever happening.

At best, House support for the plan would signal lukewarm backing among Republicans for President Donald Trump's ambitions. At worst, the bill would effectively end the funding structure that the administration touts as a way to reach its $1 trillion target and minimize the burden on taxpayers.

The House bill ends tax breaks for private activity bonds, a key part of public-private partnerships in projects ranging from roads to low-income housing. The administration has said it wants to leverage those partnerships to reduce the direct cost of the president's building plan.

Private activity bonds leverage local or state government debt for a project deemed to be a public good but too expensive for that government to manage, so it arranges for a private entity to run it. Examples range from aquariums to water systems. Those bonds come with a tax exemption, as other municipal bonds do, on what they pay out to entice investors to buy them.

The White House did not comment on the change, but suggested that it would attempt to restore tax breaks for that type of infrastructure financing.

"We will continue working with Congress throughout the process to ensure that the President's priorities are reflected in the tax cut bill that reaches his desk," White House deputy press secretary Lindsay Walters said in an emailed statement to POLITICO.

Rep. Bill Shuster (R-Pa.), chairman of the House Transportation Committee, said he was concerned about repealing the tax exemption for those bonds.

"I don't know that there's a commitment" to restore the bond exemption between the House and Senate when they reconcile their bills. "There's a lot of money on the sidelines that comes into play, so I think it's something that would hopefully be put back in there."

Added Shuster: "The president's talked about doing these kinds of things, so it's not a helpful thing" for Trump's building plan.

Infrastructure experts agreed.

"If that moved forward, it would pretty substantially undermine the Trump infrastructure plan," said Michael Likosky, a principal at the infrastructure advisory firm 32 Advisors. "A large amount of infrastructure is financed through the tax code."

The head of the infrastructure financing desk for one major bank, who asked not to be named for fear of being seen as critical of Congress, said he viewed the tax reform provision as a sign of the House's rejection of Trump's infrastructure plan.

"Infrastructure is a lower priority for the House of Representatives as they've wrestled with tax reform," he said.

Matt Fabian, a partner at Municipal Market Analytics, estimated that 80 percent of the public-private partnerships that Trump would rely on to pay for new building use private activity bonds.

Elimination of such bonds would "effectively neuter" any infrastructure agenda that would use private financing, Fabian said.

The Joint Committee on Taxation, which does nonpartisan economic and budgetary analysis for Congress, estimates that eliminating those bonds would raise almost $40 billion over 10 years, which would help make up for lost revenue from tax cuts made by the House reform bill.

Republicans need to meet strict budget requirements to pass tax reform along a party-line vote in the Senate.

Unless Trump can create an unlikely alliance of Democrats and Republicans to pass $1 trillion in new infrastructure spending, repeal of the bonds could effectively end those hopes. That may set up a high-stakes fight to save the exemption if the House and Senate have to agree on unified tax reform legislation.

Shuster and other infrastructure spending supporters hope that the issue will be fixed, in part because the Senate's version of tax reform includes the private activity bond exemption. But the Senate tax bill is already over the budgetary limit for money the government may lose under the tax reform bill it's considering. That makes it more likely that provisions repealed by the House to fit those budgetary requirements will be included in a final product.

Even Republican supporters of private activity bonds sounded pessimistic.

"Finding revenue, finding the scorer space, it's an inside-D.C./Beltway problem; but it's the reality of the legislative sausage-making process that we're dealing with, and so finding the revenue is one of the difficult questions that has to be answered," said Rep. Tom Reed (R-N.Y.). "Even after tax reform, we're not going to give up the fight, because I believe in these types of programs."

Likosky and other infrastructure financing experts expected major municipal bond market distortions for the remainder of the year, due to a rush to market for private activity bonds before they would be repealed by the House bill.

"The muni market itself would shrink accordingly," Fabian said, and federal government aid to assist those programs would likely need to increase to offset it. Airports, hospitals and other institutions reliant on private activity bonds may increase costs to individuals to make up for the shortfall if that federal aid didn't come.

Fabian said he expected projects important to the constituencies of many Republicans, like rural hospitals, small religious universities and charter schools, to be hit particularly hard by loss of the bonds.

According to Chris Hamel, head of the infrastructure investment group for Royal Bank of Canada, a portion of low-income housing construction would also likely stall out. According to RBC, private activity bonds financed over $4 billion worth of low-income housing projects in 2016.

But some view private activity bonds skeptically as government subsidization and see no problem killing them, regardless of the impact on Trump's infrastructure ambitions.

"What it does is dries up another revenue source with regard to that particular form of infrastructure," said Rep. Mark Sanford (R-S.C.), who sits on the House Transportation Committee. "But I think that there is fairly unanimous consent, within at least the House [Republican] conference, that they need to go."

Multiple members said they have yet to hear much pushback on the repeal from the White House, either, suggesting a potential abandonment of the private financing route for Trump's infrastructure plan.

"I think that's been a valuable tool," said Rep. Pat Tiberi (R-Ohio), a Ways and Means member. "If there is some abuse, which some say there has been, I would be for trying to limit [the private activity bond tax exemption's] scope. If it ends up being repealed, I think it will have an impact on the housing market."

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Durbin lifts some Interior holds after Zinke meeting Back

By Anthony Adragna | 11/15/2017 03:13 PM EDT

Senate Minority Whip Dick Durbin told reporters today he's lifting holds on two Interior nominees after a meeting Tuesday in which Secretary Ryan Zinke walked five senators through his decisions on national monument designations.

"He went through his reasoning on each one of them," Durbin (D-Ill.) said. "I thought it was terrible reasoning on Bears Ears." He didn't offer further details.

Also attending the meeting with Zinke were Democratic Sens. Catherine Cortez Masto of Nevada, Martin Heinrich of New Mexico, Jeff Merkley of Oregon and Tom Udall of New Mexico, according to Durbin.

A spokesman clarified Durbin lifted his hold on Joseph Balash's nomination to be assistant secretary for land and minerals management and would also lift his hold this afternoon on Brenda Burman to lead Interior's Bureau of Reclamation.

Durbin and Zinke got into a war of letters last week over holds on two additional nominees besides Balash and Burman: Ryan Nelson to be agency solicitor and Susan Combs to be Interior's assistant secretary for policy, management and budget.

WHAT'S NEXT: Lifting the holds could clear the way for fast floor consideration of Balash and Burman.

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White House announces picks for DOE CFO, congressional affairs Back

By Darius Dixon | 11/15/2017 05:54 PM EDT

President Donald Trump intends to nominate John Vonglis as the Energy Department's chief financial officer, and Nuclear Energy Institute official Melissa Burnison as the agency's head of congressional affairs, the White House announced today.

Vonglis is a senior advisor with Cross Range Capital, a private equity firm in New York. He has previously held positions with Red Apple Group, The Hudson Group and IBM. During the George W. Bush administration, Vonglis, a colonel in the Army Reserve, served in the Department of Defense in various roles, including acting assistant secretary for financial management and the chief management officer of the Air Force. He also ran for a House seat in 2000, the White House states.

Burnison, who will be nominated as the DOE assistant secretary for congressional intergovernmental affairs, is NEI's director of federal affairs. Before NEI, she was a senior advisor at DOE and with the House Natural Resources Committee. According to the White House, she began a career on Capitol Hill with Sen. Mitch McConnell, of her home state of Kentucky, and worked for former Tennessee Rep. Zach Wamp.

WHAT'S NEXT: The White House must formally nominate the picks and send their paperwork to the Senate before the Senate Energy and Natural Resources Committee will hold a hearing.

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FERC overrules New York's pipeline project rejection Back

By Darius Dixon | 09/15/2017 01:32 PM EDT

FERC cleared the way today for a natural gas pipeline in New York, ruling the state had taken

too long to issue its rejection of the project — a decision today that may signal how Washington could curtail states' efforts to stall energy infrastructure projects.

FERC's three sitting commissions ruled in in favor of the Millennium Pipeline Co.'s 7.8-mile Valley Lateral Project, saying the New York Department of Environmental Conservation had waived its right to determine whether the project met CWA requirements because it had wrongly interpreted when the law's one-year review period for the application had started.

The NYDEC argued that its clock to review applications starts when it deems the paperwork complete — a date that was delayed by two state requests for additional information in Millennium's case. But FERC decided the one-year period started when the application was initially received by state regulators in 2015, making New York's rejection of the water quality clearance on Aug. 30 invalid.

"Giving effect to the plain text of a statute, the one-year review period began November 23, 2015, the date that New York DEC received the application," FERC's order states.

The new pipeline is designed to connect Millennium's mainline to the proposed CPV Valley Energy Center.

WHAT'S NEXT: New York can challenge FERC's interpretation in at the agency and request that a federal court issue an injunction on construction.

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PJM floats market plan that would boost power prices Back

By Darius Dixon | 11/15/2017 05:16 PM EDT

The PJM Interconnection issued a proposal today to alter its wholesale power market that is likely to lead to higher electricity prices in the region.

"We expect that under this proposal energy market prices — and therefore energy market payments — will go up," Stu Bresler, a PJM operations and markets executive, told reporters on conference call this afternoon.

While payments to power plants that participate in PJM's capacity markets would likely go down, he said, "the net impact in the total, combined energy and capacity markets, costs will be [up] somewhere between around 2 and 5 percent."

PJM's plan would allow power plants that can't quickly alter their output, like nuclear generators, to set market prices.

"When the cost of an inflexible unit that is needed to serve demand is precluded from setting price, the [local price] does not accurately reflect the true incremental cost to serve load," PJM's proposal states.

Second, the proposal would increase the window for the market's so-called shortage pricing, a period when power payments are higher because of a lack of generating capacity. Shortage pricing currently doesn't kick in until the 10 minutes before a potential shortfall, but PJM wants that increased to 30 minutes.

Bresler emphasized that PJM's proposal was under development long before Energy Secretary Rick Perry's grid resiliency proposal.

"We don't think we have the issue that the DOE seems to think we have," Bresler said, noting that PJM has been working on pricing issues for a year.

WHAT'S NEXT: Bresler said that a panel within PJM would start looking at the proposal on Dec. 7 but the plan is unlikely to get to FERC until fall 2018.

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By Anthony Adragna | 06/12/2017 05:41 AM EDT

With help from Sara Stefanini and Anca Gurzu

CIAO! ARRIVEDERCI! EPA Administrator Scott Pruitt will not appear alongside his counterparts from the rest of the G-7 today to close out the environmental ministers meeting in Bologna, Italy, because he left after the first few hours of the confab on Sunday. "As planned, Administrator Pruitt is returning home to attend the first full cabinet meeting at the White House," EPA spokesman Lincoln Ferguson told ME. "Senior staff will remain in Bologna and continue to engage in proactive discussions with our international partners." President Donald Trump is scheduled to convene his full Cabinet for the first time today.

Stark divisions remain — and aren't likely to bridged: The G-7 environment ministers meeting comes less than two weeks after Trump announced he would pull the U.S. out of the Paris climate agreement, a decision that has strained diplomatic relations. Ministers are still expected to issue a communiqué today, but the other nations have made clear their displeasure at the U.S. leaving the Paris pact. German Environment Minister Barbara Hendricks told reporters there will be one, but that it will "differentiate the opinions " (which sounds like what G-7 leaders did in their statement last month). Italian Environment Minister Gian Luca Galletti described the differences in perspectives on Paris between the U.S. and the other six nations as "distant."

All welcome to Paris: Patricia Espinosa, head of the United Nations climate change secretariat, told the ministers she intends to open the door for regions, cities and other sub-national players to join the international talks, said Carlo Carraro, a member of the U.N.'s International Panel on Climate Change Bureau. "This is obviously important, because cities like New York and states like California that intend to pursue the same direction — of reducing emissions very ambitiously — will have a voice and will be able to sign agreements inside the international convention on climate change."

So, what'd Pruitt do while in Italia? EPA has declined to provide information on Pruitt's schedule during his taxpayer-funded trip, but he tweeted about a series of meetings in Europe. They included ones with Japan's environment minister, Britain's Department for Environment Food & Rural Affairs minister Therese Coffey, Galletti, more business representatives, judicial officials in Rome and Vatican representatives. Espinosa and Hendricks posted their own photos of meetings with Pruitt. Family portrait here.

"The United States has always been a world leader when it comes to environmental stewardship, and that was demonstrated on a global stage today," Pruitt said in a statement after he left. "I believe engaging in international discussion is of the utmost importance to the United States when it comes to environmental issues."

WELCOME TO MONDAY! I'm your host Anthony Adragna, and ClearPath Foundation's Spencer Nelson was first to identify Sen. Ron Wyden as the senator whose spouse co-owns the Strand Bookstore. For today: What state has gone the longest since its last Democratic senator? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

BEARS EARS ANNOUNCEMENT COMING: Interior Secretary Ryan Zinke's recommendation on the fate of 1.4 million-acre monument Bears Ears National Monument was due to the White House last weekend, and the Trump administration is expected to announce its decision shortly. Sen. Orrin Hatch, dean of the Utah congressional delegation, said in a weekend statement he was "prepared to support whatever recommendation Secretary Zinke offers to the president at the conclusion of a thorough review process." Zinke's recommendations could be to shrink or completely revoke the monument designation, moves sure to be staunchly opposed by green groups and Democrats in Congress, or he could press for lawmakers to craft a legislative solution.

ICYMI: Pro's Esther Whieldon scored an interview with former Interior chief Sally Jewell, who said the Obama administration opted to designate Bears Ears because "no credible effort was put forth by the Utah delegation to do it through congressional means in spite of repeated offers and efforts to help them do that." Republicans strongly dispute that contention, saying it was environmentalists who walked away from legislative negotiations.

CLIMATE HITS THE C SUITES: Pro's Ben Lefebvre examines growing momentum from activist investors calling on major energy companies to disclose how government efforts to limit global warming to 2 degrees Celsius would affect their businesses. Majority owners of three major energy companies — Exxon Mobil, Occidental Petroleum and Pennsylvania-based PPL Electric Utilities — backed resolutions along those lines this year and similar efforts came within percentage points of passage at Ameren, Dominion Energy, Duke Energy and DTE.

LATEST VOLLEY IN EXXON V. SCHNEIDERMAN: Exxon Mobil said in a Friday filing it was appropriate to use different carbon prices in calculations conducted for different purposes, including some taking global energy demand and prices into account and others calculating possible project investments, Pro's Ben Lefebvre reports . "ExxonMobil has not said that it relied on one set of figures for all purposes, and a reasonable investor would not draw such a conclusion from ExxonMobil's public statements," the fossil fuel giant's attorneys wrote. New York Attorney General Eric Schneiderman has argued Exxon may have defrauded investors by keeping its in-house research on climate change hidden, though the company has refused to comply with all of the his subpoena requests and accused Schneiderman of using the litigation to further his career.

HITTING THE FAST LANE: The Senate Environment and Public Works Committee plans to vote on the renomination of Nuclear Regulatory Commission Chairwoman Kristine Svinicki on June 15, separating her nomination from those of two other NRC picks, Pro's Darius Dixon reports. Lawmakers will hold a rescheduled nomination hearing for Svinicki, NRC nominees Annie Caputo and David Wright and EPA enforcement nominee Susan Bodine on Tuesday.

SCIENTIFIC INTEGRITY MEETING PUSHED: EPA will invite more industry participants to a meeting hosted by the agency's scientific integrity official after House Science Chairman Lamar Smith complained the guest list was too tilted toward environmentalists, Pro's Alex Guillén reports. EPA "recently sent invitations to additional organizations representing the regulated community and state governments," Robert Kavlock, the acting assistant administrator for research and development, wrote last week to Smith. The meeting was initially planned for Wednesday, but it has been postponed and will be rescheduled. The scientific integrity official, Francesca Grifo, has been out sick in recent weeks.

DOZEN MORE CITIES POST CLIMATE DATA: Following the lead of Chicago Mayor Rahm Emanuel, 12 more cities are joining efforts to post EPA climate change information that the Trump administration has removed from its website. "I will continue to work with these Mayors and all those involved in the Climate Alliance to take action at the local level, including honoring the Paris Agreement," Emanuel said in a statement. Cities joining the effort are Atlanta; Boston; Evanston, Ill.; Fayetteville, Ark.; Houston; Milwaukee; New Orleans; Philadelphia; Portland, Ore.; San Francisco; Seattle; and St. Louis.

DEFENSE'S ENERGY WIZARD TAPPED: Trump late Friday announced his intent to nominate Lucian Niemeyer to serve as assistant secretary of Defense for Energy, Installations and Environment. He was previously a long-time staffer on the Senate Armed Services Committee where he ran the military installation portfolio and conducted oversight of federal energy and environmental programs. He currently works as a senior adviser to the Roosevelt Group, according to the defense consulting firm's website.

MINOR ENERGY BILLS HIT HOUSE FLOOR: Lawmakers today vote on 10 minor energy bills in the House with most having to do with extending the deadlines for hydroelectric power projects. A couple of exceptions: H.R. 338, which aims to have DOE prioritize training for modern energy and manufacturing jobs; H.R. 1109, which would amend the Federal Power Act to set $10 million as the minimum threshold for mergers and acquisitions subject to FERC jurisdiction and H.R. 627, which aims to spread information about federal programs available to help schools fund energy efficiency efforts. Full list of bills available here.

SCHUMER PUSHES REPUBLICANS ON OVERSIGHT REQUESTS: Senate Minority Leader Chuck Schumer hailed Sen. Chuck Grassley's letter calling an administration policy pushing agencies to only respond to Republican oversight requests "nonsense " and urged other Republican chairmen to follow of the Iowan's lead. "We believe the administration has a responsibility to be responsive to oversight requests regardless of party," Schumer said in a statement. "We hope other Republican chairmen will follow Chairman Grassley's lead in demanding the administration withdraw this misguided memo."

POLIS LAUNCHING COLORADO GOVERNOR BID: Colorado Rep. Jared Polis will this week jump into a crowded Democratic field seeking to replace term-limited John Hickenlooper, POLITICO's Rebecca Morin reports. One of the key planks of his bid, he told the Denver Post, will be getting the state to 100 percent renewable energy by 2040.

MORE STAFFING UP: Veteran Hogan Lovells energy attorney Patrick Traylor has joined EPA as a deputy in the Office of Enforcement and Compliance Assurance, Pro's Alex Guillén reports, citing the agency's website and Traylor's LinkedIn profile . He's specialized in Clean Air Act issues, environmental litigation and infrastructure at Hogan Lovells, where he's worked since 1997. Previous clients include: utility Southern California Edison; Venture Global LNG, a natural gas exporter; Flint Hills Resources, a Koch subsidiary refiner; Koch Nitrogen, maker of synthetic fertilizer; and several wind companies seeking Endangered Species Act permits.

ELECTRIC BIGWIGS GATHER: The Edison Electric Institute gathers today in Boston to kick off its annual conference. Keynote speakers include NBC's Tom Brokaw and retired general Keith Alexander. Full schedule here.

QUICK HITS

— Russia, Saudis See Oil Inventories Falling After Price Drop. Bloomberg.

— 193 nations urge action to protect oceans — with US protest. Washington Post.

— Climate change seen as posing risk to coastal areas. AP.

— Even in Nebraska, which hasn't shied away from coal, other energy sources are gaining use. Omaha World-Herald.

— Drilling near W. Texas springs spurs intense scrutiny. Longview News-Journal.

— Toshiba to Cough Up $3.68 Billion to Finish Troubled U.S. Nuclear Plant. Wall Street Journal.

HAPPENING THIS WEEK

MONDAY

9:00 a.m. — "8th Annual Citizens' Climate International Conference & Lobby Day," Citizens Climate Lobby, Omni Shoreham, 2500 Calvert Street NW

9:30 a.m. — "China's Great Green Grid? Capturing Wasted Wind and Solar Power for Bluer Skies and Clearer Waters," Wilson Center, One Woodrow Wilson Plaza, 1300 Pennsylvania Ave. NW

12:00 p.m. — "A Conversation with Meg Gentle, President & CEO, Tellurian Inc.," The Atlantic Council, 1030 15th Street NW, 12th Floor

TUESDAY

9:00 a.m. — "The Methanol Policy Forum," National Press Club, 529 14th St. NW, 13th Floor

10:00 a.m. — Senate committee hearing on NRC and EPA nominations, Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — "Small Watershed Infrastructure: Continuing the Mission, Building upon Success," House Agriculture Committee's Conservation and Forestry Subcommittee, 1300 Longworth

WEDNESDAY

10:00 a.m. — "States' Perspectives on Energy Security Planning, Emergency Preparedness, and State Energy Programs," House Energy and Commerce Energy Subcommittee, 2123 Rayburn

10:00 a.m. — "Legislative Hearing on S. 517, the Consumer and Fuel Retailer Choice Act," Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — Legislative hearing on "Sportsmen's Heritage and Recreational Enhancement (SHARE) Act," House Natural Resources Federal Lands Subcommittee, 1324 Longworth

2:00 p.m. — Subcommittee legislative hearing to receive testimony on various bills, Senate Energy and Natural Resources Subcommittee on Water and Power, 366 Dirksen

2:30 p.m. — Senate Appropriations Committee hearing on the National Nuclear Security Administration, 138 Dirksen

THURSDAY

9:30 a.m. — "U.S. launch of the BP Statistical Review of World Energy 2017," Atlantic Council, 1030 15th Street NW, 12th Floor

10:00 a.m. — "Legislative Hearing on Discussion Draft of Resilient Federal Forests Act of 2017," House Natural Resources Subcommittee on Federal Lands, 1324 Longworth

10:00 a.m. — "Hearing to examine the President's budget request for the U.S. Forest Service for Fiscal Year 2018," Senate Energy and Natural Resources, 366 Dirksen

11:00 a.m. — "Environmental Protection Agency - Budget Hearing with Administrator Scott Pruitt," House Appropriations Interior, Environment, and Related Agencies Subcommittee, 2007 Rayburn

12:30 p.m. — Natural Gas Roundtable with BP Group Chief Economist Spencer Dale, American Gas Association, University Club, 1135 16th Street, NW

FRIDAY

12:00 p.m. — "The Western Energy Imbalance Market," Women's Council on Energy and the Environment, FERC, 888 First Street, NE

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/pruitt-briefly-attends-g7-environment-meeting-023247

Stories from POLITICO Pro

Italian minister: G-7 'distant' on climate change Back

By Sara Stefanini | 06/11/2017 11:06 AM EDT

BOLOGNA, Italy — G-7 ministers are in "complete agreement" on all the environmental issues they're discussing today and Monday — except for climate change, Italian Environment Minister Gian Luca Galletti told reporters today.

The two-day G-7 environment ministers gathering comes 10 days after President Donald Trump confirmed that he would withdraw the U.S. from the Paris climate agreement.

But even before his announcement, American resistance to tackling climate change emerged as a sticking point at the G-7 leaders' summit last month and the G-7 energy meeting in April, where the ministers failed to agree on a communiqué.

"The positions, especially on Paris, are distant positions," said Galletti, host of the environment meeting.

"Here in Bologna we're doing very important work, we're mending. We'll only know at the end what result it will have, but we have already obtained a result because we continue to talk, to identify solutions and common objectives," he added. U.S. Environmental Protection Agency Administrator Scott Pruitt is in Bologna representing the U.S. but is leaving this afternoon.

Galletti said his early departure was always planned because of a meeting with Trump.

"The administrator has had bilateral meetings with a number of our G-7 partners discussing the importance of engagement and environmental issues including conservation, food waste, climate, marine litter and resource efficiency," Lincoln Ferguson, Pruitt's spokesman, told POLITICO by email.

Patricia Espinosa, head of the United Nations' climate change secretariat, told reporters that Pruitt said the U.S. wants to continue to make efforts to combat climate change and engage with the secretariat.

This article first appeared on POLITICO.EU on June 11, 2017.

To view online click here.

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Zinke's Bears Ears plan due this weekend Back

By Esther Whieldon | 06/09/2017 03:28 PM EDT

Interior Secretary Ryan Zinke is slated to send the White House his recommendations this weekend on whether to roll back the Bears Ears National Monument in Utah that was established in the waning days of the Obama administration.

The 1.4 million-acre monument was among the final conservation acts under former President Barack Obama, who added nearly 760,000 square miles to the nation's protected lands during his two terms, angering Republicans who accused him of overriding local opposition and abusing the Antiquities Act to put vast acreage off limits for commercial activity, including mining, oil and gas development.

Before the monument designation, oIl and gas producer EOG Resources had planned to drill new exploratory wells there as part of its operations in the lucrative Uinta Basin, a move that drew opposition from local groups that complained the work would spoil an important gateway to the Bears Ears site.

Zinke, who traveled to Bears Ears and the Grand Staircase-Escalante monuments last month, could recommend that President Donald Trump shrink or completely revoke the monument designation — moves that environmental groups and Democrats in Congress have vowed to fight — or he could press for lawmakers to come up with a legislative solution, a path that yielded no success in the past.

According to Zinke's predecessor, former Secretary Sally Jewell, the administration had held off establishing the Bears Ears Monument until it failed to reach a deal to address its concerns through the Utah Public Lands Initiative legislation proposed by Utah Republicans Rob Bishop and Jason Chaffetz.

"The Bears Ears Monument declaration was done in December because no credible effort was put forth by the Utah delegation to do it through congressional means in spite of repeated offers and efforts to help them do that," Jewell told POLITICO.

Jewell said her agency had been in discussions with Utah lawmakers on legislation that could pass both chambers, and that Obama had delayed creating the monument hoping for a compromise that would "recognize the areas that were very important for conservation and preservation" as well as those with "high development potential largely for oil, gas and mining."

But the legislation that emerged, she contended, did not include compromise language the administration hoped would garner bipartisan support in Congress. Instead, she said, Bishop's legislation had changed the definition of wilderness, transferred firefighting efforts over to the

state and allowed motorized equipment in wilderness areas for tree clearing.

Bishop denies that his legislation surprised anyone, saying it was the environmental community that "bailed on us" early in 2016. Bishop's committee passed the Public Lands Initiative in September, but the measure never made it to a floor vote.

Obama's move to create the monument drew an angry reaction from the Utah delegation, including Chaffetz, who called Bears Ears a "midnight monument" that disregarded economic development and multiple land use provisions that had been in a bill.

Sen. Orrin Hatch (R-Utah) also disputed Jewell's contention, saying in an emailed statement that it was the previous administration that did not work in good faith with the Utah delegation and ultimately "chose to run down the clock."

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As Trump exits Paris accord, investors bring climate change into boardrooms Back

By Ben Lefebvre | 06/09/2017 03:33 PM EDT

As President Donald Trump reduces the pressure on businesses to deal with climate change, activist investors are flooding company shareholder meetings to apply it themselves.

The grassroots campaign has picked up significant momentum, even as it has been overshadowed by Trump's decision to abandon the Paris climate accord and his efforts to dismantle federal policies to limit heat-trapping emissions. This year, for the first time, majority owners of three major energy companies endorsed resolutions calling for them to disclose how government efforts to limit global warming to 2 degrees Celsius would affect their businesses.

Exxon Mobil shareholders endorsed one such resolution just the day before Trump's Rose Garden announcement that he would pull the U.S. out of the global climate agreement because, he said, it would harm manufacturing. Similar resolutions were adopted by investors in Occidental Petroleum and Pennsylvania-based PPL Electric Utilities. And at utilities Ameren, Dominion Energy, Duke Energy and DTE, climate-focused shareholder resolutions came within a few percentage points of succeeding.

The resolutions sprung from efforts among dozens of institutional investors — including the New York Comptroller, the California Public Employees' Retirement System and the Church of England — who teamed up with activist groups including Ceres and As You Sow. This year they targeted 15 publicly traded energy companies with shareholder resolutions calling for companies to disclose how changes in government climate policies could change their businesses.

"There's a growing realization of this systemic risk that climate change poses to investors," said

Adam Matthews, head of engagement for the Church of England's commissioners and pension boards, which owns stock in Exxon Mobil as part of an overall $10 billion in holdings. "You've got a lot of dialogue between asset owners and major funds, and there's a clearer realization of the importance of addressing climate change. It's a shame what happened in the terms of the U.S. and the position of Donald Trump withdrawing from Paris, but the message to investors is this is longer-term than any one President. The train has left the station."

To be sure, the resolutions are non-binding, but corporate boards typically respond to the wishes expressed by shareholders.

Investors worried that a company isn't doing enough to deal with falling demand for gasoline, for example, may sell their shares to invest in a competitor. Or green-minded investors may support a hostile takeover of the company by activist investors who promise to take climate change more seriously.

Part of what helped the climate resolutions this year was growing support from cool-eyed capitalists, alongside the more liberal-minded shareholders who have championed them in the past. That was the case this year with Occidental Petroleum and investment firm Blackrock, one of its major shareholders.

Blackrock, which manages $5.4 trillion in its overall portfolio, decided in 2015 that climate change could pose a significant risk to some of the companies it owns. Still, the firm sided with Occidental's management last year to help stave off a climate related resolution to give the oil company more time to address the issue on its own.

By the time this year's shareholder meeting came around, Blackrock decided to endorse activist investors' effort to get the company to do more. A resolution urging Occidental to publish annual assessments of how government climate change policies could risks its business passed with support from 67 percent of voting shareholders.

"Our patience is not infinite — when we do not see progress despite ongoing engagement, or companies are insufficiently responsive to our efforts to protect the long-term economic interests of our clients, we will not hesitate to exercise our right to vote against management recommendations," Blackrock said in a letter to clients endorsing the resolution.

Blackrock's support demonstrated the growing economic appeal of climate resolutions that activist shareholders have been organizing around for years.

The win at Exxon only occurred after the Church of England sought potential allies via Ceres, a Boston-based nonprofit that helps connect investors interested in various social causes. The Church eventually made contact with New York State Comptroller, which holds Exxon shares through its retirement fund.

Exxon CEO Darren Woods said before the company's annual shareholder meeting that the company supports the Paris provisions and would factor government climate policies into its business plan. But investors still wanted to ensure the company would keep that promise, New

York State Comptroller Thomas DiNapoli said.

"As investors, we want to be sure that companies like Exxon walk the walk when it comes to climate risk, and that's where our shareholder resolutions can be very effective," DiNapoli told POLITICO. "No company wants to be in a fight with a majority of its shareholders."

Exxon's board will reconsider the provision to disclose how climate policies would impact is business, Woods said after the vote, in which 62 percent of voting shareholders endorsed the climate resolution. The Church of England, whose other holdings include BP and Shell, will continue to focus on bringing climate-related risk disclosure resolutions up. But will also start looking at a potential next step — forcing companies to publicize how climate change is affecting their financial performance, Matthews said.

In many cases, investors and nonprofits are trying to convince energy executives to incorporate more climate-related disclosures outside the threat of resolutions.

As You Sow, a nonprofit that lobbies companies on the behalf of shareholders, filed a climate-related resolution with Anadarko Petroleum that would have gone to shareholders this year. It withdrew the resolution after getting a meeting with Anadarko's CEO and other executives at the company's headquarters outside Houston, according to representatives of both entities.

"We wanted to talk and work together to see if there way to move forward with carbon reporting," said Danielle Fugere, As You Sow's chief counsel. "We had a good discussion, and we will have another meeting or two."

Despite the few outright wins at shareholder meetings this year, the relatively strong showing has convinced some that the movement is gaining momentum. Sen. Sheldon Whitehouse (D-R.I.), who on the floor of the senate last week called American corporations "AWOL in the policies of climate change," said he is encouraged by the progress.

"For the first time, after hundreds and hundreds of these resolutions have gone to failure at the hands of company management, shareholders are starting to win," Whitehouse told POLITICO. "Part of what that's about is very big and very smart investors coming to the realization that they are not getting adequate information when it comes to fossil fuel liability. The power of a Blackrock, Goldman Sachs or CalPERS is engaged in a new and different way."

To view online click here.

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Exxon says carbon cost differences did not mislead investors Back

By Ben Lefebvre | 06/09/2017 02:26 PM EDT

Exxon Mobil lawyers swung back at New York Attorney General Eric Schneiderman's

allegations that the oil giant used a separate carbon price that it did not disclose to investors, saying the practice did not mislead investors.

The company's filing today in the New York state Supreme Court is the latest round in the legal battle between Exxon and Schneiderman. The New York attorney general filed a suit against the oil giant alleging that it may have defrauded investors by keeping its in-house research on climate change hidden.

Exxon for its part has refused to comply with all of the attorney general's subpoena requests, accusing Schneiderman of using the case to further his career.

Exxon said it used different numbers as part of different calculations, including some taking global energy demand and prices into account and others calculating possible project investments. That meant it was appropriate to use various numbers, not just those included in its public filings, the company argued.

"Considering the different purposes of those two exercises, it is unsurprising that different figures would be used," Exxon's attorneys wrote in the filing. "ExxonMobil has not said that it relied on one set of figures for all purposes, and a reasonable investor would not draw such a conclusion from ExxonMobil's public statements."

To view online click here.

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EPW to vote on Svinicki June 15 Back

By Darius Dixon | 06/09/2017 05:11 PM EDT

The Senate Environment and Public Works Committee intends to vote on the renomination of Nuclear Regulatory Commission Chairwoman Kristine Svinicki on June 15, a panel spokesman told POLITICO today.

Svinicki, a Republican whose term expires June 30, will move forward before the panel votes on fellow NRC nominees Annie Caputo and David Wright, said Mike Danylak, a spokesman for Environment and Public Works Chairman John Barrasso.

The committee will vote on the appointments of Caputo, Wright and EPA enforcement nominee Susan Bodine later in the month, but a June 13 hearing will still consider all four nominees.

Earlier this week, Sen. Tom Carper, Environment and Public Works' top Democrat, told reporters that he supports Svinicki's renomination and asked Barrasso that she get confirmed while the panel reviews the other two Republican nominees and packages them with a renomination of NRC Commissioner Jeff Baran, a Democrat whose term runs out next summer.

WHAT'S NEXT: The Senate Environment and Public Works Committee has scheduled a nomination hearing to review Bodine and all three GOP NRC nominees on June 13.

To view online click here.

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EPA reschedules science meeting to add industry voices after Smith cries foul Back

By Alex Guillén | 06/09/2017 03:43 PM EDT

EPA has postponed an upcoming meeting hosted by the agency's scientific integrity official and invited more industry officials and state representatives, following complaints from a senior Republican lawmaker.

The meeting is an annual event at which the scientific integrity official, Francesca Grifo, discusses her work and the agency's scientific integrity policy. House Science Chairman Lamar Smith last month flagged the meeting after discovering the guest list primarily consisted of environmentalists, science organizations, watchdog groups, certain media representatives and think tanks, but almost no one from regulated industries.

EPA "agrees that invitees to the EPA Scientific Integrity Stakeholder meeting should include a balanced representation of those organizations having an interest in scientific integrity at the EPA," Robert Kavlock, the acting assistant administrator for research and development, wrote this week to Smith.

Previous meetings included more industry attendees, and EPA "recently sent invitations to additional organizations representing the regulated community and state governments."

A separate email to invitees seen by POLITICO said the meeting would be rescheduled, but did not specify a timeline.

Grifo, a career official who was hired from the Union of Concerned Scientists in 2013, rose to prominence this spring when she was asked to investigate the Sierra Club's complaint that Administrator Scott Pruitt violated EPA's scientific integrity policy by saying on television that carbon dioxide is not a primary driver of climate change.

Earlier this week, the free-market group Cause of Action Institute filed a Freedom of Information request it says is meant to investigate alleged politicization in Grifo's office.

WHAT'S NEXT: EPA will invite more industry and state representatives and reschedule the meeting for a future date.

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Chicago mayor Emanuel posts EPA's deleted climate change page Back

By Edward-Isaac Dovere | 05/06/2017 10:42 AM EDT

Chicago Mayor Rahm Emanuel's response to the Trump administration pulling down its website detailing information about climate change: putting up his own.

The new section of the City of Chicago's website, launched this weekend, pulls data from the archived Environmental Protection Agency page, noting, "while this information may not be readily available on the agency's webpage right now, here in Chicago we know climate change is real and we will continue to take action to fight it." Emanuel is promising to build the site out more in the coming weeks, using city resources.

"The Trump administration can attempt to erase decades of work from scientists and federal employees on the reality of climate change, but burying your head in the sand doesn't erase the problem," Emanuel said.

Through both Republican and Democratic administrations in the past two decades, the EPA accepted and promoted climate change data. That changed under President Donald Trump, who's expressed doubts about the science and already eliminated regulations put in place by President Barack Obama, and EPA Administrator Scott Pruitt, who has repeatedly questioned global warming and fought environmental protections from the government he argues unfairly target businesses.

Last week, the EPA scrapped the climate-change website.

"We are currently updating our website to reflect EPA's priorities under the leadership of President Trump and Administrator Pruitt," a message on the "page is being updated" EPA site has read since.

Emanuel said he wants to see other cities and universities joining in preserving the data that the federal government is removing to ensure it stays public.

Emanuel, in office in 2011 after serving as Obama's first chief of staff, has a local environmental record reducing carbon emissions and waste that he likes to tout.
The new Chicago website has information about the science of climate change and its effects on the weather, human impact that has accelerated the problem and steps the federal government had been taking to reduce it.

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Grassley rips Trump administration for blowing off certain oversight requests Back

By Burgess Everett | 06/09/2017 11:25 AM EDT

The Trump administration's policy of ignoring the oversight requests of Democrats and rank-and-file members has earned it a powerful enemy: Senate Judiciary Committee Chairman Chuck Grassley.

In a letter to President Donald Trump, the veteran Iowa Republican senator urged Trump to reverse a policy instituted by the White House and the Department of Justice's Office of Legal Counsel to answer oversight requests only from committee chairmen, all of whom are Republicans because of GOP control of Congress. Though Grassley said that the Obama administration did sometimes ignore him, he said the formalization of a policy of ignoring the minority party "doesn't drain the swamp, Mr. President. It floods the swamp."

"I respectfully request that the White House rescind this OLC opinion and any policy of ignoring oversight request from non-Chairmen. It harms not just the members who happen to be in the minority party at the moment, but also, members in the majority party who are not currently chairmen. It obstructs what ought to be the natural flow of information between agencies and the committees, which frustrates the constitutional function of legislating," Grassley wrote.

He was not near done. In the seven-page letter to the president, Grassley calls the administration's opinion "nonsense" and argues that the president is being "ill-served and ill-advised" by his staff.

"To so fundamentally misunderstand and misstate such a simple fact exposes its shocking lack of professionalism and objectivity. Indeed, OLC appears to have utterly failed to live up to its own standards," Grassley added.

The Justice Department declined to comment to Grassley's letter. The White House did not immediately respond.

Fearing the weaponization of oversight requests by Democrats amid a deepening investigation into the administration's ties to Russia, White House officials instructed government agencies not to respond to oversight requests from anyone other than chairmen last month. Also in May, OLC wrote a guidance memo that formally restricted the flow of information to Democrats.

"Individual members of Congress, including ranking minority members, do not have the authority to conduct oversight in the absence of a specific delegation by a full house, committee, or subcommittee," OLC wrote in the memo.

There have been some exceptions to this policy on subjects like national security and at the Treasury Department, according to Democratic and Republican Hill staffers. But Democrats released dozens of letters on Thursday that they said have gone substantively unanswered by the Trump administration.

Democrats are outraged at the moves by the Trump White House to squash their requests, which range from overtly partisan letters asking for information that would likely damage the president to parochial issues that will never grab headlines. And now, some Republicans are, too.

"Members of Congress simply do not treat executive branch officials with such contempt and they do not deserve such treatment in return," Grassley wrote. "Unlike virtually all executive branch officials, Members are elected to constitutional positions. Instead, the executive branch should work to cooperate in good faith with all congressional requests to the fullest extent possible."

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Polis to run for Colorado governor Back

By Rebecca Morin | 06/11/2017 01:41 PM EDT

Colorado Rep. Jared Polis will announce his bid for Colorado governor this week, according to an interview.

"This is a campaign of big, bold ideas, and I'm trying to make them happen," Polis told The Denver Post on Sunday. "We want a Colorado that works for everybody."

Polis, a Democrat, is jumping into a crowded field. Four other Democrats — Rep. Ed Perlmutter, former state Sen. Mike Johnston, former state Treasurer Cary Kennedy and businessman Noel Ginsburg — are also vying for the position in next year's election.

A number of Republicans are also running in the race, including Mitt Romney's nephew Doug Robinson; George Brauchler, the prosecutor in the Aurora theater shooting case; and former state legislator Victor Mitchell.

Democrat John Hickenlooper, the current governor, is ineligible to seek another term.

Polis, who would be Colorado's first openly gay governor if elected, told the Post his platform would focus on getting the state to 100 percent renewable energy by 2040, providing free access to full-day preschool or kindergarten for those 3 and older, and encouraging companies in Colorado to provide stock options to employees.

Polis tweeted Sunday that he would finish his term in the House.

"I currently plan to serve out my term to help the #resistance and fight Trump's radical agenda," he wrote.

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EPA hires energy attorney for enforcement office Back

By Alex Guillén | 06/09/2017 04:50 PM EDT

EPA has hired veteran Hogan Lovells energy attorney Patrick Traylor as a deputy in the Office of Enforcement and Compliance Assurance, according to the agency's website and his LinkedIn profile.

Traylor has been an attorney at Hogan Lovells since 1997 and specialized in Clean Air Act issues, environmental litigation and infrastructure.

According to his law firm biography, Traylor's clients included the utility Southern California Edison; Venture Global LNG, a natural gas exporter; Flint Hills Resources, a Koch subsidiary refiner; Koch Nitrogen, maker of synthetic fertilizer; and several wind companies seeking Endangered Species Act permits. The bio also says he "helped secure an 'against all odds' series of permits authorizing the expansion of a coal mine on the Navajo Nation for BHP Billiton."

Other clients included TransCanada, Dominion Energy, AES Corp., NRG Energy and the Anschutz Corporation, according to the Energy Bar Association.

Traylor earned his law degree from the South Texas College of Law in 1994 and received an advanced degree in environmental law from George Washington University in 1998.

President Donald Trump's nominee to run the enforcement office, Senate Environment and Public Works Committee staffer Susan Bodine, is slated to have a confirmation hearing next week.

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Renewables Scientist Takes South Korea's Energy Helm

Posted July 24, 2017, 03:58 P.M. ET

By Elaine Ramirez

South Korea on July 24 inaugurated a sustainable energy scientist and scholar as minister for trade, industry and energy, a move expected to help the country meet stepped-up renewable energy goals by 2030.

Paik Un-gyu, replacing Joo Hyung-hwan to join the 2-month-old Moon Jae-in the administration's Cabinet, said the country would "lay the foundations for an energy paradigm shift" by moving away from coal and nuclear power and discovering new energy industries to replace them.

Moon has pledged to shut down 10 aging coal-fired power plants and stopped all plans for new nuclear plants and extending aging nuclear plants' life cycles in a bid to herald a "nuclear free" era. In their place, South Korea must nearly quadruple the proportion of its current renewable energy use and increase imports of liquefied natural gas.

South Korea, which signed the Paris climate accord, has vowed to reduce its greenhouse gas emissions by 37 percent of current levels by 2030. Twenty-four nuclear reactors provide about one-third of South Korea's electricity.

Paik, an energy engineering professor at Hanyang University who advised Moon on energy policy, said comparing the economic efficiency of nuclear power plants with renewable energy is a "short-sighted perspective," while vowing to harness technology to create eco-friendly industries such as environmentally friendly smart cars.

Public sentiment in South Korea over nuclear power turned negative after the 2011 Fukushima disaster in neighboring Japan. Paik told reporters on July 24 that he would be willing to promote the export of nuclear reactors to countries that don't suffer the same problem as Korea of having multiple plants in a concentrated area.

The state-owned Korea Electric Power Corp. (KEPCO) has a $20 billion order to build four nuclear plants—the same model as Shin-Kori units 5 and 6 in southeast Korea—in the United Arab Emirates.

As a scientist and scholar, Paik developed cathode material for eco-friendly batteries, researched materials for solar cells and studied energy demand forecasting and renewable energy.

U.K. Seeking to Fill Climate Leadership Void Left by Trump

Posted July 24, 2017, 02:57 P.M. ET

By Jessica Shankleman

Britain should seek to fill the leadership void created by Donald Trump's decision to pull the U.S. out of the landmark Paris Agreement, Climate Change Minister Claire Perry said July 24.

While Prime Minister Theresa May has been criticized by some environmental groups for failing to speak out over the U.S. president's June 1 decision to step back from the 2015 Paris deal, Perry said U.K. ministers "haven't missed an opportunity" to express their disappointment over the news.

Perry said that as well as head-of-state discussions, she has also been having talks with "other players" in the U.S. who are seeking to ensure the U.S. delivers on its carbon reduction commitments. Last week the mayor of Houston visited the U.K. and discussed climate opportunities, she said.

"The U.K. is ranked third in the world in tackling climate change. I think we need to exploit and take that leadership position because we can change the world doing this and we can also generate highly productive jobs," she said while visiting a green housing project at Nottingham University, in the East Midlands of England.

Perry's department on July 24 unveiled policies designed to make it easier for homeowners to install battery systems that can store renewable energy created by solar panels or wind turbines. That includes updating a 28-year-old Electricity Act that doesn't recognize batteries as part of the power system.

Perry said the U.K.'s green economy already employs about 400,000 people and could provide a source of growth through research and exports for certain technologies as the country quits the European Union.

"I look at this and see it's the way the world is going, so it's not just about British businesses, it's about global mega-trends, so how do we seize that opportunity to decarbonize our own economy and help other countries," she said.

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White House Team Differs on Trump Support for Russia Sanctions

Posted July 24, 2017, 12:17 P.M. ET

By Ros Krasny

The Trump administration supports the current version of a bill to sanction Russia, the new White House press secretary said, although her boss, Anthony Scaramucci, wouldn't guarantee that President Donald Trump will sign it.

The legislation, which would affect energy projects abroad and may soon land on Trump's desk for a signature, wasn't the only area where Trump's hand-picked communications director differed from others in the administration on July 23, two days after taking the job.

Scaramucci and press secretary Sarah Huckabee Sanders, also named to her role on July 21, along with Jay Sekulow, one of Trump's lawyers, were the administration's collective face on Sunday's political talk shows. The interviews came days after both teams were shaken up in an effort by Trump to impose order on his White House in the face of a widening Russia probe.

Sanders' comments on sanctions followed a tentative deal reached by Republican and Democratic leaders in the House to move ahead this week on a measure that, among other things, would prevent the president from acting unilaterally to remove sanctions on Russia for its involvement in the 2016 election and other actions.

"The original piece of legislation was poorly written, but we were able to work with the House and Senate. And the administration is happy with the ability to do that and make those changes that were necessary," Sanders said on ABC's "This Week." "We support where the legislation is now."

'Decision Shortly'

Scaramucci, brought on board to reset the administration's communication's strategy as Trump enters his second six months in office with record-low approval ratings, said on CBS's "Face the Nation" that "I don't know the answer to whether the president will sign" the sanctions bill. On CNN's "State of the Union," Scaramucci suggested that Trump is "going to make that decision shortly."

If the president were to veto the bill, "we will override his veto," Sen. Ben Cardin (D-Md.), the top Democrat on the Senate Foreign Relations Committee, said on "Fox News Sunday."

Heading into a week of congressional action on the investigations into Russian election meddling, including testimony behind closed doors to two committees by his son-in-law and senior adviser Jared Kushner, Trump said on Twitter July 22 that "all agree the U.S. President has the complete power to pardon."

House to Vote Soon

Republican and Democratic leaders in the House reached a tentative deal over the weekend to fix procedural concerns, add measures against North Korea, and modify provisions that would restrict the participation of U.S. energy companies in some international projects.

A version of the bill released by House Republican leaders includes changes sought since the Senate passed legislation in June that would prohibit U.S. businesses from working on or supporting energy projects that include any participation by Russian companies, even outside Russia's borders.

The new version would also set a threshold for Russian involvement, applying that restriction to projects where sanctioned Russian entities have at least a 33 percent interest.

A separate procedural impasse would be resolved by allowing leaders from both the majority and minority parties in the Senate or House to force their respective chamber to consider an objection to White House action on sanctions. The original bill allowed any member of Congress in either chamber to force consideration of sanctions waivers. Senators can still introduce resolutions, with leadership approval.

The bill is expected to be considered in the House on July 25 using an expedited process that requires two-thirds of all members voting for passage.

The modified House bill represents a modest victory for oil companies, manufacturers and oilfield service firms that had argued the earlier, Senate-passed bill could jeopardize projects around the globe—even those that weaken Russia's ability to use its own natural gas as a political weapon. They had warned that under the Senate measure, Russia would be empowered to elbow U.S. companies out of energy projects globally simply by making small investments in them.

The 33 percent threshold that would be established under the compromise legislation likely is high enough to avoid disruptions at the giant Shah Deniz project in Azerbaijan, a chief alternative to Russia-sourced natural gas for Turkey. That project could have been swept up by the Senate-passed bill because Russia's Lukoil owns a 10 percent share in an ongoing expansion, even though BP Plc is the lead operator.

The White House had argued that it needs flexibility to adjust economic sanctions against Moscow. Administration officials were on Capitol Hill earlier this month asking lawmakers to reconsider the Russia provisions that the Senate added to an Iran sanctions bill and passed 98-2.

—With assistance from Terrence Dopp, Robert Schmidt, Jennifer A. Dlouhy, Billy House and Anna Edgerton.

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U.K. Braced for Record-Breaking Wet Winters, Blames Climate Shift

Posted July 24, 2017, 9:38 A.M. ET

By Jessica Shankleman

Britain faces a future of record-breaking wet winters, potentially leading to more of the widespread flooding seen in recent years, according to new modeling that incorporates changing climate patterns.

England and Wales now have a 34 percent chance of record rainfall between October and March, the study by the government's Met Office said July 24. In 2013, heavy rain deluged parts of Cornwall and the south east. That was followed by three named storms that flooded some of Cumbria, Lancashire and Yorkshire in December 2015, while Storm Angus battered parts of Britain last November.

Changing weather patterns caused by increasing global temperatures means meteorologists can no longer rely on historical rainfall records to predict future weather events. Instead, a new supercomputer at the Met Office simulated thousands of possible scenarios using current climate patterns.

"This gave many more extreme events than have happened in the real world, helping us work out how severe things could get," Adam Scaife, lead researcher on the study, said in a statement.

The simulations could help insurers and governments to assess risks and plan for future extreme weather events, Vikki Thompson, lead author of the report, said in a video released by the Met

Office. The Association of British Insurers estimated floods in December cost about 1.3 billion pounds ($1.7 billion) in claims.

"This is important research and reinforces our call for the government to prepare for and expect a significant flood event to take place somewhere in the country almost every year," said Daniel Johns, head of adaptation at the U.K. Committee on Climate Change, which advises the government on its response to global warming.

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Conservative Party Merger Alters Landscape in Canada's Oil Patch

Posted July 24, 2017, 9:18 A.M. ET

By Doug Alexander and Josh Wingrove

The merger of Alberta's two main conservative parties creates a new political force in the heart of Canada's oil patch that threatens to unseat Premier Rachel Notley and kill the province's carbon tax.

Members of the Wildrose and Progressive Conservative parties voted July 22 to create the United Conservative Party. Combined, those parties hold 30 of 87 districts, though they received 52 percent of the vote in the last election.

In recent polls each has outpaced Notley's New Democratic Party, which won a surprise majority in 2015 and benefited heavily from a split among right-leaning voters in the province with Canada's highest median household income. The next election is due in 2019.

For the NDP, unification "is their worst-case scenario," Duane Bratt, a political scientist at Mount Royal University in Calgary, said in an interview. While an improving economy or a divide over social policies could still help Notley hold power, "a unified conservative party at this stage would be tough to beat."

Some 95.4 percent of Wildrose members who voted backed the merger, while it won 95 percent support from the PCs, according to the July 22 results.

Carbon Tax

While the merger agreement doesn't specify a plan to repeal the carbon tax, its key figures have all campaigned against it. Notley's carbon measures include a hard cap on emissions from Alberta's oil sands, the world's third-largest proven oil reserve, though the province isn't near its self-imposed cap. Repeal of that will set up a collision course with Prime Minister Justin Trudeau, who has imposed a minimum carbon price nationally as of 2018.

Alberta is Canada's heaviest carbon emitter, though only its fourth-most populous, and a frequent target of environmental and anti-oil campaigns.

"I'm not convinced that the carbon tax will disappear, and for evidence of that, all you have to do is look south of the border with repeal-and-replace of Obamacare," Bratt said. "Once you bring in a program and it runs for a couple of years, it is tough to get rid of."

The parties had also pledged to balance the budget and slash Alberta's ratio of debt to nominal gross domestic product, which has more than doubled in the past two years, to 13.8 percent from 6.1 percent, with the slump in oil prices. Alberta draws 8 percent of its revenue from oil and other non-renewable resources, down from 18 percent just three years earlier, government budget documents show.

Disapproval Rating

The unified party will pick its leader on Oct. 28, with an interim leader serving in the meantime. The leading candidates are expected to be Wildrose leader Brian Jean, a former federal lawmaker who hails from Fort McMurray, the hub of the oil sands region, and Progressive Conservative leader Jason Kenney, a former federal lawmaker and cabinet minister who largely led the unity push. Doug Schweitzer, a Calgary lawyer, announced his interest in the leadership position in June.

"If anybody other than myself is elected by the members they will have my total enthusiastic support because this unity project will only work if we are prepared to park our egos --- and I'm certainly prepared to do that," Kenney said in his July 22 speech.

Notley has one of the highest disapproval ratings among Canada's provincial leaders, though the premier's numbers remain relatively strong in each of the two major cities, where about two-thirds of electoral districts are clustered, polling from Mainstreet Research shows.

"It's going to be a tough road for Rachel Notley and the NDP if the PCs and Wildrose unite—not impossible," Mainstreet President Quito Maggi said in an interview. The merger could still spur further splintering, both among staunch conservatives and centrists. "It's not a guarantee of that unified party forming government. They're still going to have to do some work."

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EU Mulls Retaliation Against U.S. Over New Russia-Sanctions Plan

Posted July 24, 2017, 9:10 A.M. ET

By Jonathan Stearns

The European Union said it would be prepared to retaliate against the U.S. should Washington hit Russia with new sanctions that affect EU-based energy companies, risking a deeper trans-Atlantic split over economic and security policies.

The European Commission, the bloc's executive arm, made the threat as U.S. lawmakers prepare to give the green light as soon as this week to economic penalties against Russia over its meddling in last year's American presidential election. The draft U.S. measures would prohibit American businesses from being involved in energy projects that include Russian companies, including ventures outside Russia.

"The EU is always ready to respond adequately and imminently should the case be needed," Margaritis Schinas, the commission's chief spokesman, told reporters on July 24 in Brussels. "I will not speculate on any retaliation."

The latest trans-Atlantic tensions follow sharp disagreements over U.S. President Donald Trump's "America First" agenda, including his anti-trade stance, his withdrawal from an international treaty to fight climate change and his criticism of European nations for failing to spend more on defense. The

fresh friction also contrasts with close cooperation between the EU and former U.S. President Barack Obama over sanctions against Russia for its encroachment in Ukraine.

Expanded Sanctions

The commission, led by President Jean-Claude Juncker, is echoing concerns expressed by German Chancellor Angela Merkel, whose spokesman said in June that the U.S. Congress's plan for expanded sanctions against Russia posed a threat to European economic interests. One casualty could be the planned $10 billion Nord Stream 2 natural-gas pipeline between Russia and Germany, a project that to some extent would compete with U.S. exports of liquefied natural gas to Europe.

Schinas said the adequacy of energy supplies for the EU is at stake and the commission is engaged in a diplomatic offensive to limit the impact of any U.S. measures on the bloc, expressing "hope" that no European countersteps will be necessary.

"We are activating all diplomatic channels to address these concerns—from these U.S. measures—with our U.S. counterparts," he said. "We expect" Europe's "interests to be addressed by the ongoing, pre-legislative process."

The Financial Times and Politico reported on July 24 that Juncker planned to put retaliation against the U.S. on the agenda of a regular meeting of EU commissioners on July 26, citing an internal commission note. Both reports said the goal is for the 28-nation bloc to be able to react "within days."

Separately, the commission is preparing for possible retaliation against the U.S. over a threat by Trump to curb steel imports on national security grounds. In June, EU Trade Commissioner Cecilia Malmstrom said she was "extremely worried" about the possibility of such American trade restrictions, saying they could trigger protectionist reactions around the globe.

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Photos of Melted Fuel at Japan's Fukushima to Help Cleanup

Posted July 24, 2017, 8:58 A.M. ET

By Stephen Stapczynski

Japan's likely discovery of melted fuel inside the wrecked Fukushima nuclear power plant is seen as a critical step in hastening the $72 billion, 40-year cleanup of one of the worst atomic disasters in history.

Images released on July 22 by Tokyo Electric Power Co. Holdings Inc.—Japan's biggest utility and owner of the plant—showed for the first time what is likely melted fuel at the bottom of the containment vessel of the No. 3 reactor at Fukushima. Pictures released July 21 showed fuel possibly hanging from the top of the pressure vessel inside the same reactor.

"The recent investigation results are significant early signs of progress on the long road ahead to safely decontaminate and decommission the Fukushima Dai-Ichi facility," said Lake Barrett, a former official at the U.S. Nuclear Regulatory Commission who was involved with the cleanup at the Three Mile Island nuclear power plant in the U.S.

While TEPCO, as the utility is known, said some of the debris captured on film is "highly likely" to contain melted fuel, the company noted that definitive confirmation will take time.

For Tokyo Electric, which bears most of the cleanup costs, the discovery could help the utility design a way to remove the highly radioactive material, according to Takahiro Kimoto, an official at the company.

Melted Fuel Removal

The company aims to decide on the procedure to remove the melted fuel from each unit as soon as this summer, with fuel removal slated to begin in 2021.

"This is a continuous step-wise program of gathering unit-specific engineering data so that engineers can develop the various engineering approaches and specific remote-controlled equipment to remove the melted fuel and other highly radioactive materials," Barrett, the former U.S. nuclear official, said by email.

With only a handful of nuclear meltdowns ever occurring around the world, TEPCO must come up with new technology for its cleanup. New tools, such as long-handled devices guided by a television monitor system, were developed for removing fuel core debris at Three Mile Island after its meltdown in 1979. In Chernobyl, a concrete sarcophagus was used to entomb the wrecked plant with no attempt to remove its fuel.

Decommissioning the reactors in Japan will cost 8 trillion yen ($72 billion), according to an estimate in December from the Ministry of Economy, Trade and Industry. Removing the fuel is one of the most important steps in a cleanup that may take as long as 40 years.

The pictures taken over the weekend were made possible with the help of a Toshiba Corp.-designed robot sent to explore the inside of the reactor for the first time. The 30-centimeter (12 inches) long swimming robot was tasked with surveying the damage and finding the location of corium—a mixture of the atomic fuel rods and other structural materials formed after the meltdown.

TEPCO must still confirm the location of melted fuel inside the No. 1 and 2 reactors at Fukushima.

In January, the company took photographs of what appeared to be black residue covering a grate under the Fukushima Dai-Ichi No. 2 reactor, which was speculated to have been melted fuel. A follow-up survey by another Toshiba-designed robot in February failed to confirm the location of any melted fuel in the reactor after it got stuck in debris.

A robot designed by Hitachi-GE Nuclear Energy Ltd. also failed to find any melted fuel during its probe of the No. 1 reactor in March.

"This could be a very early step, with many more hard steps to go, on the path to eventual decommissioning," M.V. Ramana, a professor at the Liu Institute for Global Issues at the University of British Columbia, said by email. "In the more short term, if some of these fragments can be brought out of the reactor and studied, it would allow nuclear engineers and scientists to better model what happened during the accident."

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Flood Risks Prompt Massachusetts Review of Enbridge Gas Facility

Posted July 24, 2017, 7:51 A.M. ET

By Adrianne Appel

Massachusetts Gov. Charlie Baker (R) bowed to public pressure and ordered his administration to scrutinize a natural gas facility planned by Enbridge for its Pennsylvania to Canada pipeline.

Enbridge Inc. wants to build a 7,700-horsepower natural gas compressor station in Weymouth, Mass., as part of an expansion to its 60-year-old Algonquin Gas Transmission pipeline. The expansion, called Atlantic Bridge, will deliver natural gas from Pennsylvania up to Maine and Eastern Canada.

Enbridge received permission (a Certificate of Public Convenience and Necessity) from the Federal Energy Regulatory Commission Jan. 25 for the expansion, including the compressor station, following years of protests by local residents who say the plant would pose health and safety risks.

The plant still needs local and state permits before it begins operating, and those permits could be stymied depending on the outcome of studies ordered by Baker July 14.

"Although the siting of compressor stations is primarily regulated by the Federal Energy Regulatory Commission, the Commonwealth need not and will not remain silent during this process," Baker said in a July 14 letter to Weymouth Mayor Robert Hedlund.

Air, Storm Safety

The compressor facility would be built directly on the coast south of Boston, near Quincy, and therefore is subject to review by the state Office of Coastal Zone Management.

Baker ordered the coastal zone office to obtain more information from Enbridge "in an effort to achieve a conclusive and definitive understanding of what the specific flooding and inundation risks are," as sea level rises and storms increase in the future due to climate change.

The plant site "is susceptible to flooding and waves during storm events under present and future conditions," Baker said. Enbridge must show that it will mitigate any potential climate change impacts, Baker said.

Public Health

Baker also directed the Massachusetts Department of Environmental Protection and Department of Public Health to prepare an assessment of any impact the facility would have on air quality. The assessment will be completed and potential air quality considered before any air permits are issued by the DEP, Baker said.

Baker instructed his secretary of public safety and secretary of energy and environmental affairs to help bring the concerns of the public about the plant's safety to the federal Department of Transportation's Pipeline and Hazardous Materials Safety Administration.

FERC granted the certificate to Enbridge after a comprehensive, 23-month review, Marylee Hanley, an Enbridge spokeswoman, said in a July 21 email to Bloomberg BNA. More than 600 public comments were considered.

"The Atlantic Bridge facilities are designed and will be constructed, operated and maintained to meet or exceed federal safety standards and regulations," she said.

Visited Baker's Office 76 Days

Public opposition to the compressor facility has been fierce for years, and Baker is a relative latecomer to the debate.

Baker is "committed to ensuring the community's concerns are heard fully," Baker spokesman Brendan Moss told Bloomberg BNA July 21 in an email.

Local groups, Hedlund and U.S. Sens. Elizabeth Warren (D) and Edward Markey (D) have expressed opposition to the planned compressor station. One Weymouth resident, Andrea Honore, visited the governor's office for 76 straight days about her concern about the Weymouth plant before Baker agreed to visit the plant site and meet with her. Days later, Baker issued his directives about the plant.

Baker, a popular moderate Republican in a state that mostly votes Democratic, is up for re-election in 2018. Democratic gubernatorial candidates Setti Warren and Jay Gonzalez both issued statements against the plant before Baker took action.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/9/2017 9:44:50 AM
Subject: Morning Energy: Pruitt's approach to EPA panned by former chiefs — Zinke nears decision on Bears Ears — Carper floats separating consideration of NRC picks

By Anthony Adragna | 06/09/2017 05:42 AM EDT

With help from Eric Wolff, Sara Stefanini and Alex Guillén

WANT THAT OLD THING BACK? EPA Administrator Scott Pruitt has pressed the idea of taking the agency "back to basics," returning to its roots of cleaning up toxic waste sites under the Superfund program and providing safe drinking water, while rejecting the Obama administration's initiatives on issues like climate change. But as Pro's Alex Guillén reports, previous EPA administrators from both parties say the agency's mission is far broader than the cramped version Pruitt's promoting. "I don't think it has to be an either-or, nor should it be," said Christine Todd Whitman, George W. Bush's first EPA administrator. "Superfund is not the only issue for human health. Water pollution is a huge issue and very important and you need to work on it, but it's not the only issue. Air is an issue too. Even if you don't want to believe in climate change, you've got to believe that carbon and mercury are not good for you."

It's not just old administrators though. Thomas Jorling, who co-authored the Clean Air Act in 1970 and the Clean Water Act in 1972 as a Senate Republican staffer, said that Pruitt's philosophy of "EPA originalism" is wrong. Continuing to stick to a limited set of cherry-picked priorities Pruitt has chosen to champion is "just disingenuous," he added. "It's all basically a smokescreen to their real intention, which is kind of a moral and ethical corruption, to ... restore the dependence of the United States energy system on fossil fuels." The agency did not make Pruitt available for an interview.

ME EXTRA — HISTORY LESSON: Lee Thomas, Reagan's second-term EPA administrator, said Pruitt's budget-slashing, anti-regulatory agenda has certain parallels to one of his predecessors: Anne Gorsuch Burford, Reagan's first EPA chief and the mother of Supreme Court Justice Neil Gorsuch. Burford, who died in 2004, had no previous relationship with agency staff, reduced EPA's budget by 22 percent and once boasted about cutting a book of water regulations from six inches thick to just half an inch. She ultimately resigned in 1983 after being cited for contempt of Congress in a management scandal regarding Superfund, at that time a new program. More than a dozen other agency officials quit in the surrounding months amid a turbulent atmosphere at the agency.

Thomas, at that time deputy director at the Federal Emergency Management Agency, came on as a top official to help right EPA, and two years later returned as administrator after Bill Ruckelshaus had stabilized the agency. "I've seen it go bad. And I've seen what it takes to go back on track," Thomas said. "The public does not want EPA to go through that kind of crisis."

G-7'S (TOTALLY AWKWARD) ENVIRONMENT MEETING: G-7 environment ministers meet in Bologna on Sunday and Monday, just 10 days after Trump announced he was ditching the Paris climate agreement (unless the rest of the world agrees to better terms, of course). Pruitt

will be there as the American representative. The biggest battle to watch for: Will the other six ministers and Pruitt come to any agreement on a communiqué that supports efforts to tackle climate change? (ME bets no.) Disagreements over climate already scuppered a joint statement at the G-7 energy ministers meeting, and Trump refused to back commitments made at the leaders summit last month.

Benvenuti! Pruitt tweeted a picture Thursday from Italy after "mtg w/ U.S. companies doing business in Europe." The agency told ME representatives from Whirlpool, DuPont, Chemours, First Solar and 3M attended, as well as a few Italian companies, but declined to provide any further details on Pruitt's schedule while in Europe.

TGIF MY FRIENDS! I'm your host Anthony Adragna, and Hunton & Williams' Joe Stanko was first to identify Sen. Lamar Alexander as the former Cabinet member (Education Secretary under President George H.W. Bush) now in the Senate. Your end-of-the-week fun: The spouse of which U.S. senator co-owns the legendary Strand Bookstore? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

ROUND, ROUND, GET AROUND: He's apparently still in discussions with the White House ahead of a final recommendation about whether to rescind or tweak the designation of the Bears Ears National Monument in Utah, but Interior Secretary Ryan Zinke is planning to keep chugging on his national tour. Zinke plans to visit Connecticut, New Hampshire, Maine, and Massachusetts during a four-day swing kicking off June 13. That trip will include a tour of the hotly contested Katahdin Woods and Waters National Monument in Maine, another of the more than two dozen monument designations under the Antiquities Act currently under review by the Trump administration.

TRUMP HAILS NEW COAL MINE'S OPENING: Trump hailed the opening Thursday of Corsa Coal Corp. in Pennsylvania, a new mine digging coal used to make steel, as proof deregulation is helping bring jobs to the industry, ABC News reports. "We have withdrawn the United States from the horrendous Paris climate accord, something that would have put our country back decades and decades, we would have never allowed ourselves to be great again," the president said in a video message. About 200 miners, business leaders, and politicians celebrated its opening under a tent amid mining headgear labeled "Make Coal Great Again."

RIDIN' SOLO? Sen. Tom Carper, the top EPW Democrat, has asked Republicans to split off the reappointment of Kristine Svinicki to the NRC from other two Republican nominees in order to fast track the process, Pro's Darius Dixon reports. "One of the things I've suggested to Chairman [John] Barrasso is to find a way to pair those two maybe with one Democrat, and there's a Democrat on the NRC whose term expires ... next year," Carper said. Svinicki, who has been an NRC commissioner for nine years, would have to step down, even temporarily, if the Senate fails to confirm her for another five-year term by June 30.

FOR YOUR WEEKEND RADAR: Activists will gather Saturday at city halls and statehouses across the country to protest Trump's decision to pull out of the Paris climate accord. "Our communities cannot and will not allow these reckless policies and decisions to wreck our

future," organizers, who include 350.org, the Sierra Club, The Climate Reality Project and many more, said in a statement.

Now here's a far away hearing: Senate Energy and Natural Resources plans to hold a field hearing at 10 a.m. local time Saturday in Cordova, Alaska — accessible only by boat or plane (book you tickets for Mudhole Smith Airport). Representatives from Sandia National Laboratory, Alaska Center for Energy and Power, Alaska Village Electric Cooperative and Alaskan Brewing Company will be examining microgrids and hybrid energy systems. Both Lisa Murkowski and Maria Cantwell, the top Republican and Democrat on the committee, are slated to participate.

WHITEHOUSE: CCS CREDITS BILL READY TO FOR REPRISE: A bill to expand tax credits for carbon capture projects should be ready for introduction soon, Sen. Sheldon Whitehouse told ME. "It's close enough that we're having conversations about when and final steps," he said. The bill, which will be co-sponsored with Sen. Heidi Heitkamp , would attempt to revive is one a trio of "orphaned" tax credits, along with credits for geothermal and for advanced nuclear plants — that were left out of the 2015 omnibus bill that extended solar and wind tax incentives.

Warns 'raiding party' has hit EPA: Republican "heads would be exploding" if a Democratic administration simply ignored requests for information as Pruitt's EPA has done to Democrats, Whitehouse told ME. "Basically, the fossil fuel industry has sent a raiding party into EPA and taken it over," the Rhode Island Democrat said. "I think he feels a kind of immunity from any kind of accountability because the fossil fuel industry so owns the Republican Party and so owns him."

JUDGE, IRKED BY DOJ, LETS KIDS CLIMATE CASE GO TO TRIAL: A federal judge on Thursday slammed the Justice Department for trying to force her hand on a legal matter in the lawsuit brought by children seeking to compel sweeping federal action on greenhouse gas emissions. The Trump administration had asked Judge Ann Aiken of the U.S. District Court in Oregon to let them appeal her decision not to dismiss the lawsuit before moving into the discovery phase. In a short order, Aiken criticized DOJ for threatening to go to the 9th Circuit anyway by today if she hadn't already ruled on the request, noting that the suit is already on an expedited schedule. She said the government's arguments were too weak to secure even faster consideration, and panned DOJ because it asked for a rapid decision after waiting four months to make its initial request. Aiken also gave the green light to move closer to the trial phase. The Trump administration could still try to get the 9th Circuit involved, but the appellate court is unlikely to intervene in an ongoing case.

BIPARTISAN BILL PASSES SENATE: Senators passed Wildlife Innovation and Longevity Driver Act (S. 826) by voice vote Thursday. The legislation, co-sponsored by Chairman John Barrasso and Carper, would reauthorize funding for the Partners for Fish and Wildlife Program in which the Interior partnerships with private landowners in fighting invasive species and offer rewards for innovative technologies to stop invasive species. The bill cleared committee in April.

TROLL SO HARD: French President Emmanuel Macron poked Trump again Thursday by

launching a website urging anyone concerned with climate change to move to France, POLITICO Europe's Nicholas Vinocur reports. The website — www.MakeOurPlanetGreatAgain.fr — plays on Trump's campaign slogan and invites researchers, entrepreneurs and NGO workers from around the world to state their interest in climate change and their specialist field, then apply for positions and immigration documents to come to France.

ANOTHER BOLD PROMISE: Did everyone remember it's the White House's Infrastructure Week? Well, Vice President Mike Pence certainly did, and told a working luncheon Thursday that Trump intended to speed up the approval of new projects. "We'll revolutionize federal permitting and review with the goal of reducing wait times from 10 years to two years," he said.

ENERGY PRIORITIES OUTLINED FOR NAFTA: A bipartisan group of eight senators has outlined specific "principles" that the Trump administration should consider when it renegotiates NAFTA, Pro Trade's Adam Behsudi reports. "NAFTA has played a key role in all North American energy markets including electricity, renewable, oil, and natural gas, as each market is highly integrated with and remains dependent on vital energy infrastructure and trade crossings that border the United States, Canada, and Mexico," they wrote in a letter organized by Sen. John Cornyn.

EPA UNION DEMANDS GUVS FIGHT FOR GREAT LAKES: The union representing some 1,000 EPA employees has asked to meet with six Midwest governors — Mark Dayton of Minnesota, Eric Holcomb of Indiana, John Kasich of Ohio, Bruce Rauner of Illinois, Rick Snyder of Michigan and Scott Walker of Wisconsin — to strongly oppose proposed budget cuts to the agency that they warn would severely impact the Great Lakes. "Aside from the long term health and safety of the public in the Great Lakes region, the economic threats to the region must be recognized," Michael Mikulka, president of Local 704 of the American Federation of Government Employees, said in a statement.

THEY'RE FIRED UP: Green groups are burning up over the Forest Service's proposal this week to expand two coal leases inside Colorado national forests. Local and national green groups are bristling at the plan to bulldoze wilderness for several new miles of roads and build new drilling pads for methane vents in an area home to black bears, elk and lynx. "Giving away our western public lands to the coal industry isn't energy independence, it's a scheme to make executives and shareholders rich at our expense," said Shannon Hughes of WildEarth Guardians. A 45-day public comment period ends July 24; if approved, the next step is a second approval from the Bureau of Land Management.

SOMETHING SYMBOLIC HERE: California Gov. Jerry Brown and Energy Secretary (and former Texas governor) Rick Perry shaking hands while going opposite directions on an escalator during a trip to China. Pic.

REPORT: EPA DIDN'T UPDATE POLICIES AS REQUIRED: The GAO released a report Thursday finding EPA failed to update the agency's policy statement for the Science Advisory Board as required under a congressional spending bill, Pro's Alex Guillén reports. "EPA did not update its policies or requirements for the SAB as directed by the explanatory statement," it said.

REPORT: CLEAN ENERGY'S DIRTY SECRET: America Rising Squared is out with a new white paper arguing there are "great human and environmental costs" behind the production of clean energy technologies like solar panels, wind turbines, electric vehicles and EV batteries. "The inconvenient truth is that these 'clean' sources of energy are produced under the worst of labor and environmental rights violations," it says.

DEMOCRATIC REPORT: ENERGY EFFICIENCY EFFICIENTLY CREATES JOBS: Democrats on the Joint Economic Committee, a congressional economic advisory committee formed in 1946, are out with a report today arguing for the job-creating capacity of energy efficiency measures. The report notes that EE jobs bounced up to 2.2 million in 2016, 7 percent increase from the previous year. The report calls on Congress to fully fund the Energy Star program, scheduled to be eliminated under Trump's budget, and in additional research.

AD WATCH: 15 PERCENT ETHANOL ALERT: Growth energy is launching a seven-figure TV and digital ad buy in D.C. and other markets to promote Sen. Deb Fischer's bill to allow year-round sale of 15 percent ethanol fuel. The bill is set to get a hearing at EPW next week.

MOVER, SHAKER! Former House Speaker John Boehner has joined Arizona Mining Inc.'s board of directors (h/t POLITICO Influence).

QUICK HITS

— Digging the Graveyard of Oil's Past. New York Times.

— Merkel in Argentina talks Trump, trade and climate change. AP.

— Canada invites Chinese investment in oil sands: minister. Reuters.

— As Oil Plumbs New Depths, Someone Sees $80 a Barrel by December. Bloomberg.

— As Trump's EPA delays smog rules, California vows to forge ahead. Los Angeles Times.

— Qatar Gulf row roils LNG market, Shell tanker diverted. Reuters.

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https://www.politicopro.com/tipsheets/morning-energy/2017/06/pruitts-approach-to-epa-panned-by-former-chiefs-023224

Stories from POLITICO Pro

Pruitt's predecessors pan EPA 'originalism' philosophy Back

By Alex Guillén | 06/09/2017 05:00 AM EDT

Environmental Protection Agency Administrator Scott Pruitt is sounding one theme as he pushes to erase the agency's regulations and shrink its workforce: EPA is returning to its roots.

To Pruitt, that means helping states and cities clean up their toxic waste sites and provide safe drinking water — while rejecting the Obama administration's expansion into issues like climate change. He calls it a "Back to Basics" agenda, aimed at bringing EPA "back to the core of what we do as an agency."

But Pruitt's brand of "EPA originalism" has one big problem: His predecessors say he's got it wrong.

Past EPA administrators from both parties, as well as the GOP author of EPA's landmark environmental laws, say the agency's mission is far broader than the cramped version he's promoting, and has been designed by Congress to take new environmental issues into account.

"I don't personally think you can say, 'I'm somehow going back to what the basic responsibilities of EPA are,'" said Lee Thomas, who led the agency during Ronald Reagan's second term. "That's not what EPA is, that's not where the laws are and that's not where the risk is."

That mission began with a 1970 order from President Richard Nixon, calling for the creation of a single federal agency that would help keep the planet "a place both habitable by and hospitable to man."

Christine Todd Whitman, George W. Bush's first EPA administrator, said Pruitt appears to have jettisoned the agency's responsibility as a protector of human health when regulations impose costs on businesses. She also disputes his decision to focus on a limited set of EPA programs, such as the toxic-waste programs it carries out under the 1980 Superfund law.

"I don't think it has to be an either-or, nor should it be," Whitman said, adding: "Superfund is not the only issue for human health. Water pollution is a huge issue and very important and you need to work on it, but it's not the only issue. Air is an issue too. Even if you don't want to believe in climate change, you've got to believe that carbon and mercury are not good for you."

The tension highlights the dispute over EPA's role, particularly as environmental threats evolve beyond the mid-20th century crises of burning rivers and smog-choked cities into the long-term global menace of climate change. Admirers say Pruitt's approach makes him an "EPA originalist," in the words of Wall Street Journal columnist Kimberley Strassel — much like some conservative judges who argue for hewing to the Founders' original intent when interpreting the Constitution.

So far, Pruitt has launched rollbacks of former President Barack Obama's greenhouse gas rules for power plants, delayed deadlines for polluters and slowed agency work on new regulations, and most recently helped persuade President Donald Trump to withdraw from the Paris climate agreement.

EPA did not make Pruitt available for an interview, but he told Strassel that his aim is for EPA to achieve "tangible" results through "a restoration of its priorities," such as cleaning up the nation's 1,300 Superfund sites.

"These are issues that go directly to the health of our citizens that should be the absolute focus of this agency," Pruitt told the Journal. "This president is a fixer, he's an action-oriented leader, and a refocused EPA is in a great position to get results."

Trump has endorsed that vision as well. "We're going to have clean, beautiful air — clean, beautiful, crystal water," he said in a speech Wednesday in Cincinnati, Ohio, about his infrastructure priorities. "But you're going to have your jobs also."

On the other hand, Trump's proposed 2018 budget, which seeks to chop EPA's spending by 31 percent, has also called for slashing the same toxic-waste and clean-water programs that Pruitt has put at the center of the agency's mission.

The EPA administrator can have huge influence over the direction of the agency, but its scope and responsibilities are set out by Congress in laws like the Clean Air Act and Clean Water Act.

Pruitt has prioritized a different focus for EPA: economic concerns, which he has cited in rolling back regulations on climate change, air pollution and clean water, even in cases where the Supreme Court has said costs cannot factor into the regulation.

Thomas Jorling, the Senate Republican staffer who co-authored the Clean Air Act in 1970 and the Clean Water Act in 1972, said that Pruitt's philosophy of "EPA originalism" is just wrong.

Pruitt cannot be a "tinhorn dictator" who decides which laws to avoid "in favor of economic development," said Jorling, who filed a court brief last year defending the Obama EPA's landmark climate regulation. Continuing to stick to a limited set of cherry-picked priorities Pruitt has chosen to champion is "just disingenuous," he added.

"It's all basically a smokescreen to their real intention, which is kind of a moral and ethical corruption, to ... restore the dependence of the United States energy system on fossil fuels," he said.

Pruitt maintains that his Obama-era predecessors, such as Gina McCarthy, vastly overstepped EPA's authority by issuing regulations such as the carbon dioxide limits in its climate regulations for power plants. Pruitt previously made that argument while waging legal fights against the agency's regulations when he was Oklahoma attorney general.

Pruitt said last month that he has not yet decided whether to craft new climate rules after repealing the Obama versions.

But his Republicans critics say it's wrong to reject climate change as an EPA priority, even if there's room for debate on the details of Obama's actions. The Supreme Court has ruled that EPA must regulate greenhouse gases if they threaten human health and welfare, and the agency has

concluded they do.

States say Superfund sites are big issues in their communities, said Thomas, but the risks of climate change are "significantly higher."

"There's a lot more uncertainty around [global warming], but that doesn't mean you don't deal with it," he said.

Meanwhile, the rollbacks under Pruitt's "EPA originalism" campaign go well beyond climate change. Pruitt has ordered a rewrite of the Obama-era Waters of the U.S. rule, a sweeping regulation that sought to define which waterways and wetlands fall under the federal government's purview. And he remains critical of the Obama administration's efforts to tighten smog standards when much of the country have yet to meet previous limits — even though the Clean Air Act says EPA is supposed to base those decisions solely on the latest health science.

In addition, Pruitt has said his philosophy will involve fewer instances of the federal government overriding state cleanup plans it deems insufficient. And he says EPA will use fewer consent decrees — settlements negotiated with companies that have violated regulations — a practice Republicans have long criticized as "regulation by litigation."

Instead, Pruitt aims to focus on the Superfund program, cleanups of polluted "brownfields" and drinking water infrastructure, all of which involve economic development. He has also placed an emphasis on implementing last year's bipartisan chemical safety reforms, especially the process that approves new chemicals for use in products.

Myron Ebell, a longtime critic of climate change science and the Trump administration's transition leader for EPA, supports Pruitt's originalism mission because it dials back the agency's reach.

"It seems to me EPA has fairly clear statutory responsibilities under a number of statutes, and those statutory responsibilities should come first," said Ebell, director of the Competitive Enterprise Institute's Center for Energy and the Environment.

"But over time and particularly in the Obama administration, they have taken on a whole lot of things which are entirely discretionary, that they don't have to do, they're not required by law to do it, but they decided to do it anyway," Ebell added.

Jorling said he and Leon Billings, his late Democratic counterpart in writing the laws, believed that the environmental statutes they wrote were not static, despite what critics like Ebell contend. Instead, they were designed to adapt to new situations.

"It's a complete misreading of those statutes and it really denigrates the senators and members of Congress that I worked for and with at the time," he said. "They were very concerned that you don't just write a statute for the past, you write a statute for the future."

Georgetown environmental law professor William Buzbee agreed that the legislative history of

environmental laws shows they were "not written to be frozen in time, but to give EPA important protective roles that will evolve in light of improved science and understanding of emerging risks."

For example, the Clean Air Act included a catch-all provision, Section 111, that allowed the agency to address newly discovered pollutants not covered elsewhere in the law. EPA used that provision just five times over the decades, mostly on obscure pollutants, before the Obama administration wielded it to target carbon dioxide from power plants.

McCarthy, Pruitt's immediate predecessor, said it's "crazy" to believe EPA's role was not intended to evolve to include new problems like climate change.

"I know that a lot of this language about 'EPA originalism' is really just an excuse ... for disempowering the agency, particularly as it relates to climate change," she said.

"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?'" McCarthy added. "Is that what they're really suggesting? And as long as we catch up with the damage that was in place when these laws came in, that we'll have done our job? That doesn't make any sense."

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Back

Carper has asked Barrasso to reconfirm Svinicki solo Back

By Darius Dixon | 06/08/2017 03:31 PM EDT

A Senate Democrat said today that he's asked Republicans to split up the confirmations of Nuclear Regulatory Commission nominees in order to fast track the reappointment of Kristine Svinicki.

Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, told reporters that he supports Svinicki's renomination and pitched to EPW Chairman John Barrasso that she get confirmed while the panel reviews the other two Republican nominees.

"She's been through several times, so it shouldn't be too heavy a lift," the Delaware Democrat said.

Carper said the other nominees, Annie Caputo and David Wright, could be packaged with a renomination of NRC Commissioner Jeff Baran, a Democrat whose term runs out next summer.

"One of the things I've suggested to Chairman Barrasso is to find a way to pair those two maybe with one Democrat, and there's a Democrat on the NRC whose term expires ... next year," Carper said. "The idea of going ahead and moving his renomination along with a couple of Republicans

would be of interest to me."

Repackaging the two new GOP nominees with Baran would mean "we wouldn't have to do them, like, next week," Carper said.

Svinicki, who has been an NRC commissioner for nine years, was elevated to the agency's chairmanship by Trump in January. But she's facing a time crunch and would have to step down, even temporarily, if the Senate fails to confirm her for another five-year term by June 30.

WHAT'S NEXT: The Senate Environment and Public Works Committee has scheduled a nomination hearing to review all three GOP NRC nominees on June 13.

To view online click here.

Back

Bipartisan group of senators outlines energy priorities for NAFTA Back

By Adam Behsudi | 06/08/2017 05:46 PM EDT

A bipartisan group of senators with major energy interests in their states have submitted a list of specific "principles" that the Trump administration should consider when it renegotiates NAFTA.

"NAFTA has played a key role in all North American energy markets including electricity, renewable, oil, and natural gas, as each market is highly integrated with and remains dependent on vital energy infrastructure and trade crossings that border the United States, Canada, and Mexico," eight lawmakers wrote in a letter organized by Sen. John Cornyn (R-Texas).

The senators, in their letter to U.S. Trade Representative Robert Lighthizer, set out eight points that should be considered "to protect American energy consumers and producers and enhance U.S. energy security."

First on the list is a demand that any revised deal allow for the free flow of electricity, oil, natural gas, refined products, petrochemicals and other energy-intensive manufactured goods. Among other things, the lawmakers also want zero tariffs on all energy products; competitive and transparent bidding for licenses; investor protections; and product-specific rules to allow the use of diluent, a lubricant added to crude oil for pipeline transit of oil.

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Back

GAO says EPA falls short on advisory board policy Back

By Alex Guillén | 06/08/2017 03:40 PM EDT

EPA fell short on recent orders from Congress to update the agency's policy statement for the Science Advisory Board, according to a report issued today by the Government Accountability Office.

A spending bill passed in 2015 directed EPA to ensure its SAB policy included a way to evaluate bias if the administrator wants "financial-related metrics" to "identify conflicts of interest or bias." EPA critics have long complained that SAB and other advisory panels are weighted toward researchers who receive research grants from the federal government.

The spending bill also directed EPA to study ways of increasing state membership and methods for considering public comment.

However, GAO says EPA fell short on all counts. "EPA did not update its policies or requirements for the SAB as directed by the explanatory statement," the report said.

A draft document did not delve into the financial metrics because agency staff use the "existing legal and policy framework," including Office of Government Ethics rules. The other directives also came up short, and the agency has yet to finalize the document, GAO said.

While the report made no recommendations before the guidance is finalized, GAO said EPA should keep the criticisms in mind.

Administrator Scott Pruitt made waves last month when he declined to re-appoint nine members of the Board of Scientific Counselors, a separate entity from SAB that advises EPA on research issues. Observers also say EPA is behind on finding a new chair for the seven-member Clean Air Scientific Advisory Committee.

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EHS Federal Regulatory Alert

July 14, 2017 - Number 134

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Summaries

AIR
Maine SIP/Gasoline Dispensing Facilities
AIR

Final rule of the EPA approves revisions to the Maine SIP regarding vapor control requirements for gasoline dispensing facilities (GDFs). The revisions require GDFs to decommission their Stage II vapor recovery systems by Jan. 1, 2013. The revisions also require GDFs whose monthly throughput exceeds a threshold of 100,000 gallons per calendar month to comply with requirements of the NESHAP for GDFs (40 CFR 63, Subpart CCCCCC). In addition, the revisions include updated procedures for testing Stage I vapor recovery systems and for ensuring that hoses in the Stage I vapor balance system are properly connected. The rule is effective Aug. 14, 2017. Contact: Eric Rackauskas; EPA Region 1, Air Quality Planning Unit; 617-918-1628; rackauskas.eric@epa.gov. Citations: 40 CFR 52.1020

82 FR 32480 (07/14/2017)

Regulatory Update

AIR
Puerto Rico SIP/Arecibo Area 2008 Lead NAAQS
AIR

Final rule of the EPA approves a revision to the Puerto Rico SIP concerning attainment of the 2008 lead NAAQS for the Arecibo nonattainment area. The revision includes a base year emissions inventory, a modeling demonstration showing attainment of the lead NAAQS, and contingency measures. The revision also addresses reasonably available control measures/reasonably available control technology and the reasonable further progress plan. The rule is effective Aug. 14, 2017. Contact: Mazeeda Khan; EPA Region 2, Air Programs Branch; 212-637-3715; khan.mazeeda@epa.gov. Citations: 40 CFR 52.2720, 52.2727

82 FR 32474 (07/14/2017)

Regulatory Update

AIR

Utah SIP/Davis and Salt Lake Counties Major Source Ozone Offset Requirements

AIR

Proposed rule of EPA would approve revisions to the Utah SIP concerning ozone offset requirements for major sources in Davis and Salt Lake counties. The revisions update definitions and applicability and address offset provisions of the nonattainment area new source review permitting program after the area is redesignated to attainment for ozone and offset requirements for nitrogen oxides that may be triggered as a contingency measure under the ozone maintenance plan. Comments are due Aug. 14, 2017. Contact: Kevin Leone; EPA Region 8, Air Program; 303-312-6227; leone.kevin@epa.gov. Citations: 40 CFR 52

82 FR 32517 (07/14/2017)

Regulatory Update

AIR

Wisconsin/Clean Air Act Operating Permit Petition

AIR

Notice of the EPA announces a final order denying a petition objecting to a Clean Air Act Title V operating permit issued by the Wisconsin Department of Natural Resources (WDNR) to Waupaca Foundry Plants 2/3. The petitioner asserted that the permit does not comply with CAA Section 112 and the NESHAP for the iron and steel foundry industry and the definition of benzene, that actual emissions from the facility have created and sustained lethal hazardous air pollutant concentrations in Waupaca County, that the WDNR mistakenly applied the state's hazardous air pollutant program requirements, and that the modeling procedures were incorrect. Petitions for review are due Sept. 12, 2017. The order is dated June 7, 2017. Contact: Genevieve Damico; EPA Region 5, Air and Radiation Division; 312-353-4761

82 FR 32542 (07/14/2017)

Regulatory Update

ENDANGERED SPECIES

Aleutian Shield Fern/Five-Year Status Review

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces a five-year status review of the endangered Aleutian shield fern to determine if the current listing classification is still accurate. The agency requests scientific and commercial information since the last status review in 2005, including information on the biology of the species, habitat conditions, and conservation measures implemented. Comments are due Sept. 12, 2017. Contact: Leah Kenney; USFWS, Anchorage Fish and Wildlife Field Office; 907-271-2440; leah_kenney@fws.gov. Citations: 50 CFR 17.12

82 FR 32573 (07/14/2017)

Regulatory Update

FOOD SAFETY
Assessment of Ill Worker Policies Study
FOOD SAFETY

Notice announces the intention of the National Center for Environmental Health to seek OMB approval for a new information collection for assessment of ill worker policies. The collection consists of a study by the Environmental Health Specialists Network program for identification and understanding of environmental factors associated with foodborne illness outbreaks and other food safety issues. The study will address assessment of restaurant manager and worker knowledge, attitudes, and practices concerning working while ill, and whether an educational intervention would result in enhancement of ill worker management procedures. Comments are due Sept. 12, 2017. Contact: Leroy Richardson; CDC, Office of Scientific Integrity; 404-639-7570; omb@cdc.gov

82 FR 32551 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Abbreviated New Drug Applications/Product-Specific Guidances
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of additional draft and revised guidances for industry providing product-specific recommendations, including bioequivalence design to support abbreviated new drug applications. The notice lists new draft product-specific guidances for 20 drug products and revised draft product-specific guidances for 12 drug products. Comments are due Sept. 12, 2017. Contact: Xiaoqiu Tang; FDA, Center for Drug Evaluation and Research; 301-796-5850

82 FR 32556 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Impact Statements
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of environmental impact statements filed July 3-7, 2017. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146. Citations: 40 CFR 1506.9

82 FR 32541 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Florida/Martin County Hurricane and Storm Damage Reduction Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Ocean Energy Management announces the availability of the record of the decision authorizing the use of Outer Continental Shelf (OCS) sand resources by the U.S. Army Corps of Engineers for the Martin County Hurricane and Storm Damage Reduction Project on Hutchinson Island, Fla. BOEM will enter into a negotiated agreement with the USACE and the Martin County Board of Commissioners to make up to 1 million cubic yards of OCS sand from the C1-B borrow area available for nourishment of a four-mile stretch of beach. Contact: Jill Lewandowski; BOEM, Office of Environmental Programs; 703-787-1703; jill.lewandowski@boem.gov

82 FR 32576 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Gulf of Mexico OCS Lease Sale 249
GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Ocean Energy Management announces the record of decision for the Outer Continental Shelf (OCS) Gulf of Mexico regionwide oil and gas Lease Sale 249. The agency selected the preferred alternative to provide for lease of all available unleased blocks within the Western, Central and Eastern planning areas in the Gulf of Mexico with specified exceptions. A concurrent notice provides final sale information, including primary lease terms, minimum bonus bid amounts per acre, annual rental rates, and royalty rates. Contact: Greg Kozlowski; BOEM, Office of Environment; 504-736-2512; greg.kozlowski@boem.gov

82 FR 32583 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Michigan/Ludington Pumped Storage Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a hydroelectric application by the Consumers Energy Co., of Cadillac, Mich., and DTE Electric Co., of Detroit, for a new major license for the Ludington Pumped Storage Project on the east shore of Lake Michigan in Mason County, Mich., and a satellite site in Ottawa County. The existing project consists of an upper reservoir, concrete intake structure, six penstocks, a powerhouse with six pump-turbine/motor-generator units, two jetties and a breakwater, and appurtenant facilities. The project also includes the satellite Pigeon Lake North Pier recreation site 70 miles south of the main facility. The notice specifies that the applicant operates the project in peaking mode with an annual average generation of approximately 2.6 million megawatt-hours. The notice includes a preliminary licensing procedural schedule. Final amendments are due 30 days from the notice of ready for environmental analysis, for which the target date is September 2017. Contact: Shana Wiseman; FERC; 312-596-4468; shana.wiseman@ferc.gov

82 FR 32539 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

OCS Air Permits
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the issuance of a final Outer Continental Shelf (OCS) air permit to Anadarko Petroleum Corp. for the Anadarko Bob Douglas project in the eastern Gulf of Mexico (permit number OCS-EPA-R4021). The notice also announces the rescission of Statoil Gulf Services LLC's OCS permit (OCS-EPA-4012) for operations in the Gulf of Mexico. Statoil is no longer conducting exploratory drilling operations and requested their permit be rescinded. Contact: Kelly Fortin; EPA Region 4, Air, Pesticides, and Toxics Management Division; 404-562-9117; fortin.kelly@epa.gov. Citations: 40 CFR 55 and 71

82 FR 32547 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Ohio/Cincinnati CDC-NIOSH Consolidated Campus
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the CDC to prepare an environmental impact statement for the proposed site acquisition and development of a new National Institute for Occupational Safety and Health consolidated campus in Cincinnati. The new campus would consolidate the existing Robert A. Taft, Taft North, and Alice Hamilton Laboratory campuses in Cincinnati. A meeting is scheduled for Aug. 1, 2017, in Cincinnati. Comments are due Aug. 14, 2017. Contact: Harry Marsh; CDC, Office of Safety, Security, and Asset Management; 770-488-8170; cdc-cincinnati-eis@cdc.gov

82 FR 32553 (07/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Ohio/Wellington Storage Field
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a prior notice request by Columbia Gas Transmission LLC, of Houston, to construct and operate two new storage wells at the Wellington Storage Field in Lorain and Medina counties in Ohio. The proposed wells will provide a combined total of 10 million cubic feet per day of restored deliverability to the Columbia system. The agency plans to complete an environmental assessment or issue a notice of schedule of environmental review by Oct. 10, 2017. Protests and motions to intervene are due Sept. 8, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 32540 (07/14/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Chemical Transportation Advisory Committee Meeting/Regulatory Reform
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the U.S. Coast Guard announces a meeting of the Chemical Transportation Advisory Committee to discuss issues related to identifying existing regulations, guidance, and information collections within the committee's scope for possible repeal, replacement, and modification. The Coast Guard is assigning the committee this task in response to executive orders 13771, 13777, and 13783 regarding regulatory reform. The Coast Guard will consider committee recommendations as part of the process discussed in the three executive orders. The meeting is scheduled for Aug. 2, 2017, via teleconference. Contact: Jake Lobb; USCG; 202-372-1428; jake.r.lobb@uscg.mil. Citations: 33 CFR 1 through 199, 46 CFR 1 through 499 (nonconsecutive), 49 CFR 400 through 499

82 FR 32515 (07/14/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Hazardous Waste Electronic Manifest System Advisory Board Meeting
HAZARDOUS WASTE MANAGEMENT

Notice of the EPA announces a meeting of the Hazardous Waste Electronic Manifest System Advisory Board. The agenda includes presentations and discussions concerning user registration and account activation issues that require resolution prior to the June 2018 launch of the manifest. The meeting is scheduled for Sept. 26-28, 2016, in Arlington, Va., and via webcast. Comments are due Sept. 26, 2017. Contact: Fred Jenkins; EPA, Office of Resource Conservation and Recovery; 703-308-7049; jenkins.fred@epa.gov

82 FR 32546 (07/14/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Texas/Samsung Austin Semiconductor Hazardous Waste Delisting Petition
HAZARDOUS WASTE MANAGEMENT

Proposed rule of the EPA would conditionally exclude the wastewater treatment sludge, copper filter cake (F006), generated by Samsung Austin Semiconductor, of Austin, Texas, from the lists of hazardous waste under RCRA. Samsung would be permitted to generate the sludge, which is produced during the electroplating process, at a maximum rate of 750 cubic yards annually. The delisting would be effective only in states subject to the federal RCRA delisting program. The rule also would require Samsung to perform specified analytical testing, to submit testing data, and to provide notification to the relevant state regulatory agency before transporting the delisted waste. Hearing requests are due July 31, 2017. Comments are due Aug. 14, 2017. Contact: Michelle Peace; EPA Region 6; 214-665-7430; peace.michelle@epa.gov. Citations: 40 CFR 261.31, 261.32, Appendix IX

82 FR 32519 (07/14/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Outer Continental Shelf Oil and Gas Lease Sale 249
OIL AND GAS INDUSTRY

Notice of the Bureau of Ocean Energy Management provides final sale information for the Gulf of Mexico Outer Continental Shelf Regionwide Oil and Gas Lease Sale 249. All available unleased acreage in the Gulf of Mexico will be offered for bid, except for certain blocks specified in the notice. The notice specifies primary lease terms, minimum bonus bid amounts per acre, annual rental rates, and royalty rates. Lease stipulations regarding topographic features and live bottom will apply to all lease sales, in accordance with the final programmatic environmental impact statement for the 2017-2022 Five-Year OCS Oil and Gas Leasing Program record of decision (81 FR 83870; 11/22/2016). Additional stipulations are specified by lease block. The notice also includes bidding instructions, rules, and restrictions. A concurrent notice announces the agency's record of decision for the lease sale. Public bid reading is scheduled for Aug. 16, 2017, via webcast. Sealed bids are due Aug. 15, 2017, and bonus bid deposits are due Aug. 17, 2017. Contact: David Diamond; BOEM, Leasing Division; 703-787-1776; david.diamond@boem.gov

82 FR 32577 (07/14/2017)

Regulatory Update

PESTICIDES

Pesticide Tolerances/Difenoconazole

PESTICIDES

Final rule of the EPA establishes tolerances for residues of the fungicide difenoconazole in or on cottonseed subgroup 20C at .40 parts per million (ppm); rice, grain at 7.0 ppm; and rice, wild, grain at 7.0 ppm. The rule also increases the tolerance for cotton gin byproducts to 15 ppm. The tolerance in/on cotton undelinted seed at .05 ppm is removed because residues on cotton, undelinted seed are covered by the new tolerance for cottonseed subgroup 20C. The tolerances are finalized as petitioned by Syngenta Crop Protection LLC, of Greensboro, N.C. The rule is effective Sept. 12, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.475

82 FR 32482 (07/14/2017)

Regulatory Update

RADIATION

Generic Aging Lessons, Standard Review Plans for Nuclear Power Plants

RADIATION

Notice of the NRC announces two final guidance documents, NUREG-2191, Generic Aging Lessons Learned for Subsequent License Renewal Vol. 1 and 2 and NUREG-2192, Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants (SRP-SLR). The guidance documents address the techniques used for evaluation of applications for subsequent license renewal and the acceptable methods for commission staff for granting subsequent license renewal. The guidance documents also reflect increased operating time from 60 to 80 years and provide information identified as missing since the release of the Generic Aging Lessons Learned Report, Revision 2. Contact: Bennett Brady; NRC, Office of Nuclear Reactor Regulation; 301-415-2981; Bennett.Brady@nrc.gov

82 FR 32588 (07/14/2017)

Regulatory Update

RADIATION

Transuranic Waste Characterization Program/Los Alamos National Laboratory

RADIATION

Notice of the EPA announces the proposed approval of the contact-handled transuranic (TRU) waste characterization program implemented by the Energy Department's Central Characterization Project at Los Alamos National Laboratory for waste intended for disposal at the Waste Isolation Pilot Plant (WIPP) in southeastern New Mexico. The waste characterization program includes changes to address deficiencies identified by the DOE following a February 2014 radiation release at the WIPP. The EPA also announces the availability of a draft baseline inspection report concluding that the program continues to meet compliance criteria. In addition, the agency proposes to eliminate the distinction between retrievably stored and newly generated TRU waste characterized to meet the requirements for disposal at the WIPP. Comments are due Aug. 28, 2017. Contact: Rajani Joglekar; EPA, Center for Waste Management and Regulations; 202-343-9462; joglekar.rajani@epa.gov. Citations: 40 CFR 191 and 194

82 FR 32542 (07/14/2017)

Regulatory Update

TOXIC SUBSTANCES

List I Chemicals/Alpha-Phenylacetoacetonitrile

TOXIC SUBSTANCES

Final rule of the Drug Enforcement Administration designates the chemical alpha-phenylacetoacetonitrile (APAAN) and its salts, optical isomers, and salts of optical isomers, as a list I chemical under the Controlled Substances Act. All transactions involving any amount of APAAN are subject to the recordkeeping, reporting, import and export control, and other chemical standards of the act. Applications for registration or exemption for persons seeking to engage in activities with APAAN are due Aug. 14, 2017. The rule is effective Aug. 14, 2017. Contact: Michael Lewis; DEA, Office of Diversion Control; 202-598-6812. Citations: 21 CFR 1310.02, 1310.04, 1310.09, 1310.12

82 FR 32457 (07/14/2017)

Regulatory Update

TOXIC SUBSTANCES

Schedule I Controlled Substances/Acryl Fentanyl

TOXIC SUBSTANCES

Notice of the Drug Enforcement Administration announces the issuance of a temporary scheduling order to place the synthetic opioid acryl fentanyl into schedule I under the Controlled Substances Act. The notice, which follows a June 2, 2017, notice of intent to issue a temporary scheduling order (82 FR 25564), provides requirements for persons who handle the substance. The notice also specifies that the order is effective for two years, unless it is extended for an additional year or a permanent scheduling proceeding is completed. The order is effective July 14, 2017, and expires July 15, 2019. Contact: Michael Lewis; DEA, Diversion Control; 202-598-6812

82 FR 32453 (07/14/2017)

Regulatory Update

WATER
Marine Safety Manual/Marine Industry Personnel
WATER

Notice of the U.S. Coast Guard announces an update to the Marine Safety Manual, Volume III, relating to marine industry personnel and the corresponding Commandant Change Notice that highlights changes made to the manual. The update includes revised guidance to align with the Howard Coble Coast Guard and Maritime Transportation Act, manning scales for towing vessels certified under the recent inspection of towing vessels rule (81 FR 40003; 06/20/2016), and various policy updates concerning vessel manning. In addition, the annex now includes a suggested safe manning proposal template, a Coast Guard work instruction, a master's field guide, and a verification check-sheet. The update is effective July 14, 2017. Contact: Corydon Heard; USCG; 409-978-2704; Corydon.F.Heard@uscg.mil. Citations: 46 CFR Chapter I, Subchapter M

82 FR 32488 (07/14/2017)

Regulatory Update

WATER
National Offshore Advisory Committee Meeting/Regulatory Reform
WATER

Notice of the U.S. Coast Guard announces a meeting of the National Offshore Safety Advisory Committee to discuss issues related to identifying existing regulations, guidance, and information collections within the committee's scope for possible repeal, replacement, and modification. The Coast Guard is assigning the committee this task in response to executive orders 13771, 13777, and 13783 regarding regulatory reform. The Coast Guard will consider committee recommendations as part of the process discussed in the three executive orders. The meeting is scheduled for Aug. 3, 2017, via teleconference. Contact: Patrick Clark; USCG; 202-372-1358; patrick.w.clark@uscg.mil. Citations: 33 CFR 1 through 199, 46 CFR 1 through 499 (nonconsecutive), 49 CFR 400 through 499

82 FR 32514 (07/14/2017)

Regulatory Update

WATER
Towing Safety Advisory Committee Meeting/Regulatory Reform
WATER

Notice of the U.S. Coast Guard announces a meeting of the Towing Safety Advisory Committee to discuss issues related to identifying existing regulations, guidance, and information collections within the committee's scope for possible repeal, replacement, and modification. The Coast Guard is assigning the committee this task in response to executive orders 13771, 13777, and 13783 regarding regulatory reform. The Coast Guard will consider committee recommendations as part of the process discussed in the three executive orders. The meeting is scheduled for Aug.

2, 2017, via teleconference. Contact: William Nabach; USCG; 202-372-1386; william.a.nabach@uscg.mil. Citations: 33 CFR 1 through 199, 46 CFR 1 through 499 (nonconsecutive), 49 CFR 400 through 499

82 FR 32510 (07/14/2017)

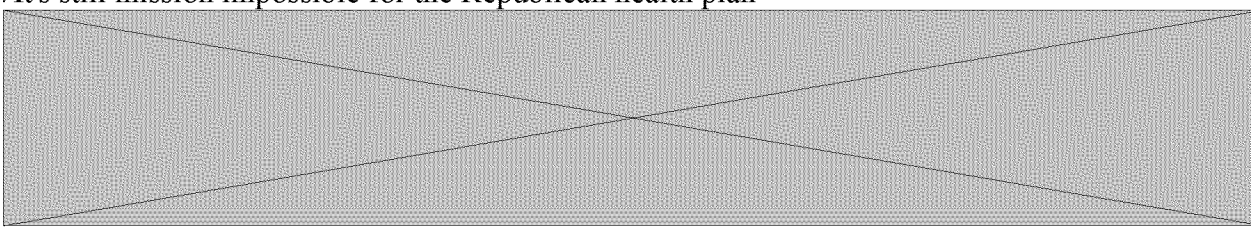
Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Thur 7/27/2017 10:10:25 AM
Subject: AEI Today: It's still mission impossible for the Republican health plan

. It's still mission impossible for the Republican health plan



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

It's still mission impossible for the Republican health bill

James C. Capretta | Real Clear Health

Senate Majority Leader Mitch McConnell did the seemingly impossible on Monday and got the votes he needed to proceed on consideration of the House plan for repealing and replacing Obamacare. At this point, it's hard to tell what will happen in the coming days, but the scene looks troubling. The problem for Senate Republicans is that their principal goal is incompatible with the process they are using to pass the legislation.

Twenty20

The left denies the role of marriage in escaping poverty

W. Bradford Wilcox | City Journal

For today's progressives, marriage doesn't matter when it comes to fighting poverty. In a column titled "No, young people aren't poor because they're not married," Melissa Boteach and Anusha Ravi of the Center for American Progress argue that "[two] poor people getting married does not make anyone less poor." Their underlying assumption is that marriage is irrelevant to poverty simply because it's not a panacea.

Reuters

The US has paralyzed itself by fixating on the war on terror

Thomas Donnelly | Strategika

The collapse of the Islamic State in Iraq and Syria ought to pull away the shroud of post-9/11 confusion that has occluded the strategic vision of the United States and the West in general. By abstracting out a war on terror from the larger struggle for Middle East power, we have paralyzed ourselves into a kind of short-range target obsession. In doing so, we violate Clausewitz's first dictum: to understand the nature of the conflict.

Reuters

Conservatives need a goal. It should be universal coverage.

Michael R. Strain | Bloomberg View

The Affordable Care Act is in bad shape, with premiums increasing at an alarming rate, insurers leaving the exchanges, and a new

administration much less willing to prop it up. We aren't in a "death spiral," but some action will be needed, especially given the progress made on Capitol Hill this week. But Republicans don't seem to know what they want to achieve — other than being able to say that they repealed Obamacare.

More from AEI

Liberals want Republicans to stop being Republicans
Ramesh Ponnuru | Bloomberg View

At last, Congress seems to be taking an interest in the FCC

Daniel Lyons | TechPolicyDaily.com

Bret Swanson: After a decade-long drought, America is on the verge of a productivity boom

James Pethokoukis | AEIdeas

Beware of Greeks bearing bonds

Desmond Lachman | InsideSources

According to one liberal writer, Donald Trump is not so radical a president

Michael Barone | Washington Examiner

AEI in the news: Washington may allow states to decide essential health benefits

Sara Hansard | Bloomberg BNA

In an open letter to America's first 'drug czar,' Milton Friedman made the case for decriminalizing drugs

Mark J. Perry | AEIdeas

The left is looking to the Fed to juice the economy
James Pethokoukis | AEIdeas

Watch: Are carbon taxes a problem or a solution? Senators Sheldon Whitehouse (D-RI) and Brian Schatz (D-HI) weigh in
Aparna Mathur | AEI event video

Quiz: Test your knowledge of recent economic news and data
Mark J. Perry | AEIdeas

Around the web: Wisconsin firm offers to implant remote-control microchips in its employees
Matt Winesett | AEIdeas

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 5/24/2017 11:42:42 AM
Subject: The Morning Headlines from InsideEPA/climate -- May 24, 2017

May 24, 2017

Budget Plan Severely Limits EPA Climate Work With No Sign Of Expansion

The Trump White House's fiscal year 2018 budget proposal calls for steep cuts to EPA's climate change policy and research, limiting the agency's climate work to greenhouse gas reporting and some existing GHG regulations while signaling that the agency does not intend to strengthen the climate programs it does maintain.

Critics Say EPA's FY18 Cuts Undermine Trump Efforts To Boost Economy

The Trump administration's proposed budget for EPA is sparking push back from environmentalists and state officials who say the steep proposed cuts would actually impose significant costs on industries, communities and the broader economy, in contrast to administration promises that scaling back EPA rules would boost prosperity.

Lacking Unified Industry Stance, NAM Seeks To Leave Youth Climate Suit

The National Association of Manufacturers (NAM) is asking a federal district court to allow it to withdraw as an intervenor on the U.S. government's behalf in a landmark youth constitutional climate change suit, with the group saying it and two other industry intervenors cannot reach agreement on their detailed position in the litigation.

White House Rejects Calls To Maintain Popular EPA Programs In FY18 Budget

The White House is doubling down on its plans to slash popular EPA programs such as the voluntary Energy Star energy efficiency program in its just-released

EDITORIAL CONTACT

703-562-8752

Inside EPA's 2018 budget proposal, offering justifications for the cuts that reject growing calls from lawmakers, industry and other groups who have been lobbying hard to preserve the funds.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Tue 5/30/2017 11:30:41 PM
Subject: Today on Climate Beat

May 30, 2017

Today on Climate Beat . . .

. . . we practiced our French, bringing you the latest on the Paris Agreement in our daily news roundup. President Donald Trump announced on Twitter over the weekend that he will make a decision this week, and he's reportedly told several people, including EPA Administrator Scott Pruitt, that he intends to say "au revoir" to the deal.

Speaking of Paris, the topic came up in a meeting between Pruitt and Trump today. "This is a subject that the president is spending a great deal of time on, and one that he spoke to the G7 members about during their meetings," White House press secretary Sean Spicer told reporters in announcing the meeting.

Out west, California Gov. Jerry Brown (D) has some harsh words for a newly introduced bipartisan bill to "harmonize" EPA vehicle greenhouse gas rules with Transportation Department fuel economy standards, suggesting the measure is a step toward gutting both programs.

And in regulatory news, EPA indicated in a court-required status report on its review of the Clean Power Plan that it could soon seek interagency review for a "proposed regulatory action" expected to repeal the existing power plant GHG rule, all but confirming reports last week that the agency has drafted a repeal rule.

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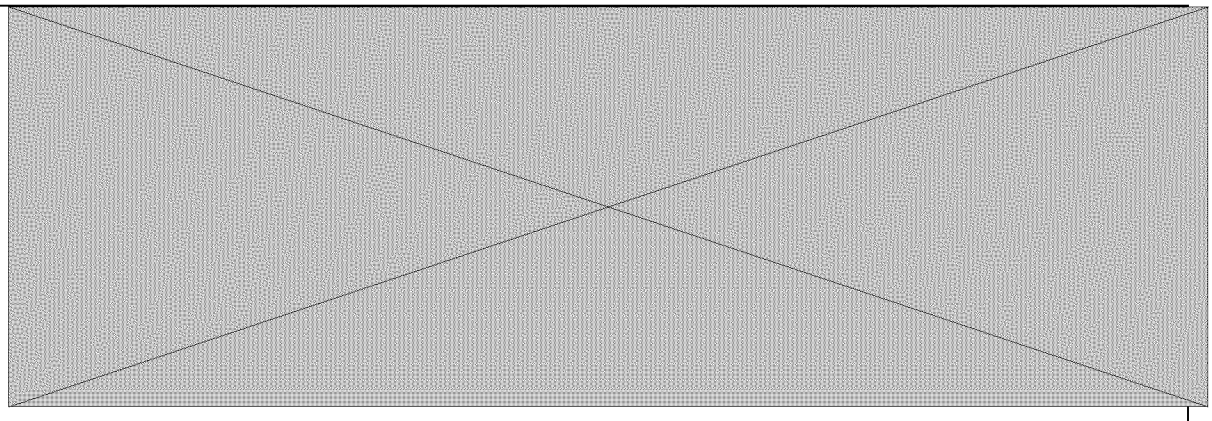
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 6/15/2017 3:08:19 PM
Subject: You're Invited | POLITICO Pro Policy Summit



[redacted]

Dear Ryan,

[redacted]

We're excited to offer you an early invitation to the POLITICO Pro Policy Summit, a daylong event at which attendees will have the opportunity to interact with fellow policy experts and decision makers from across Washington D.C. The program will feature main stage keynote speakers and smaller breakout sessions focused on policy-specific discussion topics.

[redacted]

POLITICO Pro Policy Summit Details:

[redacted]

Date:	Sept. 14, 2017
Location:	Omni Shoreham Hotel 2500 Calvert St. NW Washington, D.C. 20008

[redacted]

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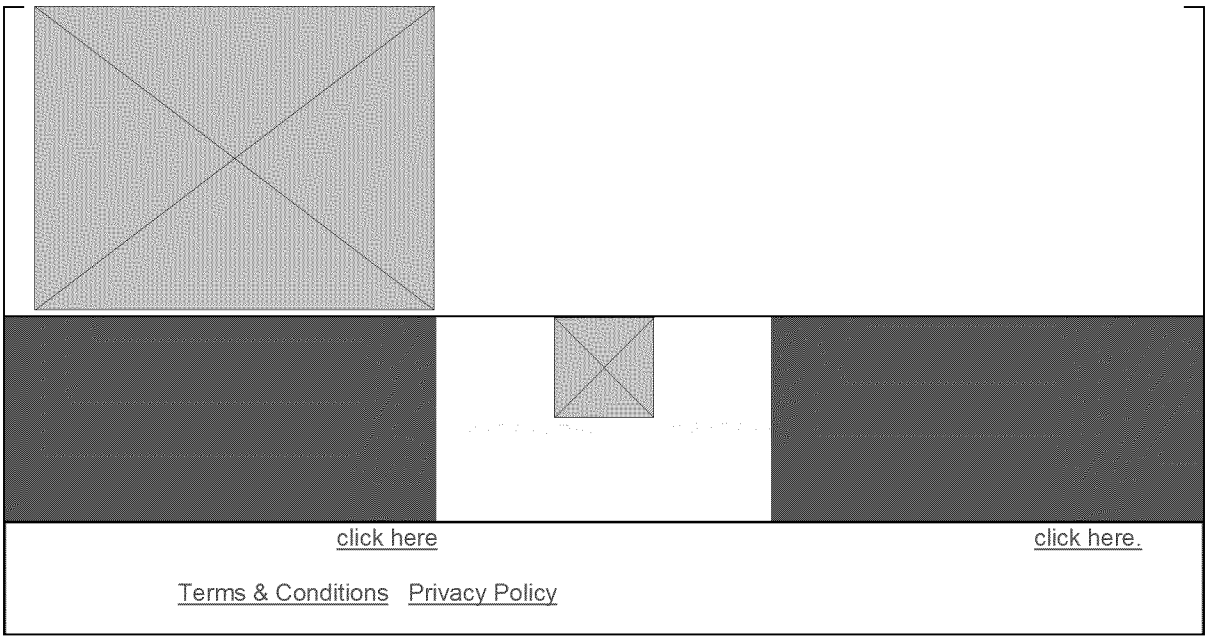
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Please note: Attendance at the POLITICO Pro Policy Summit is limited exclusively to current POLITICO Pro customers at the director-level and above. Space is limited, so reserve your seat today!

This invitation is non-transferable.

[redacted]

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Mon 6/12/2017 9:41:11 AM
Subject: Morning Media: Ivanka's positive press tour — Chelsea Manning's media rollout — Guardian going tabloid

By Joe Pompeo | 06/12/2017 05:39 AM EDT

With Alex Weprin

TWO IVANKA INTERVIEWS FOR THE PRICE OF ONE - The first installment is this morning at 7 a.m. on "Fox & Friends," in which the First Daughter "will discuss former FBI director James Comey's testimony before the Senate Intelligence Committee and the White House's workforce development program with co-hosts Steve Doocy, Ainsley Earhardt and Brian Kilmeade," according to Fox News. The second? Also on Fox & Friends: "Earhardt will also preview her upcoming interview with the first daughter, which will take place at the White House on Wednesday, June 14th and air on Thursday, June 15th during FOX & Friends."

Between this and last week's cover of Us Weekly, "Ivanka Takes a Stand: Why I Disagree With My Dad -- which was based on "Ivanka insiders" dishing to the supermarket tabloid now owned by Trump pal David Pecker -- are we seeing something of an Ivanka positive press tour in Trump-friendly media outlets?

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**, who's on vacation this week. (clima@politico.com / @ludacristiano). **Hadas Gold** contributed to today's column. **Archives**. **Subscribe.**

CHELSEA MANNING MEETS THE PRESS - The New York Times Magazine this morning is promoting what's billed as "the exclusive first magazine cover story with Chelsea Manning since her presidential commutation and release. ... After serving seven years of a 35 year sentence for what was then the largest leak of classified records in American history, Ms. Manning sat down with contributing writer Matthew Shaer to tell her story for the first time. Though she has been the subject of numerous articles, Ms. Manning was forbidden from speaking directly to reporters during her incarceration." The print version will land in Sunday's issue. You can find it online here.

Vogue also is reportedly working on a big feature about the 29-year-old whistleblower formerly known as Bradley Manning, which will include a fashion spread, according to a WWD story last month. And ABC's "Nightline" said it will air an exclusive Manning interview sometime this week. The network released preview clips over the weekend, including one in which Manning tearfully thanks President Obama for his grant of clemency. Aside from being good gets, these interviews are also the first time most Americans will actually hear from Manning after hearing so much about her over the past seven years. The coverage is also particularly timely given the debate that's raging over the unauthorized disclosure of classified information to the press, and the arrest last week of another leaker.

ANOTHER HIGHLY ANTICIPATED INTERVIEW - On the second episode of her new weekly NBC show last night, Megyn Kelly previewed her sit-down with right-wing radio host and conspiracy aficionada Alex Jones, which is set to air this Sunday. Q: "They call you the most paranoid man in America, is that true?" A: "Absolutely not." You can watch the full clip here.

MUST READS:

-- "Long Before It Lost Turf, ISIS Was Already Targeting Britain" [NYT]

-- "Gary Cohn Has Profited From Big Mistakes. So Why Not Go Work for Trump?" [New York]

-- "Dan Scavino is the other @realdonaldtrump" [POLITICO]

-- "Inside Ford's Top-Secret Campaign to Remake the Iconic GT" [Wired]

ON TRUMP'S NEGATIVE PRESS - From Margaret Sullivan's Monday WaPo column : "Trump's press coverage has been a political nightmare. Isn't that terribly unfair? Here's my carefully nuanced answer: Hell, no. That's because when we consider negative vs. positive coverage of an elected official, we're asking the wrong question. The president's supporters often say his accomplishments get short shrift. But let's face it: Politicians have no right to expect equally balanced positive and negative coverage, or anything close to it. If a president is doing a rotten job, it's the duty of the press to report how and why he's doing a rotten job. ... Should positive coverage be provided, as if it were a birthright, to a president who consistently lies, who has spilled classified information to an adversary, and who fired the FBI director who was investigating his administration?"

FROM MONDAY'S OTHER MEDIA COLUMN - Jim Rutenberg in The New York Times: "What would Watergate look like if it were to happen now? We no longer have to wonder. Forget Deep Throat ... We now have "the deep state," the scheming coterie in the intelligence community supposedly seeking to take down the president to protect its own power ... Once again, a senior F.B.I. official ... has played a central role in the drama by becoming a primary source for reporters covering an unfolding political scandal that is transfixing the nation and consuming a White House. ... Of course, Watergate unfolded in a much simpler time in the media industry. ... The Trump-Russia scandal is breaking during a time of informational chaos." More: "In Watergate, One Set of Facts. In Trump Era, Take Your Pick."

KATY TUR'S INEVITABLE SUNDAY STYLES MOMENT - We're surprised it took this long : "Just two years ago she was a foreign correspondent for NBC, living in London. But she happened to be in New York when the future president announced his candidacy, on June 16, 2015. ... A year or so later, she had captured national attention. Colleagues rallied around her, thousands tweeted #iamwithtur, magazines came calling, and HarperCollins engaged her to write a book on the 2016 campaign ... Then there is the afternoon anchor slot, which MSNBC gave her in January. In April, she received a Walter Cronkite Award for excellence. And this month she will become a contributor to the much publicized new NBC News program 'Sunday Night With Megyn Kelly.' But what she won't do is go to Washington."

The Times, as Poynter notes, caught flak for the headline, which it ended up changing twice on the web after facing criticism that the original display copy -- "Katy Tur Is Tougher Than She Looks" -- was sexist.

REVOLVING DOOR:

-- Hadas Gold has learned: The Associated Press is expected to name a new Washington Bureau Chief today. No word yet on who it is but our source suggests it's part of a larger shakeup at the bureau. Current acting bureau chief Wendy Benjaminson is not expected to get the role permanently. An AP spokesperson didn't immediately respond to a request for comment.

-- Kevin Roose is re-joining The New York Times' BizDay section, after detours through New York magazine and Fusion, to write a "reported column" that "will deal with the intersection of business, tech and power."

-- As expected, Noah Kotch is moving to a different corner of the Murdoch media empire, from News Corp's Heat Street to 21CF's Fox News Digital, where Kotch has been named editor-in-chief and vice president.

LETTER FROM LONDON - The Telegraph reports: "The Guardian newspaper will soon abandon its European-style 'Berliner' print format and go tabloid to help stem heavy losses. It is understood that an agreement to outsource printing to Trinity Mirror could be announced as soon as this week, although senior sources said it was not yet completely finalised. The plans mean The Guardian will be redesigned to fit smaller tabloid pages."

'MESSY' 10 MONTHS AT GIZMODO MEDIA GROUP FOLLOWING UNIVISION SALE - "Since the deal, the six former Gawker Media sites ... have struggled with indecision, a dysfunctional bureaucracy, and an exodus of top leadership and institutional knowledge that gave Gawker Media its editorial bite," Business Insider's Maxwell Tani reports . "[M]any GMG staffers wonder what will remain of the clever, fearless attitude that defined the sites for millions of readers. ... Conversations with more than a dozen current and former staffers over the past several weeks detailed a difficult integration that has chipped away the spirit and ethos of Gawker Media. ... [GMG CEO Raju Narisetti] rattled off top-line statistics that showed a company growing after a tumultuous multiyear legal battle ... Narisetti said last week that even after he had hired 53 new full-time staffers across the websites, the company remained under budget and on target to experience a 30% increase in revenue across the sites in one year."

Related: Here's a review, by Newsweek's Alexander Nazaryan, of "Nobody Speak: Trials of the Free Press," a new Netflix documentary about the Hulk Hogan sex tape trial that brought down Gawker. "The documentary, for the most part, treats the Gawker crew with unwavering sympathy, assuming perhaps too readily that viewers share a similar belief about the inherent rightness of its actions."

SOUNDTRACK: David Bowie, "China Girl"

EXTRAS:

-- A fake Time magazine cover calling Trump "Liar in Chief" was circulating on Twitter last night. [Mediaite]

-- President Trump is even having an impact on this year's Emmy push for the late night comedy shows. While the "Tonight Show" and "Late Show" chose to mail Emmy voters normal screeners, "Jimmy Kimmel Live" chose to submit an episode featuring former President Obama, with the outside box declaring "It'll feel good to vote for Obama again." Meanwhile, "Full Frontal Samantha Bee" designed their Emmy mailer to look like the "2008 Russian pee tape," and included an excerpt from the Steele dossier on the inside cover. [Alex Weprin]

-- ICYMI: James Comey's Senate testimony last week was a ratings bonanza, not that anyone expected otherwise. [POLITICO]

-- Insane: "A computer repairman from Las Vegas was charged on Friday in Manhattan with threatening to kill New York lawyers who have filed an anti-discrimination suit on behalf of 11 black employees at Fox News" [NYT]

--The memorial service for Zbigniew Brzezinski on Friday drew a crowd full of D.C. political types and TV news regulars. Brzezinski's daughter Mika was there, with her fiance Joe Scarborough. Chuck Todd, Bob Schieffer and Chris Licht were also in attendance. [TVNewser]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/12/ivankas-positive-press-tour-chelsea-mannings-media-rollout-guardian-going-tabloid-001289

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Fri 6/9/2017 9:43:13 AM
Subject: Morning Media: If you're sick of James Comey, don't read this newsletter — Notable new Glamour, Atlantic contribs — BW relaunch date

By Joe Pompeo | 06/09/2017 05:41 AM EDT

With Cristiano Lima and Alex Weprin

SO MUCH GROUND TO COVER, WHERE TO EVEN BEGIN? How about with Donald Trump's lawyer making headlines once again. You may remember Marc Kasowitz from his threat to sue The New York Times for libel last October. Or from his boxing on behalf of Bill O'Reilly during the sexual harassment scandal that cost the longtime cable news host his Fox News job earlier this year. Now, on the heels of James Comey's must-watch Senate testimony, all eyes are on Kasowitz's statement yesterday accusing the former FBI director of illegality based on Comey's leaking, via a surrogate, of details from his private conversations with President Trump.

There was at least one glaring factual inaccuracy: "The public record reveals that The New York Times was quoting from these memos the day before the referenced tweet." Not so, as Times White House correspondent Julie Pace pointed out on Twitter: "Kasowitz is mistaken re NYT stories on Comey memos. We never quoted memos prior to Trump's 5/12 tweet re tapes; 1st story doing so was 5/16."

Doh! "Awkward scene as Kasowitz tried to escape with no press questions," tweeted Bloomberg New White House reporter Jennifer Jacobs. "He and aides stood in elevator staring at us. Forgot to push down button."

You might also remember the name Kasowitz from this: His firm is the one that sent me - mistakenly, I was told - a private email conversation between several lawyers (including Kasowitz) and O'Reilly, as the group plotted a Hail Mary pass to try and save the anchor's job.

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

COMEY V. NEW YORK TIMES - It was rather remarkable that Comey divulged how he leaked, through "a good friend of mine who's a professor at Columbia Law School" (later confirmed to be Prof. Daniel Richman), the contents of his bombshell Trump memo that became the basis of a big New York Times scoop on May 16. That's perhaps what also makes it particularly interesting that Comey trashed a separate Times story from February ("Trump Campaign Aides Had Repeated Contacts With Russian Intelligence "), of which he said, "in the main, it was not true."

As of last night, the Times was standing by its reporting, the basic facts of which were not in dispute. And there was no reason to think the Times would change its tune unless, as one Times

insider familiar with the matter told Morning Media, "the FBI or Comey elaborate."

Full statement: "The New York Times has published an examination of Mr. Comey's statements today, which reviews our previous coverage and found no evidence that any prior reporting was inaccurate. In fact, subsequent reporting by The Times and other media outlets has verified our reporting as the story makes clear. Neither the F.B.I., nor Mr. Comey would comment or elaborate."

From the Times story on the matter: "Multiple news outlets have since published accounts that support the main elements of The Times's article, including information about phone calls and in-person meetings between Mr. Trump's advisers and Russians, some believed to be connected to Russian intelligence. Mr. Comey did not say exactly what he believed was incorrect about the article, which was based on information from four current and former American officials, all of whom spoke on the condition of anonymity because the information was classified."

GOOD RUNDOWN OF THE MEDIA RELEVANCE OF COMEY'S TESTIMONY: "A Leaker's Admission: How the Media Covered, and Factored Into, Comey's Testimony," by Sydney Ember and Michael Grynbaum in the Times. An interesting point from the piece: "It is highly unusual in Washington circles for powerful officials to admit to being the source of a leak. But the reality, veteran journalists say, is that such leaks are a day-to-day occurrence -- perhaps even more so during the Trump administration."

TAKES:

-- **Margaret Sullivan:** "Flawed: yes. Fake: no. And, sometimes, extremely useful. That was the portrait of the mainstream news media that emerged from former FBI director James B. Comey's appearance Thursday before the Senate Intelligence Committee. At various times, Comey portrayed journalists as getting the story wrong. ... Yet much of Comey's testimony reinforced or confirmed the bulk of the reporting ... that has dominated the news."

-- **Paul Farhi:** "Something happened on Thursday that hardly ever happens any more: The news media stopped and collectively focused on one event. There was no other story in this otherwise fragmented news world; James B. Comey's congressional testimony was it and only it."

-- **Hadas Gold**: "Former FBI director Jim Comey's testimony on Capitol Hill either completely vindicated President Donald Trump or further implicated him. That depends on which media is reporting the story. ... That mainstream outlets and conservative outlets would focus on different aspects of the testimony isn't entirely surprising, but reflects the extent that conservative media is backing Trump when even some Republican senators are condemning his handling of Comey."

SOUND BITES:

-- "As an editor, when I tell a reporter I 'hope' he'll do something I expect him to Deride &ridicule me in private and ignore me." [Gene Weingarten]

-- "NB: Intriguing Comey had memos leaked to NYT in May given contempt he now expresses for NYT's reporting back in February." [David Folkenflik]

-- "Can't recall a public figure ever explaining how he leaked a story" [Ron Fournier]

-- "Hearing didn't get to another reported detail in memo -- Trump urging Comey to consider jailing journalists for publishing classified info." [Michael Calderone]

-- "Marc Kasowitz is wrong about leaks. Congress passed numerous laws to protect whistleblowers. We encourage whistleblowers to leak to press." [Rep. Ted Lieu]

JAMES COMEY, STUDENT JOURNALIST - via The Chronicle of Higher Education : "Trying to maintain a veneer of neutrality while investigating a potentially explosive topic, James B. Comey found himself at the center of a fight between a brash antagonist and a group of rank-and-file professionals desperate to protect themselves and their institution. The year was 1980, and Mr. Comey, the future director of the Federal Bureau of Investigation, was a student journalist at the College of William & Mary. Years later, after the release on Wednesday night of his sworn testimony to the U.S. Senate's Intelligence Committee, several people would applaud his prowess as a storyteller. But Mr. Comey's work at The Flat Hat, the college's student newspaper, received far less applause that fall semester." More: "The Story of James Comey's Most Explosive Investigation -- in College"

TODAY'S DAILY NEWS FRONT PAGE WAS GETTING A LOT OF ATTENTION LAST NIGHT - It's a picture of Trump with the word "LIAR" overlaid on his mug. It's a strong and damning cover with a critical point of view, but at the same time, it's still notably more even-handed than the newspaper's swashbuckling anti-Trump crusade of 2016. If you look at the display copy, the News is not calling Trump a liar, per se, but rather, "LIAR" refers to "Comey's explosive accusations." (If New York tabloid Kremlinology is your thing, there's lots more where that came from in my feature from March: "An anti-Trump tabloid pulls back .")

SIDENOTE: THE DAILY NEWS IS DOING A FICTIONAL TRUMP E-BOOK - It's written by News columnist and New York tabloid veteran Gersh Kuntzman, and it's called, "COUP! Mike Pence and a skeet-shooting pothead, Rick Perry's dance leotard, a waterboard and Ivanka save America from Donald Trump." According to the promo copy, which was shared with Morning Media: "Using the Constitution's obscure 25th Amendment, Pence secretly convinces a majority of cabinet members to overthrow the 45th President, setting off a hilarious battle for power that culminates with a civil war, a President in exile and a new Trump brand rising like a phoenix from the ashes." Available for download in the Kindle store on Monday, $3.99 a pop.

MUST READS:

-- "Comey's devastating indictment of President Donald Trump" [POLITICO]

-- "5 Clues James Comey Just Left Behind" [The Daily Beast]

-- "What it Feels Like for a Woman and James Comey" [W]

-- "Security Breach" [Harper's]

-- "Oldest Homo sapiens bones ever found shake foundations of the human story" [The Guardian]

REVOLVING DOOR:

-- **The Atlantic's newest contributor** is "Face the Nation" moderator and CBS News Chief Washington Correspondent John Dickerson, who will write regularly for print and the web. His first piece landed right as James Comey began testifying on the Hill: "Donald Trump Is an Impossible Boss."

-- **Glamour has signed Washington Post White House reporter Ashley Parker** as a contributing editor covering Washington and politics. Per the mag's announcement: "Building on the brand's long history of political coverage, Parker will be responsible for bringing top politicians and coverage of important policy issues to Glamour's pages."

O'REILLY BACK ON TV - NewsmaxTV. Hat tip, Jim Rutenberg: "O'Reilly appears on Newsmax, which has been open about wanting to hire him post-Fox." You can watch the video and read the accompanying article, "O'Reilly: I Should Have Fought Back Like Sean Hannity," here. Newsmax CEO Chris Ruddy told us last month that he thinks "very highly" of O'Reilly and would be "very open" to working with him.

BLOOMBERG BUSINESSWEEK RELAUNCH SET FOR JUNE 15 - A Bloomberg rep revealed the street date to Morning Media last night, while declining to give us any specifics about what the makeover will entail. We have, however, confirmed one change: BW's quirky back-of-book "Etc." section, which is chock full of culture, fashion and lifestyle goodies, is going away. (I was a regular "Etc." contributor when it first launched with the initial Bloomberg-ified redesign of 2010. RIP.)

SOUNDTRACK: The Clash, "Straight to Hell"

EXTRAS:

-- Accused Intercept leaker Reality Winner pleaded not guilty and was denied bail. [CNN]

-- Al Jazeera says it came under cyberattack yesterday. [AJE]

-- Interview: "Ezra Klein Explains it All" [WWD]

-- Witnesses are being cross-examined in the ABC News "pink slime" lawsuit. Here's Eriq Gardner's latest dispatch from Elk Point, South Dakota. [THR]

To view online:

http://www.politico.com/media/tipsheets/morning-media/2017/06/09/if-youre-sick-of-james-comey-dont-read-this-newsletter-notable-new-glamour-atlantic-contribs-bw-relaunch-date-001288

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Mon 11/27/2017 3:04:11 PM
Subject: POLITICO's Morning Transportation: TSA gets through Thanksgiving weekend without any major glitches — Lawmakers huddle this week on appropriations — Could infrastructure still make its way into the tax plan?

By Tanya Snyder | 11/27/2017 10:02 AM EDT

With help from Stephanie Beasley

SO LONG AND THANKS FOR ALL THE TIFIA LOANS: Marty Klepper resigned his post at the helm of DOT's Build America Bureau last month, pleased with all he'd been able to accomplish but frustrated by a slew of mixed messages from the administration and Congress on infrastructure. There's the cognitive dissonance created when an administration that's supposedly planning a major infusion of cash for infrastructure proposes to cut funding for infrastructure programs. Plus, the House tax bill seeks to eliminate the tax break for private activity bonds (which the administration has previously said it planned to expand). And who could forget Trump's bewildering statement that public-private partnerships are "more trouble than they're worth?" But worst of all is that the promised infrastructure initiative itself "appears to be stalled and the future is uncertain," he said. Klepper was tapped by the Obama administration in its waning days to take over the newborn Build America Bureau, created as a one-stop shop for federal infrastructure financing programs, but had been excited by the incoming Trump administration's apparent commitment to a $1 trillion infrastructure initiative, he told POLITICO in an interview.

KEEP HOPE ALIVE: With less than two weeks to strike a deal to continue funding the federal government, President Donald Trump and top congressional leaders will meet Tuesday afternoon "to try to hammer out a year-end agreement to avert a government shutdown," report Seung Min Kim, Heather Caygle and Andrew Restuccia. Democrats and Republicans have yet to agree on total government spending levels, much less actual appropriations for the rest of the fiscal year. "That means a short-term funding extension to keep the government operating beyond a Dec. 8 deadline is all but inevitable," the trio write. Remember: Republicans are also trying to pass their tax overhaul by Christmas, and Democrats are still trying to force a DACA fix into any short-term continuing resolution.

KEEP HOPE ALIVE PART II: The Senate GOP's third-in-command, Sen. John Thune (R-S.D.), told "Fox News Sunday" that he expected the tax bill to undergo significant changes as it proceeds through "an open process on the floor of the United States Senate, where people can offer amendments... so, there [will] be plenty of opportunities to change the bill in the direction that some of our senators want to see." Could that include an amendment directing a revenue stream toward infrastructure, or a change to the gas tax? We'll be watching this week as the Senate takes up the bill.

IT'S JUST ANOTHER MANIC MONDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Tanya is your pilot. Send tips, feedback and song lyrics to tsnyder@politico.com or @TSnyderDC.

"Have to catch an early train / Got to be to work by nine / And if I had an aeroplane / I still couldn't make it on time."

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with songs (picked by us and readers) about lonely highways and south-bound trains?

WOMEN RULE WEEK! POLITICO is partnering with women-led businesses in the DC-metro area to offer a full week of exclusive perks in conjunction with the 5th annual Women Rule Summit! Join the fun at participating businesses during Women Rule Week **(Nov. 27 - Dec. 1)** for exclusive deals and tweet 5x using #WomenRule for a chance to win two free tickets to the Summit on Dec. 5!

THIS WEEK:

Tuesday - The National Transportation Safety Board holds a meeting on a July 2016 crash involving a semi-truck and a bus near St. Marks, Fla. The House Homeland Security Committee's Transportation and Protective Security Subcommittee holds a field hearing on "Securing Public Areas of Transportation Systems: Stakeholder Perspectives."

Wednesday - House Transportation Committee's Aviation Subcommittee holds a hearing on "Unmanned Aircraft Systems: Emerging Uses in a Changing National Airspace." The Committee on Small Business will meet for a hearing titled, "Highway to Headache: Federal Regulations on the Small Trucking Industry." The Association for Unmanned Vehicle Systems will host a webinar to outline the necessary steps to become a commercial drone pilot and discuss how companies can use drones to improve their business.

Thursday - House Homeland Security Committee holds a hearing on "World Wide Threats: Keeping America Secure in the New Age of Terror."

ALL'S WELL THAT ENDS WELL: TSA pulled through the busy holiday without a major hitch. As we reported last week, TSA chief David Pekoske predicted that air travelers could experience slightly longer wait times at security checkpoints due to the collision of high travel volumes and the agency's ongoing implementation of a new rule requiring passengers to remove large electronics from carry-on bags. TSA is expected to release official wait times statistics today, but, so far, Pekoske's assessment appears to have been spot on. Based on anecdotal reports, travelers saw the longest lines on Wednesday and Sunday, but nothing catastrophic. There was one headline-grabbing hold up at Denver International Airport, but it was caused by malfunctioning airport trains, not TSA.

Doesn't mean you didn't get delayed, though: CNN reported that at least 2,019 flights were delayed and 46 flights were canceled at major airports across the United States on Wednesday. Roads were busy on Sunday, but according to Jalopnik's analysis of Thanksgiving travel trends, Sunday's traffic is never as bad as Wednesday's. AAA was predicting the highest Thanksgiving travel volumes in 12 years across all modes of travel.

INFRASTRUCTURE RENDEZVOUS: The nonprofit Food and Water Watch group is suing the Trump administration for allegedly operating its infrastructure council in the dark well before it was formally established in violation of transparency laws. As Lauren Gardner reports , the group charges that the council "met on numerous occasions" to advise White House officials on infrastructure policy within the first two months of the administration - well before the White House issued an executive order creating it in July. That means the council could have had influence over the drafting of the administration's infrastructure principles without being subject to public scrutiny required by the Federal Advisory Committee Act.

Depends what the definition of the word 'is' is: "The administration has moved to dismiss the case by arguing that the infrastructure council never existed; in response, earlier this week the organization amended its complaint," Lauren writes. "The White House put the brakes on the council in August, after the business world revolted over Trump's comments about a white supremacist protest in Charlottesville, Virginia."

MORE EGG ON UBER'S FACE: While you were stuffing the turkey Thursday, news broke that Uber CEO Dara Khosrowshahi knew about the data breach since mid-September, and former CEO and founder Travis Kalanick found out about it in November 2016, a month after it took place. They didn't disclose it to customers until last Tuesday. Though the breach isn't the biggest one in recent memory, lawmakers were taken aback to learn of the measures Uber took to cover it up, including a $100,000 payoff to the hackers. Rep. Frank Pallone (D-N.J.), the ranking member of the House Energy and Commerce Committee, is calling for Uber to testify before the committee.

The big bucks: POLITICO Influence reports that Uber spent $510,000 on lobbying in the third quarter, its highest-ever total, retaining eight firms, though it's not clear whether any of them were working on data security issues. "Uber may decide to bolster its team in Washington if Congress does decide to hold hearings," PI's Theodoric Meyer reports. "When Congress hauled in Richard Smith, the former chief executive of Equifax, to testify last month after a massive data breach, Equifax brought on DLA Piper to help with the response. Former Sen. Saxby Chambliss (R-Ga.), who's now at DLA Piper but wasn't listed on the Equifax lobbying registration, could be seen advising Smith as he testified."

WHEELS ON WINGS: Paralyzed Veterans of America, which is suing DOT over its rollback on a rule increasing accountability for airlines that lose or damage passengers' wheelchairs, took advantage of the busy travel weekend to again urge DOT to revert to the original deadline for airlines to start reporting wheelchair damage or delays. "This must be the last Thanksgiving that airline travelers with disabilities will have to fly without knowing this critical information," said the group's president, David Zurfluh.

Remember when: The Trump administration delayed the rule's implementation by a year in March. In April, Sen. Tammy Duckworth (D-Ill.) - herself a veteran who lost both legs in Iraq - asked Transportation Secretary Elaine Chao to explain the delay. And the next day, Duckworth boarded a flight and had another wheelchair broken. "It was equivalent to them taking my legs away from me," she told POLITICO at the time.

CONGRATULATIONS... and Happy Birthday, and Happy Thanksgiving while we're at it, to Max Slutsky, special adviser to FAA Administrator Michael Huerta, who had an appropriately aviation-themed life milestone Wednesday when he proposed to his girlfriend, Emily Kaplan of the Glover Park Group, as she stepped off her flight at LaGuardia Airport. (She said yes.) Slutsky turned 30 the next day, on Thanksgiving. We hope the rest of the weekend was as awesome as the beginning.

THE AUTOBAHN:

- Coast Guard shooed more than 1,200 boats away from Mar-a-Lago during Trump's 2017 stays. Palm Beach Post.

- SVU subs airline industry for Hollywood Harvey Weinstein-themed episode. Hollywood Reporter.

- "Are robots better pilots? NASA pits human pilot vs. AI and here's what happened." Tech Times.

- "Traversing larger boundaries: the ever expanding reach of regional aircraft." Airline Geeks.

- "Blast in Chinese port city kills at least 2, injures 30." Fox News.

- "Thune's war chest is so full, his money makes money." Rapid City Journal.

- "Terror threat to US rail puts law enforcement on alert." ABC News.

- "Trump's missing infrastructure plan." Axios.

- "Thanksgiving travel back home busting records." ABC Action News.

THE COUNTDOWN: DOT appropriations run out in 12 days. The FAA reauthorization expires in 125 days. Highway and transit policy is up for renewal in 1,039 days.

To view online:
https://www.politico.com/newsletters/morning-transportation/2017/11/27/tsa-gets-through-thanksgiving-weekend-without-any-major-glitches-032000

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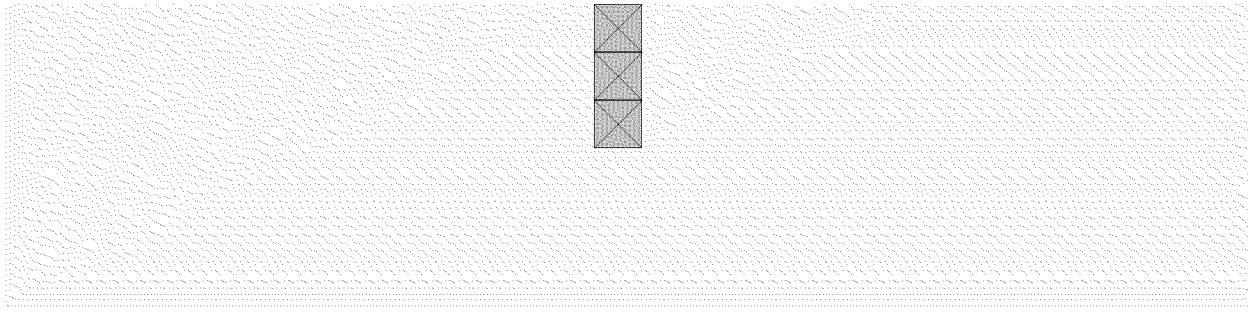
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 7/27/2017 9:44:59 AM
Subject: Morning Energy, presented by Chevron: Pruitt's next step on power plants — Energy retribution for Murkowski's healthcare vote? — Largest U.S. wind farm announced

By Anthony Adragna | 07/27/2017 05:41 AM EDT

With help from Alex Guillén, Esther Whieldon, Eric Wolff and Annie Snider

ESCAPE PLAN FOR COAL PLANTS? EPA Administrator Scott Pruitt is ready to let coal-fired power plants off the hook for their contribution to climate change, based on a novel legal argument that the Clean Air Act bars him from further regulating carbon dioxide emissions from existing power plants because a separate Obama-era regulation on toxic mercury emissions already applies to them, Pro's Alex Guillén reports , citing multiple sources with knowledge of his plan. That approach echoes a novel interpretation of the statute Pruitt leaned into as Oklahoma attorney general, but it would avoid an all-out brawl over the established science on climate change.

The argument, known throughout Washington's legal circles as the "112 exclusion," says EPA cannot regulate carbon emissions from power plants under section 111(d) of the Clean Air Act because section 112 already goes after hazardous air pollutants from those sources. A federal appeals court never ruled on the matter before pausing the case in the wake of President Donald Trump's election, but several judges on the D.C. Circuit appeared skeptical of it during oral arguments last year. Environmental groups, meanwhile, are ready to fight the planned repeal of the Clean Power Plan, including the 112 exclusion argument, and Pruitt's broader claim that the Clean Air Act does not give EPA the proper tools to fight climate change.

Pruitt's approach won't be enough for some: Conservatives want Pruitt's EPA to go further still by overturning the agency's 2009 endangerment finding that classified carbon dioxide as a pollutant. That approach has divided coal companies, with one industry source saying entities are split over whether Pruitt should repeal the endangerment finding or pursue more lenient rules that would not force plants to shut down. "The more they look at it, the more they're going to realize they need to re-open and revise the endangerment finding," said Myron Ebell, director of the Center for Energy and Environment at the Competitive Enterprise Institute and the Trump administration's EPA transition team leader. Pruitt is not expected to repeal the endangerment finding in the near term, though he has announced plans for a "red team/blue team" debate of the consensus on climate change.

WELL FOLKS, IT'S THURSDAY! I'm your host Anthony Adragna, and former Rep. Kerry Bentivolio (a former reindeer rancher) won a general election while losing a special one on the same day back in 2014. For today: Who holds the record for shortest tenure as House Speaker? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

NOT TOO SUBTLE: One day after Senate Energy Chairman Lisa Murkowski voted against beginning debate on Obamacare repeal, Interior Secretary Ryan Zinke called both Alaska

senators to warn their energy priorities were suddenly at stake, the Alaska Dispatch News reports. "I'm not going to go into the details, but I fear that the strong economic growth, pro-energy, pro-mining, pro-jobs and personnel from Alaska who are part of those policies are going to stop," Sen. Dan Sullivan said. "The message was pretty clear." Among the priorities now at risk, according to the paper: the nominations of Alaskans to Interior Department posts, a long-sought one-lane gravel road from the isolated southwestern Alaska village of King Cove, and expanded drilling opportunities throughout the state.

MOVING THAT MINI-BUS! Lawmakers moved their way through dozens of amendments on the Energy and Water-filed mini-bus package H.R. 3219 (115) late Wednesday night. Expect lawmakers to finish two remaining votes on Energy and Water amendments today ahead of a final vote on the mini-spending package on Friday. Among the measures of interest to ME readers:

— Lawmakers approved by voice vote Rep. Paul Gosar's amendment barring the development of any rule or guidance document related to the social cost of carbon.

— A bid by Democrats to strip a rider insulating the Trump administration's withdrawal of the Waters of the U.S. regulation from legal challenges failed by voice vote.

— Rep. Scott Perry's amendment adding $15 million to the Office of Energy Efficiency and Renewable Energy by taking away from DOE's administration fees and Rep. David McKinley's amendment restoring fossil energy funding to fiscal 2017 levels passed by voice vote. — A bid to add $921 million to EERE by pulling from the nuclear weapons program failed by voice vote, as did several smaller efforts.

— Ohio Republican Steve Stivers' push to block any funding for Cape Wind, the offshore wind project in Massachusetts' Nantucket Sound that has been stalled for years, passed by voice vote.

— Efforts by Nevada Democrats to remove language barring the closure of Yucca Mountain flopped by voice vote.

— Seventh time's the charm? Rep. Michael Burgess' perennial light bulb rider blocking enforcement of DOE efficiency standards passed by voice vote again.

Before they adjourned Wednesday night, lawmakers set up a vote on Rep. Marsha Blackburn's push for a 1 percent across-the-board discretionary cut and two Michigan Republicans withdrew an amendment barring the Corps from slow-walking a controversial study related to keeping Asian carp from reaching the Great Lakes.

LIKELY TRUMP WATER PICK HAS AG GROUP, RED STATE CRED: The likely nominee to run EPA's water office is David Ross, director of the Environmental Protection Unit at Wisconsin's Department of Justice, according to multiple sources close to the decision. Before heading to Wisconsin last year, Ross was in the Wyoming Attorney General's office, where he worked on the 13-state lawsuit challenging that Obama administration's Waters of the U.S. rule that won an early injunction from a North Dakota District Court judge in 2015.

Ross also spent more than a decade in private practice, largely in Crowell & Moring's environment and energy group, where he worked on a number of hot-button water lawsuits. He was part of the team that represented the American Farm Bureau Federation in its challenge to the landmark Chesapeake Bay cleanup plan — a suit that Pruitt joined as an intervenor while serving as Oklahoma's attorney general, although he now says he supports the effort — and represented agricultural groups and fertilizer companies in litigation brought by environmental groups in a bid to force stricter pollution limits in the sprawling Mississippi River basin.

** **A message from Chevron**: Advanced technology is helping us find safer ways to deliver energy. We're piloting a program that uses drones to monitor tanks and pipelines. Watch the video: http://bit.ly/2vFEzbX **

FROM 'MONEYBALL' TO... DOE? Financial writer Michael Lewis, known for books like "Moneyball" and "Flashboys," explores the convoluted past, present and future of the Energy Department in a lengthy piece for Vanity Fair. Much like we've explained the agency's many important — and thankless — tasks, Lewis tells the story of what DOE does, that no one seems to get it, and how fraught with risk it all is. And he hits the highlights: the loan program, nuclear security, physical and cyber threats to the electric grid, and (paging Sen. Maria Cantwell) an extended section on the Hanford nuclear cleanup. He interviewed Arun Majumdar to talk about DOE's ARPA-E program, which he launched and is under threat from Trump.

MASSIVE WIND FARM GOING UP: American Electric Power announced Wednesday it would invest $4.5 billion into a massive 2,000-megawatt wind farm that will provide power to customers in Arkansas, Louisiana, Oklahoma and Texas once completed. It would be the largest wind farm in the country, and AEP says customers will save $7 billion over 25 years once the wind farm is online. The effort includes a 350-mile dedicated, extra-high voltage power line designed to serve up to 1.1 million customers, according to developer Invenergy.

TRUMP TRANSITION OFFICIAL THINKS WHITE HOUSE SHOULD DO CLIMATE ASSESSMENT: Former Trump Transition official David Schnare argued in an op-ed for Inside EPA that the White house Office of Science and Technology Policy, and not EPA, should conduct a re-evaluation of climate science. Schnare, who decried the "alarmist" views he said dominated the Obama administration's approach, calls Pruitt's proposal for a red team/blue team debate "silliness" and "not how science works." He argues that under the 1990 Global Research Act, only OSTP, and not EPA, has the authority to conduct such a review. "EPA can play, but it isn't in charge and doesn't have the authority," he writes. Schnare was an attorney with EPA for 30 years, though he is now general counsel for the anti-climate action Energy and Environment Legal Institute.

E.U. TAMPED DOWN SANCTIONS BILL: The legislation still faces some obstacles before it reaches Trump's desk, but European officials actually managed to blunt the initial scope of the proposed Russian sanctions through last-minute tweaks last weekend, POLITICO Europe's Anca Gurzu and Lili Bayer report. Officials are especially worried provisions in the measure could deliver an economic blow to EU companies involved in Russian energy export pipelines or that partner with Russian companies on energy projects. "We do a lot under the radar because we

wanted to avoid the appearance that we are split with the U.S. on the sanctions," a Commission official said.

NOT SO FAST, REX: Critics are not down with Secretary of State Rex Tillerson's plan to slash dozens of positions known collectively as special envoys, POLITICO's Nahal Toosi reports. The administration has already indicated it plans to eliminate a special envoy for climate change. But today the Senate Foreign Relations Committee will consider legislation that will give lawmakers a greater say over how special envoy jobs are filled.

MAIL CALL! WE'RE WITH YOU ON OFFSHORE DRILLING PLAN: A group of 36 Senate Republicans, led by Lisa Murkowski, sent a letter to Zinke Wednesday voicing support for his agency's new Outer Continental Shelf Five-Year Oil and Gas Leasing Program for 2019-2024. "We encourage you to carefully review those areas that were not included in the 2017-2022 Five-Year Program to ensure that opportunities are not missed," they wrote. BOEM is currently accepting comment on a new five-year drilling plan through Aug. 17 that would replace the plan developed under the Obama administration.

PERRY'S BAD TUESDAY GETS WORSE: Top House Energy and Commerce Democrat Frank Pallone asked GAO Wednesday in a letter to probe whether Energy Secretary Rick Perry misused taxpayer funds in writing an op-ed criticizing the Affordable Care Act and if the agency improperly promoted that piece through social media channels. "I have significant concerns as to why DOE is using official agency resources to weigh in on the health care debate, and am troubled that recent DOE actions may represent a broader effort by the Administration to inappropriately use agency resources on matters well beyond an agency's jurisdiction," Pallone wrote, asking for an opinion on whether Perry's actions violated Antideficiency Act, the Anti-Lobbying Act, and the Consolidated Appropriations Act of 2017.

TASTE OF WHAT'S TO COME IN SEPTEMBER: House Energy and Commerce lawmakers today vote on Drinking Water System Improvement Act H.R. 3387 (115). The measure cleared subcommittee on July 13 after the addition of amendments requiring states to spend a minimum share of federal dollars on disadvantaged communities, boosting the popular Drinking Water State Revolving Fund's authorization to $8 billion over five years and encouraging removal of lead service lines. Be on the lookout for a manager's amendments with further tweaks when the session begins at 10 a.m. in Rayburn 2123.

ICYMI: The Senate Energy and Natural Resources shelved a vote originally planned for today at 9:30 a.m. on half a dozen Interior and DOE nominees "until a date and time to be determined," Pro's Esther Whieldon reports. A committee aide chalked it up as a casualty to the chamber's vote-a-rama on healthcare repeal.

PRUITT MET CANADA'S HARPER: The EPA confirmed late Wednesday that Pruitt met with former Canadian Prime Minister Stephen Harper back in March. "The purpose of the meeting was to extend a courtesy visit to the former Prime Minister of Canada and thank him for past bilateral cooperation on environment," a spokeswoman said. "It was not intended, nor was it, a policy meeting." The Huffington Post first reported the meeting, which it said was arranged by a top Comcast lobbyist.

MONUMENT REVIEW ROLLS ON: Zinke continues his visits to national monuments today as his swing takes him to New Mexico. He'll have a closed-press helicopter tour of the Organ Mountains Desert Peaks National Monument in the morning, followed by a meetings with local elected officials, ranchers, academics, border security experts, and others (also off-limits to the press).

It hasn't been announced yet but a rural Nevada county commissioner told the Las Vegas Review-Journal Zinke will be in the area next Monday to hear input on the Gold Butte and Basin and Range National Monuments in the state. Nye County Commission Chairman Dan Schinhofen told the paper Zinke would hear from him about former President Barack Obama's designation of the Basin and Range. "We don't object to national monuments, but to take 700,000 acres to protect private property that represents less than one percent of that land seems excessive," he said. "We think it can be pared down."

Speaking of monuments, the Commerce Department announced it would give the public an additional 15 days to comment on the status of 11 marine national monuments and sanctuaries through August 14, Pro's Esther Whieldon reports. A spokesperson declined additional comment on why the public comment period was extended.

REPORT: APPLIANCE EFFICIENCY COULD SAVE BIG BUCKS: The Appliance Standards Awareness Project and the American Council for an Energy-Efficient Economy released a report Wednesday recommending 21 appliance standards states could adopt on a variety of products, from computers to portable air conditioners. The groups say those standards would save $113 billion through 2035 assuming they go into effect by 2020.

MORE STATES JOIN GREEN CONTRACT TREND: Two states, Minnesota and Nebraska, this year joined the ranks of about a half dozen states that have allowed their utilities to offer direct-sale, long-term supply contracts for renewable generation, according to a report out today by the Advanced Energy Economy. Under these so-called green tariffs, big companies like Facebook and Google since 2012 have signed deals for more than 8 gigawatts of renewables.

CHANGING THE FACE OF THE GREEN MOVEMENT: Environmental advocates and lawmakers gather today at 10 a.m. in Cannon 421 for a discussion on the need for diversity in the mainstream environmental movement. Reps. Donald McEachin and Pramila Jayapal, along with representatives from Green 2.0, the Hip Hop Caucus, Defenders of Wildlife, LCV and GreenLatinos, participate.

MOVERS, SHAKERS:

Gwendolyn Keyes Fleming, chief of staff at EPA under Gina McCarthy from 2013 to 2015, has joined the law firm Van Ness Feldman in its environmental practice. She'll focus on environmental litigation and national security issues. Before becoming chief of staff, Fleming was EPA's regional administrator for the Southeast, and before that she was an elected district attorney in Georgia's DeKalb County. After leaving EPA, Fleming spent nearly two years as the top legal adviser for Immigration and Customs Enforcement. In recent months DeKalb County

had employed Fleming as a consultant to advise it on relations and negotiations with EPA and state regulators.

Cynthia Giles, EPA's top enforcement official during the Obama administration, has joined the University of Chicago's Energy & Environment Lab as executive fellow and director of strategic initiatives. The organization aims to work with governments to design and test environmental policies that can be scaled up.

Mike Godwin has joined the Niskanen Center as a senior fellow; He was most recently the director of innovation policy at the R Street Institute (h/t Playbook).

QUICK HITS

— How Venezuela chaos could spark oil rally OPEC has failed to achieve. MarketWatch.

— Flint's water quality improving; 5 resource sites to close. AP.

— Coroner: Schuylkill County coal miner killed when run over by own bulldozer. Allentown Morning Call.

— Britain to Ban New Diesel and Gas Cars by 2040. New York Times.

— Many Chicago Park District Fountains Are So Contaminated With Lead That They Can't Be Turned Off. WBEZ.

HAPPENING TODAY

9:00 a.m. — USEA 10th Annual Energy Supply Forum, National Press Club, Grand Ballroom, 529 14th Street NW, 13th Floor

POSTPONED — Senate Energy and Natural Resources Committee votes on various nominations, Dirksen 366

10:00 a.m. — Legislative Hearing on 3 Bills, House Natural Resources Energy and Mineral Resources Subcommittee, 1324 Longworth

10:00 a.m. — House Energy and Commerce Committee votes on Drinking Water System Improvement Act, among other bills, Rayburn 2123

12:30 p.m. — Natural Gas Roundtable hosts INGAA Chair Diane Leopold, University Club, 1135 16th Street, NW

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EPA eyes plan to shield coal from future regulations Back

By Alex Guillén | 07/27/2017 05:00 AM EDT

The Trump administration may have found a way to let coal plants off the hook for their carbon emissions without relitigating the established science on climate change.

EPA Administrator Scott Pruitt, who has been tasked with undoing the Obama administration's landmark climate change regulation on existing power plants, is preparing to argue that the Clean Air Act bars him from setting any limits on carbon dioxide from their smokestacks, according to multiple sources with knowledge of the proposal. That's because a separate Obama-era EPA regulation on toxic mercury emissions already applies to coal plants, according to a novel interpretation of the law that Pruitt embraced when he was attorney general of Oklahoma.

Such a legal maneuver would effectively allow Pruitt to repeal the Clean Power Plan without having to impose new rules on coal plants, despite Supreme Court precedent and an underlying scientific finding that identified greenhouse gas emissions as a threat to public health.

Pruitt's proposal to undo the Clean Power Plan has been under review at the White House since June, and the administration has provided no target date for its release. It is separately expected to make a legal case that EPA cannot require states to shift away from coal power and toward natural gas and renewables, as the Obama administration sought to do with its rule, although that approach by itself would not alleviate Pruitt of the obligation to develop a narrower rule based on coal plant efficiency.

Pruitt's attempt to wipe out power plants' climate regulations altogether would go further than he suggested was possible at his confirmation hearing, but it still won't be enough for some conservatives. EPA declined to comment on the proposed Clean Power Plan repeal while it is still undergoing interagency review.

Testifying to the Senate Environment and Public Works Committee in January, Pruitt seemed to acknowledge a role for EPA in regulating carbon stemming from the 2009 endangerment finding classifying it as a pollutant. Since then, conservative activists and some coal executives like Bob Murray have urged Pruitt to repeal that conclusion, which would essentially require him to disprove the scientific consensus that climate change is a threat. Pruitt has announced plans for a "red team/blue team" debate of that consensus, but he has not said where he expects that exercise to lead.

Pruitt is not expected to repeal the endangerment finding in the near term, but the approach he is leaning toward would have the same practical effect for the hundreds of coal-fired power plants that would have been subject to the Clean Power Plan. A coal industry source, speaking on condition of anonymity, said companies are split over whether Pruitt should repeal the endangerment finding or pursue more lenient rules that would not force plants to shut down.

"At least for so long as this management is at EPA, it is a way to not regulate at all without having to revisit the endangerment finding," said Sean Donahue, an attorney working with the Environmental Defense Fund, which supported the Obama-era rule. But he argued the approach would face huge hurdles in court.

Known in legal lingo as the "112 exclusion," Pruitt's argument is that EPA cannot write rules for power plants under section 111(d) of the Clean Air Act — a catchall provision under which the Clean Power Plan was written — because those sources already are regulated under Section 112 of the law, which targets hazardous air pollutants from a variety of sources.

However, the 112 exclusion argument was muddied by a strange legislative "glitch" that occurred when Congress last revamped the Clean Air Act, in 1990. Two competing sections on this issue, one each from the Senate and the House, were inadvertently signed into law. The challengers seized on the language of the House version as a foundation for their exclusion argument, while the Obama administration said either version should allow it to regulate via the Clean Power Plan.

The D.C. Circuit never ruled on this or any of the other legal issues before the case was paused when the Trump administration took office.

EPA's 2012 mercury rule is a Section 112 rule covering coal plants, and Pruitt has previously argued that should be enough to overturn the climate rule.

In a 2014 report, Pruitt wrote, "EPA has no authority at all to require States to adopt CO2 performance standards for existing [power plant] CO2 emissions," citing the 112 exclusion argument.

But in oral arguments last year over the Clean Power Plan, several judges on the D.C. Circuit indicated they were skeptical of this argument, particularly since the exclusion would apply only when a 111 rule follows a 112 rule, but not vice versa.

Judge Brett M. Kavanaugh, a George W. Bush appointee, said at the hearing that he agreed with the challengers that the House version should supersede the Senate language — but that even then, he was "not sure the House amendment actually blocks this."

If courts ultimately invalidate the 112 exclusion argument — or if Pruitt decides not to pursue it — the Trump administration could choose to regulate on a much narrower path. That 2014 report from Pruitt outlined a proposal for a limited "inside the fence line" approach for power plants under section 111(d) if the agency were determined to implement such a climate rule.

Meanwhile, an array of more far-fetched possibilities have been the subject of think tank speculation for years.

However, conservatives pushing EPA to overturn the endangerment finding likely wouldn't be appeased even if EPA is successful here.

Myron Ebell, director of the Center for Energy and Environment at the Competitive Enterprise Institute and the Trump administration's EPA transition team leader, noted that the finding also provides a legal justification for a host of other EPA regulations, including vehicle emissions standards, methane regulations and permitting rules.

Ebell is a longtime critic of climate change science, and CEI is one of several groups currently petitioning the Trump administration to revisit the endangerment finding. He said CEI has no current plans to sue EPA to force it to respond to that petition, saying the group is waiting to see how the Clean Power Plan repeal works out. However, another petitioner, the Texas Public Policy Foundation, said it may sue EPA if the agency does not meet its late October deadline for a response.

"The more they look at it, the more they're going to realize they need to re-open and revise the endangerment finding," Ebell said.

Environmentalists are already gearing up to fight back against the planned repeal of the Clean Power Plan, including the 112 exclusion argument, and Pruitt's broader claim that the Clean Air Act does not give EPA the proper tools to fight climate change.

Adopting that legal justification "makes hash out of the Clean Air Act," said David Doniger, director of the Climate and Clean Air Program at the Natural Resources Defense Council.

"There's no way that in constructing these interlocking provisions ... there's no way that they intended to leave the gap or create a gap that Pruitt and his colleagues asserted," Doniger said.

The Supreme Court never said EPA had the best possible tool to combat climate change, he argued, but the agency must use what tools Congress has given it.

It's like wishing "you had a Phillips screwdriver but all you have is a flat one," Doniger said. "You still have to work on the screw."

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Six takeaways from the D.C. Circuit over EPA's Clean Power Plan Back

By Alex Guillén | 09/27/2016 08:30 PM EDT

After nearly seven hours of legal arguments over EPA's Clean Power Plan, the Obama administration emerged with encouraging signs from the judges on some of the key issues — except the contentious debate over whether EPA can go beyond coal-fired power plants' fence lines to set emissions targets.

Predicting how the court will ultimately rule can be tea-leaf reading, and the comments made by judges in court may not indicate where they will each fall on the case. Still, several of the members of the 10-judge panel that heard the case offered hints about how they were leaning on specific issues. Here are POLITICO's list of 6 takeaways from Tuesday's arguments before the D.C. Circuit Court of Appeals.

1. The court appears on the fence about the fence line.

Several judges — primarily those appointed by Republican presidents — peppered the Obama administration with pointed questions about how EPA structured the rule, and in particular the agency's decision to use generation shifting to go "beyond the fence line."

Judge Brett M. Kavanaugh, named to the bench by George W. Bush, cited the 2014 Supreme Court ruling authored by late Justice Antonin Scalia, who, in striking down part of a different EPA rule, chided the agency by writing that the court would "expect Congress to speak clearly if it wishes to assign to an agency decisions of vast 'economic and political significance.'"

That ruling came around the time that EPA released its Clean Power Plan proposal, and the challengers have long considered it a shot across EPA's bow.

Scalia's ruling "might have been written with this case in mind," Kavanaugh said. The CPP is "fundamentally transforming an industry," even though Congress did not specifically call on EPA to reduce greenhouse gas emissions.

Justice Department attorney Eric Hostetler defended the CPP, saying that previous EPA rules have also relied on generation shifting. And Judge David Tatel, a Clinton appointee, said he didn't see Scalia's contention applying to CPP because EPA had used its existing authority — and it had received direction from the Supreme Court on greenhouse gases.

Still, some of the GOP-appointed judges also questioned the plaintiffs assertion, with Judge Thomas Griffith, another Bush appointee, hinting that EPA's "beyond the fence line" approach struck him as plausible.

How was rule was inconsistent with the Clean Air Act's requirement that EPA set a "best system of emission reduction?" he asked, adding that the electric power industry had been shifting away from coal and toward natural gas and renewables.

"They're just accelerating that," he said.

West Virginia Solicitor General Elbert Lin replied that EPA has always previously required technology installed on-site at power plants, not investments in new generating plants.

Other judges seemed to question EPA's use of generation shifting as well.

Judge Patricia Millett, an Obama appointee, at one point noted that such a practice would essentially require coal plant owners to subsidize their competitors.

But DOJ's Hostetler disputed that, saying sources can meet their obligations without doing that, such as by switching to gas co-firing. He also argued that the rule is about "investing" in renewable sources, not "subsidizing" them.

Even if all four of the Republican-appointed judges on the D.C. Circuit side with the challengers on this issue, they would still need two of the judges appointed by Democrats to overrule EPA.

2. Congress' rejection of cap and trade still looms large.

The Senate's failure to pass a cap-and-trade bill back in 2010 was a key event for the CPP challengers, who cited it as evidence that if Congress had wanted EPA to go this far to limit greenhouse gases, it would have passed that law.

That argument appealed to Kavanaugh, who said that although it was "laudable" to take action on climate change, that didn't give EPA the right to violate the separation of powers.

"Congress is supposed to make decisions," he said, and Congress could have helped out groups hurt by the rule, like the coal industry, if it had passed a cap-and-trade package. That is something EPA's Clean Power Plan cannot do.

"Why isn't this debate going on on the floor of the Senate right now," rather than in front of a panel of unelected judges, asked Griffith.

3. The 112 Exclusion argument is on thin ice.

The challengers had hoped to kill the CPP outright by arguing Section 111(d) of the Clean Air Act, under which the CPP was written, bars regulating power plants for carbon dioxide because EPA already regulated them for mercury emissions under Section 112.

It's an arcane argument reliant on an unusual 26-year-old legislative glitch and obscure legislative procedures.

But many of the judges from across the spectrum indicated they saw that argument as spurious, particularly since under the challengers' interpretation, EPA would have been on solid legal ground if it had regulated carbon dioxide first and mercury afterwards, but not the other way around.

"There was no debate by Congress to suggest they intended to create this giant loophole," said Judge Judith Rogers, a Clinton appointee.

"If Congress wanted to avoid double regulation, why is it just dependent on timing?" asked Judge Nina Pillard, an Obama appointee.

The challengers' argument relied on conflicting Senate and House provisions that were inadvertently signed into law back in 1990. The Senate version clearly would allow the Clean Power Plan, while the House version's meaning is more disputed — and the challengers say the House provision should be the one that counts.

But even Kavanaugh, who signaled he agreed that the House version should win out, said that might not be enough to overturn the Clean Power Plan, as the challengers argue.

"I'm not sure the House amendment actually blocks this," he said, admitting the issue and the law's language are "convoluted."

4. The constitutional challenges may not hold water.

Many of the judges appeared unconvinced on the constitutional challenges to the Clean Power Plan.

Griffith asked for details on exactly which state officials were being "commandeered" by EPA, referring to plaintiffs' arguments that the Obama administration had sought to force state lawmakers and regulators to take action on climate change under the regulation. And Griffith seemed skeptical that requiring the states to alter their resource planning or take action to assure grid reliability were any different that what they would have to do under myriad other environmental rules.

Judge David S. Tatel, a Clinton appointee, argued that the Clean Power Plan wasn't constitutionally different from the Americans with Disabilities Act.

"Compliance can only occur if states use their police power to issue permits" for disability accommodations, said Tatel, who is blind.

The ADA was meant to lead to changes in the private sector, replied attorney David B. Rivkin, Jr., representing state challengers. The Clean Power Plan "is far more profound," he added. "The goal is to change our energy infrastructure."

Even the star power brought by Laurence Tribe, the Harvard professor and liberal icon now advocating against the rule for coal producer Peabody Energy, didn't seem to sway the bench.

Millett said she was having trouble reconciling his arguments that the CPP is unconstitutional with the Supreme Court's previous rulings concluding that EPA is the proper entity to address greenhouse gas emissions.

Kavanaugh later added that while the CPP may go beyond what one DOJ lawyer called "bread-and-butter cooperative federalism," it is "not necessarily unconstitutionally more."

5. The judges seem ready to kick the can on other parts of the challenge.

The final two issues of the day saw the court wondering whether it can just leave those for later.

During a segment challenging whether the final rule was too different from the proposed rule, several judges pointed to court precedent that requires challengers to first petition EPA on any issues they feel they did not get a chance to comment on during the rulemaking process. If EPA rejects such petitions, the judges added, that is the appropriate time for the courts to get involved.

Thomas Lorenzen, a Bush-era DOJ environmental attorney now at Crowell & Moring who represented the challengers, said that at least four petitions on these notice issues were filed as far back as a year ago, but EPA has not yet responded. DOJ attorney Norman Rave replied that EPA received 38 petitions in total and is working its way through them.

The court seemed similarly interesting in punting on any broad decisions about whether the rule was feasible or how EPA calculated states' separate targets.

"It is simply too early in the game to address these state-specific objections," said Rogers.

Kavanaugh pointed to the Supreme Court's decision in 2014 upholding EPA's Cross-State Air Pollution Rule but allowing "as-applied" challenges to various states pollution budgets — challenges that partly succeeded.

He and Millett also sought assurances from EPA that if a state's target ultimately proves too difficult to achieve, the state would have legal avenues to lower its target. A DOJ lawyer replied that state planning processes or a petition to change a state's target based on new information would provide such options.

6. Judges have a low opinion of Congress, too.

The public overwhelming gives Congress a failing grade, and the D.C. Circuit isn't much better.

"Everyone understands frustrations with Congress," Kavanaugh admitted to laughter from the crowd at one point.

Maybe Congress' way of handling climate change, or lack of action "is proof it shouldn't be doing anything," Tatel later joked.

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Alaska's long road war Back

By Andrew Restuccia | 04/04/2014 05:00 PM EDT

In the fall of 1998, Frank Murkowski took to the Senate floor to make an impassioned plea for the authority to build a one-lane gravel road from the isolated southwestern Alaska village of King Cove to a neighboring community with an all-weather airport.

"This is a road to life for the residents of King Cove," he said.

More than 15 years later, his daughter, Republican Sen. Lisa Murkowski — along with the rest of the Alaska congressional delegation — is still fighting for the road, insisting it's the only viable way to ensure that King Cove's 965 largely native Alaskan residents have access to emergency medical care.

(Also on POLITICO: Full transportation and infrastructure policy coverage)

What seems like a simple request is anything but. The proposed road would cut through federally protected wilderness land in the Izembek National Wildlife Refuge, a 315,000-acre sanctuary near the tip of the Alaska Peninsula. And the Interior Department says the road would threaten vulnerable plants and animals that rely on the area's unique ecology.

The oftentimes ugly fight has pitted Alaska politicians against the federal government for decades, sowing mistrust and frustration. It has also reinforced the view of many in Alaska that policymakers in the Lower 48 are out of touch with their needs.

At the same time, the battle has laid bare tensions between Alaskan leaders and conservation groups, which argue that approving the road could set a dangerous national precedent in other protected wilderness areas.

Lisa Murkowski and Alaska Democratic Sen. Mark Begich, who faces a tight reelection fight, are vowing to do everything in their power to win approval for the road, even though the Interior Department rejected the proposal late last year after a four-year analysis.

(PHOTOS: 10 tough Senate races for Democrats)

Murkowski is using her position as the top Republican on the Senate Energy and Natural Resources Committee to elevate the issue, expressing her outrage at hearings and in floor speeches and holding a series of news conferences with King Cove residents. She has also lambasted Interior Secretary Sally Jewell, who announced the most recent rejection of the road just two days before Christmas.

"I am not willing to let a day go by without raising this as an issue," Murkowski said in an interview.

The road would give King Cove residents access to the larger airport in the nearby community of Cold Bay when extreme weather grounds flights at the smaller King Cove airport. King Cove has a medical clinic, but residents often have to travel to Anchorage for major procedures and emergencies.

The road, proponents argue, is the best solution to the transportation problems that have long plagued isolated King Cove.

Besides its small airport, the town has access by boat across the Izembek Lagoon, but foul weather can make air and boat travel difficult, residents say. Supporters of the road say at least 19 deaths over the years have resulted from plane crashes or an inability to obtain adequate medical care.

(Sign up for POLITICO's Morning Transportation tip sheet)

Della Trumble, a King Cove resident and longtime advocate for the road, said its approval is a matter of life and death.

"I just feel strongly that the human factor far outweighs the wildlife," she said. "We will protect the wildlife. It's who we are."

Trumble and other residents have made dozens of trips to Washington to make their case, telling stories of family and friends who have been hurt or killed trying to get out of the community during storms. Trumble said she watched as her niece was flown out for a medical emergency amid winds of 70 to 80 mph. She said another niece was born on the galley table of a crab boat during an evacuation attempt.

Just this week, an injured fisherman was flown out of King Cove by the Coast Guard, marking the fifth medical evacuation of the year, according to King Cove officials.

But opponents say the road would wreak havoc on the refuge and its wildlife. The refuge hosts more than 200 species, including caribou, grizzly bear and, in the fall, about 98 percent of the world's Pacific black brant. It also has one of the largest eelgrass beds on the planet and was one of the first areas in the U.S. to be designated as a wetland of international importance.

"You can't punch a road through there without doing serious damage," said Don Barry, who served as Interior's assistant secretary for fish, wildlife and parks during the Clinton administration.

In addition, the proposed road faces major legal hurdles. In 1980, Congress designated most of the refuge as wilderness, the highest level of public land protection.

Barry, now a senior official at the conservation group Defenders of Wildlife, said it would be unprecedented to allow a road through a wilderness area. Though the refuge has some old military roads, they were built before the conservation laws were enacted.

Several opponents raised concerns that approving the road would lead to a push for development in other protected areas.

"Once you carve a road of this kind right through the middle of a national wildlife refuge, where

does it stop?" former Clinton administration Interior Secretary Bruce Babbitt asked.

Babbitt and other opponents have also suggested that the road could be used for commercial purposes, noting that Peter Pan Seafoods has a cannery in King Cove. "But despite pledges and promises to the contrary, the real purpose for building the road is the same as it ever was: moving fish and workers to and from King Cove's canneries," Babbitt wrote in the Los Angeles Times last month.

Peter Pan has rejected those accusations, and Murkowski notes that her legislation calling for approval of the road specifically bars using it for commercial purposes.

The fight over the road burst into public view in the late 1990s, when then-Sen. Frank Murkowski pushed legislation that would allow for approval of the road as part of a land exchange. The bill passed the Senate in 1998 but never passed the House. President Bill Clinton threatened a veto amid concerns about the road's effect on wildlife.

Soon after, then-Sen. Ted Stevens launched into a tense series of negotiations with the Interior Department. The resulting compromise was a $37.5 million appropriation approved by Congress to improve the King Cove medical clinic and airport and make accommodations for a hovercraft to transport residents to Cold Bay. The hovercraft was used until 2011, but it is being sold because, operators said, it was too expensive to operate.

"Finally it was settled — and now it turns out it isn't," said Babbitt, who worked with Stevens to negotiate the deal and strongly opposed the road.

Within several years, the issue was back on the table. Lisa Murkowski included a provision in a 2009 bill calling on the Interior Department to analyze the road and proposing another land exchange. In exchange for setting aside land in the refuge for the road, the federal government would receive more than 43,000 acres of Alaska state land and more than 13,000 acres of land owned by the King Cove Native Corp.

The provision set off a four-year analysis by Interior that culminated in December with the department's rejection of the road.

"While the proposed land exchange would bring many more acres of land into the Refuge System, the analysis indicates that the increased acreage could not compensate for the unique values of existing refuge lands, nor the anticipated effects that the proposed road would have on wildlife, habitat, subsistence resources and wilderness values of the Refuge," the department said in a statement at the time.

The decision infuriated the Alaska delegation and has strained Murkowski's relationship with Jewell.

After hearing about the decision, Murkowski said she told Jewell, "I cannot forgive the fact that you have delivered this, that you have dashed all hope for the people of King Cove, and the fact that you did this the week of Christmas is absolutely callous and cold-hearted."

Other Alaska lawmakers have similarly taken Jewell to task. "If someone dies out of King Cove, I want you to really think about it and be ashamed of yourself," Rep. Don Young told Jewell at a hearing Thursday.

The road's opponents say viable alternatives exist — a notion that Murkowski and others reject. Opponents also argue that the road, which would snake through isolated land often battered by extreme weather, would pose its own dangers.

At a recent Senate hearing, Jewell said she is committed to working with King Cove residents to find alternatives. During a recent meeting with Begich, she said she will again listen to the community's concerns.

"Jewell committed to reviewing the information that the community plans to provide on the issue and to provide a response to the senators, State of Alaska and the community on their request to reconsider the final decision," Interior spokeswoman Jessica Kershaw said in an email.

Alaska lawmakers face major hurdles toward changing Interior's mind but say they're not giving up.

Begich said in a recent interview that he hopes to attach his bill approving the road to upcoming Interior appropriations legislation. Murkowski vowed to continue hammering away as well.

"This secretary has made a decision, and I think she thought the people of King Cove were tucked far enough away that nobody would be making a big deal about this," Murkowski said. "But I'm not forgetting them, and it's not just an idle threat."

CORRECTION: A previous version of this story offered an incorrect name for the city where King Cove residents sometimes have to travel for major medical procedures.

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Help wanted at DOE: Toil in the shadows — at least until a crisis Back

By Darius Dixon | 11/22/2016 05:03 AM EDT

Of the thousands of jobs President-elect Donald Trump will have to fill over the next few months, few are as misleadingly named as Secretary of Energy.

The Energy Department is not going to be the venue for Trump to follow through on his campaign promises to unleash an oil, gas and coal boom by dialing back Obama-era environmental programs, and most Americans are oblivious to what it does. Only about a third of DOE's budget supports energy research and development, the creation of efficiency standards

and the clean energy loan guarantee program that became a flashpoint in President Barack Obama's first term. But the bulk of any Energy secretary's attention gets yanked to the lower-profile but higher-stakes work of maintaining the U.S. nuclear stockpile and the cleanup of old Cold War weapons sites — which accounts for the remaining two-thirds of its budget.

It's a post fraught with endless frustrations, leading an agency that toils away in obscurity between episodes of crisis. Befitting DOE's broad profile, past secretaries have come to the job with a range of previous experience, including academics like Steven Chu, former elected officials like Bill Richardson or Spencer Abraham, and national security experts like Navy Admiral James Watkins or James Schlesinger, who had been Defense secretary before becoming the nation's first Energy secretary in 1977.

"I think and I pray that whoever influences the president on the selection ... looks for somebody who knows how to manage a sprawling enterprise — and has some bona fides in one or two of the areas that will cause you the most consternation," said Hazel O'Leary, President Bill Clinton's first Energy secretary.

Trump has not said much about the type of person he would like to lead DOE, and the transition team covering the agency just got turned over in the past few days. Last week, lobbyists Mike McKenna and Mike Catanzaro left the transition team established by Chris Christie after Vice President-elect Mike Pence took over the operation and forced registered lobbyists to either give up their clients or resign. But on Monday, Trump's team announced that Tom Pyle, president of the libertarian-leaning American Energy Alliance, was the new point man on DOE's transition.

A DOE spokesperson said Monday afternoon no one at the agency has spoken to anyone affiliated with the Trump transition.

Trump on Monday named members for landing teams to several executive branch agencies, including heavy hitters like the State and Treasury departments as well as smaller outposts like the Small Business Administration. Additional announcements are expected this week.

On the campaign trail, Trump said several eyebrow-raising things about nuclear weapons and nonproliferation in general, including suggesting that Japan could defend itself with nukes and questioned NATO, an underpinning of U.S. nonproliferation policy. Energy Secretary Ernest Moniz was meeting with the directors of DOE's weapons-focused national labs two days after the election and stressed the importance of letting Trump's team know about their work, recalled Jill Hruby, the director of Sandia National Laboratories.

"One of the comments he made is that we have to collectively make sure that this transition team understands that the Department of Energy has a national security mission," Hruby said of Moniz.

Other lab directors are churning over how to address the common misconception about DOE.

"I worry about the possibility of people coming into the department who don't appreciate just how much national security work the department is responsible for," Lawrence Livermore

National Lab director William Goldstein said. "It's not unusual for people to not have a good understanding" of DOE's role in emergency response and weapons of mass destruction. "People may think of the department as an energy place — it certainly is — [but] the amount of responsibility and work is something we have to make sure is well understood in this transition."

Part of the challenge is that DOE is all over the map, literally and figuratively. The agency's nearly $30 billion budget and more than 100,000 employees and contractors include 17 national labs, several field offices and other operations that give it a presence in more than a dozen states. Its mission is domestic and international, science and politics, and an advanced course in organization.

DOE sent nuclear experts to Japan after the Fukushima nuclear disaster in 2011, weapons specialists traveled to Switzerland with the U.S. delegation last year to help analyze aspects of the Iran nuclear deal. The agency also deployed a radiological team to Rio de Janeiro during the 2016 Olympics in case of a terrorist attack like a dirty bomb.

Researchers at DOE's Oak Ridge national lab, which is a science facility that also works on nuclear cleanup issues, spend about 20 percent of their time on work for other federal agencies, particularly for the Pentagon, Department of Homeland Security and the intelligence community, said Thom Mason, the lab's director since 2007. He said several DOE labs have similar breakdowns.

"One of the challenges of transition is it's a short period of time to go up a very steep learning curve," he said.

Past energy secretaries have learned that crises can erupt without warning — and may be present virtually from Day One. For Abraham, President George W. Bush's first Energy secretary, it was the Enron crisis roiling electricity markets across the West.

"I get sworn in during the Inaugural parade and then informed that there was a rolling blackout in California happening the moment of my arrival," Abraham said in an interview. Two days later, he was in the White House trying to figure out whether to extend an emergency order signed by his predecessor compelling power sales in California.

On her first week on the job, O'Leary had to decide what to do about two leaking tanks of radioactive nuclear waste at DOE's Hanford site in Washington state, where problems persist to this day. Just last month, the site made headlines when a work crew was accidentally exposed to radiation.

"Boy, did I come up to speed on waste management and I didn't get out of it for six months," O'Leary recalled in a recent interview.

For all the high praise Moniz enjoyed from both Republicans and Democrats, even he has been dogged by troubled multibillion dollar projects few Americans are even aware exist: a waste treatment project in Washington state, accidents at a radioactive waste storage site in New Mexico and the uncertain future of two nuclear processing facilities in South Carolina.

In July 2012, peace activists — including an octogenarian Catholic nun — broke into the Y-12 National Security Complex, an ostensibly high-security uranium processing facility. There were concerns at DOE headquarters that Chu, Obama's first Energy secretary, may have to consider resigning over the incident. Instead, aside from the occasional tongue-lashing on the Capitol Hill, GOP lawmakers proved to be more concerned with the agency's imbroglio involving a $535 million federal loan guarantee to the ill-fated solar manufacturer Solyndra.

Despite the decades of headaches and the trail of embarrassments sprinkled throughout the agency, presidents tend not to lose much sleep over the job. Energy secretary was one of the last Cabinet posts Bush filled on his way into office, in part, Abraham said, because the new president considered appointing a Democrat to the job.

"There's always going to be a focus on [the departments of] Defense, State, Justice and Treasury because they're the oldest agencies and they're the ones that are responsible for all of the top issues of the day," Abraham said.

Sometimes the confusion over DOE's mission becomes a waste of everyone's time.

Halfway through his tenure, Chu, a Nobel Prize-winning physicist and aggressive thinker on climate issues found himself on CNN being interviewed about high gasoline prices frustrating commuters — an issue far-afield for his job description. Moniz has been pelted with misfired questions about oil and gas permitting on Capitol Hill.

Former Alaska governor and Republican vice presidential nominee Sarah Palin also made a brief pitch for heading DOE in a Donald Trump administration by talking about oil, gas and minerals — apparently mistaking DOE's job description with that of the Interior Department.

Despite the lack of public clues, Trump is said to be considering a variety of possibilities to lead DOE.

Continental Resources CEO Harold Hamm, who had been advising Trump's energy policy on the campaign and some view him as a top contender, likely has the management skills to grapple with a large bureaucracy. But his understanding of DOE's nuclear mission is an open question.

Former Texas Gov. Rick Perry famously proposed eliminating the Energy Department when he was a presidential candidate in 2012, but he met with Trump Monday, reportedly to discuss a possible appointment as Energy secretary.

Rep. Kevin Cramer (R-N.D.), a former state utility regulator and a Trump energy adviser, seemed interested in the post but many of the energy policy levers that states are accustomed to only have parallels with FERC, an independent subdivision of DOE.

Meanwhile, James Connaughton, a former utility executive who was Bush's head of CEQ, and the Chamber of Commerce's Karen Harbert, a former DOE assistant secretary, have as good a snapshot of the agency's mission statement as anyone being widely discussed. Venture capitalist

Robert Grady, another rumored candidate, was an adviser on energy and environment issues in the George H. W. Bush White House.

It may be several more weeks until Trump taps someone to run DOE.

"It's a tough place," a former Energy Department official said. "Anyone who really says they want to go there I wonder if they really know what they're getting into."

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Inside Moniz's mission to reshape the Energy Department Back

By Darius Dixon | 03/25/2016 05:00 AM EDT

The clock is ticking down on Ernest Moniz's three-year campaign to reshape the Energy Department's mammoth bureaucracy.

Even as he helped negotiate last year's Iranian nuclear deal and pressed the global effort to fight climate change, the energy secretary has sought to streamline the agency and improve how it oversees the national labs and approves new projects.

Unlike his predecessor, Steven Chu, who ran a department flush with $35 billion in stimulus funding, Moniz has faced the budget sequester, a divided Congress and an agency bruised by bad press after the Solyndra solar imbroglio. And he's had to cope with that all while grappling with the still-unsolved problem of where to store much of the nation's nuclear waste.

"Some of these things are bigger and longer term than anybody who's in for a political term has the time and/or energy to deal with," said Dan Arvizu, who stepped down as director of the National Renewable Energy Laboratory last fall. "So, you pick your battles, pick what you're gonna do — your two or three things — and then recognize that your clock's going to run out before you know it."

Certainly Moniz, a high-ranking DOE official in the Clinton administration, entered the job knowing the challenges he faced. John MacWilliams, now a top official at the agency, recalled meeting with then-nominee Moniz at his Massachusetts Institute of Technology office in April 2013, while Cambridge was still under "shelter in place" restrictions after the Boston Marathon bombing.

"I walked in and every whiteboard in the office was filled with a detailed depiction of what became the reorganization of the department," MacWilliams said. By July of that year, Moniz unveiled his reorganization plan to the agency staff.

Many current and former DOE officials said Moniz's biggest agenda item was a relatively

unheralded one: creating the role of undersecretary for management and performance. That job focused on what Moniz and his advisers saw as their most difficult task: project management.

DOE projects tend to come in one size: massive, not only in their dimensions but in delays and cost overruns. Project management problems have kept the department on the Government Accountability Office's infamous High Risk List for a quarter-century, soured its relationship with Congress and frustrated the network of research labs that report to it.

The Management and Performance office went over well with the White House, a former DOE official said. It also appealed to lawmakers on Capitol Hill, who hoped it might address the agency's terrible record on nuclear waste cleanup.

Many of the frustrations over waste stem from the political stalemate over the Yucca Mountain project, as well as criticisms that DOE's weapons cleanup mission has progressed at an painfully slow pace, allowing costs to spiral higher.

"Everyone thinks Moniz is so great, but he will be leaving the biggest mess I have ever seen for his successor," one former senior DOE official said in an email. "By the time the real liability for nuclear waste is revealed, the cost estimate for refurbishing H Canyon [a nuclear chemical separations plant] is revealed, and every other mess he has left behind, Moniz will likely be the president of some prestigious university somewhere."

The official added: "I wonder if after a while all we'll be doing is paying fines and not doing any research, cleanup or management of fuels and [high-level waste]."

One conservative critic of the agency says waste cleanup, called environmental management, is DOE's single most important task.

"And the spectacularity with which it fails at it should give pause to anyone supporting any DOE activity beyond that, as far as I'm concerned," said Jack Spencer, an executive with the Heritage Foundation's Institute for Economic Freedom and Opportunity. "DOE should be focusing on that mission and not worrying about reducing the cost of solar panels, nuclear reactors or anything else that the market is perfectly capable of taking care of."

Much of the agency's work to overhaul its project management falls to MacWilliams, now an associate deputy secretary focused on tackling some of DOE's thorniest quagmires. He is also the agency's first chief risk officer.

A former investment banker who worked at Goldman Sachs and JP Morgan Partners, MacWilliams created a risk committee stacked with some of the agency's most senior project managers — people, he said, who know the "ground truth."

But some of those decisions have generated political heat, such as the effort to defund the MOX project in South Carolina.

Moniz's confirmation was held up for several weeks while Sen. Lindsey Graham (R-S.C.) sought

assurances about the administration's commitment to the project, which would process weapons-grade plutonium into nuclear fuel. But after Moniz came to power — and the release of several studies — he had to explain that the MOX project, which was billions of dollars over budget and decades behind schedule, was a mistake. The state has since sued DOE for not collecting nuclear material from the unfinished facility on time and this week Republican Gov. Nikki Haley pressed Moniz to halt a shipment of weapons-grade plutonium from entering South Carolina.

Moniz and MacWilliams have pushed for a cheaper alternative to move the plutonium out of the state about two decades ahead of schedule. But that would likely mean laying off of hundreds of contractors, and the state opposes it.

To MacWilliams, MOX is emblematic of a flawed DOE review process. It was a first-of-its-kind project that was approved with only 25 percent of its design completed, so it wasn't a surprise when it soon fell behind its deadlines. DOE's new Risk Committee now requires designs to be 90 percent completed for large nuclear projects, and forces managers to address the panel at each critical decision point, so MacWilliams said these problems are unlikely to recur. "We'll make mistakes but not these kinds of mistakes," he said.

The goal, Moniz says, is "staying ahead of the projects before they turn into big problems" — addressing "little alligators" before they turn into "big alligators," as he is fond of telling his staff.

While it's critical to make structural changes to how projects are reviewed, Moniz told POLITICO, federal spending is another issue.

"We have the funding to make serious progress," he said in an interview in his office. "We don't have all the funding we could use effectively to fast-track projects and ultimately save life-cycle costs substantially."

However, the Senate hasn't confirmed either of the people Obama nominated for the Management and Performance undersecretary post.

Another priority for Moniz has been to improve relations with the 17 national labs — some of which felt they had been pitted against each other under Chu — and improve their collaboration.

"Before we leave here, it is our intent to do a major integrative report on the laboratories," Moniz said. "That will be part of providing something that we can hand over to the next administration."

The labs have operations in 14 states, so their directors can be some of Moniz's best salespeople with the Senate if the department can gain the labs' trust and generate results.

"You have really smart people and for a while they felt like they weren't in the circle of trust," said Jonathan Levy, who helped manage the transition between the two secretaries and eventually became a deputy chief of staff to Moniz.

The labs have long felt put upon by both Congress and DOE headquarters — "One of us gets cancer, and all of us get chemotherapy," was how one former director of Sandia National Lab was known to describe the backlash from Washington. And although Chu had led a national lab himself, he didn't embrace the agency bureaucracy the way Moniz has, said Arvizu, who says he's briefed eight energy secretaries during his roughly 40 years in the lab system.

"Steven Chu's a brilliant scientist. Certainly though, one of his favorite things is not to manage a bureaucracy," Arvizu said. Where Moniz uses collaboration, Chu unintentionally fostered a competition that was "absolutely destructive" for the labs.

Moniz also instituted a tonal change that was "huge" among lab employees by insisting that no one at DOE headquarters call them "contractors," preferring instead "strategic partners," Arivizu said.

Arvizu said the lab directors see their relationship with headquarters as better than ever, but they fear that ties with Washington will erode under the next secretary. So the lab directors are looking to make permanent the councils and meetings that have been set up under Moniz.

"Institutionalize," he said, has "been the watchword for the last year or so."

Moniz is similarly boastful of how relations have improved with the labs.

"If you look out there you will see that the laboratories are doing a lot more work together now, collaboratively trying to be more than the sum of the parts," he said.

Moniz has also tried to bring together the Energy Department's agency's "applied" and basic science offices, and he executed a long-expected merger between the science and energy undersecretaries.

That built on Chu's efforts, said Brandon Hurlbut, Chu's former chief of staff, who is now consults on energy-sector investing. But Chu also had to focus on carrying out a new president's priorities and rolling out billions of stimulus dollars.

Also, changing the relationship between the applied and basic research runs counter to traditional roles inside the agency bureaucracy, said David Garman, who served as an energy undersecretary under George W. Bush, in an email.

"[T]he renewable energy interests, the nuclear interests, and the fossil interests each like having their own assistant secretary as their inside-the-administration cheerleader," Garman said. "They would all probably oppose a rational reorganization, and they would incite their allies in Congress to fight it as well."

Garman argues that DOE offices should be organized by energy use, like transportation or buildings, rather than by energy source, such as nuclear, and he helped write a proposal for DOE reform in 2013.

Though he praised many of Moniz's changes, Garman argued that both Obama's energy secretaries took a path of least resistance.

"Neither Secretary Chu nor Secretary Moniz wanted to take that fight on, so instead they implemented ARPA-E, the Innovation Hubs, the Energy Frontier Research Centers, and the Lab Councils while launching crosscutting initiatives on issues such as grid modernization," he wrote. "These are essentially workarounds that overlay the organizational stovepipes. Is it wasteful and duplicative? Yes. But it avoids upsetting the stakeholders and is thus politically convenient."

To view online click here.

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House panel approves bipartisan update to Safe Drinking Water Act Back

By Annie Snider | 07/13/2017 11:49 AM EDT

A House measure to update the Safe Drinking Water Act is gaining bipartisan momentum after lawmakers approved a slate of amendments during subcommittee markup this morning.

Among the changes made to the Drinking Water System Improvement Act by the House Energy and Commerce Committee's environment subpanel is a boost to the popular Drinking Water State Revolving Fund's authorization, allowing $8 billion in spending over five years. Also approved were amendments supported by Democrats to require states to spend a minimum share of federal dollars on disadvantaged communities, encourage removal of lead service lines and require projects supported with federal funds to use American-made iron and steel.

Rep. Paul Tonko (D-N.Y.), the top Democrat on the subcommittee, said the measure that will now go to the full committee was a compromise after his party pushed for major increases in federal funding and changes to the process EPA must follow in order to set new drinking water standards.

"This bill reflects compromise. It is not the bill Democrats would have written on our own," Tonko said. "We have met halfway to get this bill on the path to being able to be supported by every or nearly every member of this committee."

WHAT'S NEXT: The measure heads to the full House Energy and Commerce Committee for consideration.

To view online click here.

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Senate panel cancels Thursday votes on DOE, Interior nominees Back

By Esther Whieldon | 07/26/2017 03:10 PM EDT

The Senate Energy and Natural Resources Committee today canceled its scheduled Thursday morning vote on a half dozen Energy and Interior Department nominees.

The panel had been slated to vote on Mark Wesley Menezes to be DOE undersecretary, David Jonas for DOE's general counsel, Paul Dabbar to be DOE undersecretary for science, Brenda Burman to lead Interior's Bureau of Reclamation, Susan Combs to be Interior's assistant secretary of policy management and budget, and Douglas Domenech to be Interior's assistant secretary of insular affairs.

WHAT'S NEXT: The committee did not state the reason for holding off on a vote but on its website said the business meeting is "postponed until a date and time to be determined."

To view online click here.

Back

Commerce extends marine monuments review comment deadline Back

By Esther Whieldon | 07/26/2017 06:00 PM EDT

The Commerce Department is giving the public through Aug. 14 to comment on its review of 11 marine national monuments and sanctuaries.

NOAA this afternoon announced it would extend the comment window due to "public interest and requests for additional time."

Per an executive order President Donald Trump signed in April, the Commerce Department, in consultation with the secretaries of Defense, Interior and Homeland Security, has until Oct. 25 to send the White House its analysis of the monuments and sanctuaries. The report will include the costs of managing the monuments and sanctuaries, the extent to which state, tribes and other agencies were consulted before those designations were made and the potential for offshore fossil fuel production on the Outer Continental Shelf in those areas.

Because the original comment deadline ends today, the agency is technically going to re-open the comment period for another 15 days starting July 31 but said it will accept any comments submitted in the meantime.

WHAT'S NEXT: The agency will continue to accept comments through Aug. 14.

To view online click here.

Back

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 7/25/2017 9:29:45 PM
Subject: POLITICO Pro Breaking News: House overwhelmingly approves Russia sanctions

The House voted 419-3 to approve legislation sanctioning Russia, Iran, and North Korea, including constraints on President Donald Trump's power to ease or end penalties against Vladimir Putin's government. The Senate is expected to soon follow suit on a bill that the White House has not yet committed to signing despite its rhetorical support for the new sanctions.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Wed 5/24/2017 11:14:45 AM
Subject: The Morning Headlines from InsideEPA.com -- May 24, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

May 24, 2017

Latest News

States Eye Reduced Environmental Programs To Absorb FY18 Budget Cuts

State officials are signaling openness to cutting or significantly scaling back their environmental programs in order to absorb EPA's proposed massive fiscal year 2018 cut to grants that help states implement federal environmental laws and rules, with some states even weighing returning delegated EPA programs back to the agency.

Critics Say EPA's FY18 Cuts Undermine Trump Efforts To Boost Economy

The Trump administration's proposed budget for EPA is sparking push back from environmentalists and state officials who say the steep proposed cuts would actually impose significant costs on industries, communities and the broader economy, in contrast to administration promises that scaling back EPA rules would boost prosperity.

Amid Sea Of Cuts, FY18 Budget Seeks To Boost Funds For Reshaping EPA

Even as the White House is proposing to slash much of EPA's budget in fiscal year 2018, it is seeking an almost $70 million increase compared to FY17 to encourage early retirements and cut the agency's workforce, as well as a smaller increase to implement its deregulatory efforts, which some observers have said could be threatened by the proposed cuts.

Budget Plan Severely Limits EPA Climate Work With No Sign Of Expansion

The Trump White House's fiscal year 2018 budget proposal calls for steep cuts to EPA's climate change policy and research, limiting the agency's climate work to greenhouse gas reporting and some existing GHG regulations while signaling that the agency does not intend to strengthen the climate programs it does maintain.

Seeing Appeal, Judge Rejects DOJ Bid To Stay Suit On Trump's 2-for-1 Order

U.S. District Judge Randolph Moss has denied the Justice Department's (DOJ) motion to stay litigation filed by environmentalists and other groups challenging the legality of President Donald Trump's executive order (EO) which requires EPA and

other agencies to identify two rules to repeal for every one new rule issued.

BOSC Chair Says Dismissals Show EPA 'Marginalization' Of Science Input

The chairman of EPA's Board of Scientific Counselors (BOSC) told a House Science Committee panel that the agency's decision not to reappoint nine of the board's 18 members is part of a broader pattern of "marginalization of science" by the Trump administration that goes beyond EPA, while conceding that the move was lawful.

White House Rejects Calls To Maintain Popular EPA Programs In FY18 Budget

The White House is doubling down on its plans to slash popular EPA programs in its just-released fiscal year 2018 budget proposal, offering justifications for the cuts that reject growing calls from lawmakers, industry and other groups who have been lobbying hard to preserve the funds.

Daily Feed

EPA defers to Ohio on Lake Erie impairment

EPA already approved some of Michigan's waters impaired but its failure to require similar listings for neighboring Ohio waters opens the door to litigation from environmentalists.

EPA delays landfill methane rules to reconsider select provisions

EPA will reconsider several provisions of the rules it says were added "without the benefit of public comment."

EPA, industry pursue settlement in waste generator rule case

EPA plans talks with industry groups to resolve their concerns about various provisions of the regulation, which generators have identified as a top deregulatory priority.

EPA further delays portions of Obama-era formaldehyde rule

EPA says the delay of various compliance deadlines in the formaldehyde air rule is necessary to give industry more time to meet the rule's requirements.

EWire: A daily news roundup

Some budget day news to start your morning. Plus: California is pushing ahead on climate policy, heightening tensions between Gov. Jerry Brown (D) and EPA Administrator Scott Pruitt.

Lawmakers seek to open EPA scientific integrity meeting

"We can think of no scientific or policy-based rationale for limiting invitations to a meeting on EPA Scientific Integrity to a relatively small number of individuals and organizations whose overall mix skews decidedly toward pro-regulation environmental activism," the lawmakers say.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 5/30/2017 11:16:39 PM
Subject: May 30 -- Energy and Climate Report

Energy and Climate Report

May 30, 2017 - Number 103

News

Climate Policy
Climate 'Danger Zone' Seen If Trump Pulls U.S. Out of Paris Deal
Donald Trump wasn't exaggerating when he said during his election campaign that the U.S. could "cancel" the Paris Accord on climate change.

Climate Policy
Exxon Squares Off with Shareholders in Annual Climate Showdown
This week will be a public trial by fire for new Exxon Mobil Corp. CEO Darren Woods.

Climate Policy
Modi Signals India Will Hold to Paris Climate Deal If U.S. Quits
Indian Prime Minister Narendra Modi signaled that he'll stick to agreements made under the Paris climate accord even if the U.S. pulls out.

Climate Policy
World Carbon Price Seen Needing to Increase Sevenfold by 2020
Carbon prices need to jump sevenfold by 2020 from current rates in the world's biggest market to meet climate goals cost-effectively, according to a commission of economists and scientists.

Coal-Fired Power Plants
Only Place in America Where Coal Demand Has Risen Is Nebraska
Looking for a rare bright spot in U.S. coal?

Congress
Barrasso Agenda Heavy on Public Works, Light on Environment
In the weeks ahead the Senate Environment and Public Works Committee hopes to be deeply enmeshed in the Trump administration's vision of a $1 trillion upgrade to U.S. infrastructure—and there will be plenty of reason for its chairman to boast that the panel is meeting its responsibilities on public works.

Energy
Deputy Secretary Tapped for No. 2 in Nuclear Energy Office
Edward McGinnis, who oversaw the Energy Department's international civilian nuclear energy policy, has been appointed to the No. 2 role in the agency's office responsible for nuclear research and waste.

Energy

India Expects Surplus Electricity This Year as Blackouts Persist

India's power ministry forecast surplus electricity supply in the year ending March, highlighting improvements in electricity generation and transmission capacity.

Energy

Infamous Three Mile Island Nuke Is Latest Casualty of Shale Boom

Competition from cheap natural gas has claimed another U.S. nuclear power plant in a state that has balked at government aid for financially ailing reactors.

International Climate

EU Panel Seeks Deeper Cuts For Non-Emissions Trading Sectors

A panel of European Parliament lawmakers May 30 backed changes to proposed binding greenhouse gas emissions cuts through 2030 for parts of the European Union economy not covered by the bloc's emissions trading system (ETS).

Regulatory Policy

EPA Regulatory Review Floodgates Open, Leaving Pruitt to Mop Up

When asked which EPA regulations stifle economic growth and should be reconsidered or rescinded, industry groups responded, "All of them."

Sustainability

Brazil Green Bond Sales Seen Reaching Record $5 Billion in 2017

Brazil is set to sell a record $5 billion of green bonds this year, even as the country's markets reel from growing political turmoil, according to the Climate Bonds Initiative.

Water Pollution

EPA Won't Have to Disclose How Power Plants Handle Wastewater

Power plants won't have to disclose how they remove pollutants from wastewater and how much they remove, what it costs them, and what equipment they use, a federal court affirmed.

Russia Starts Largest Renewable Energy Auction in Bid for Jobs

Russia is pressing ahead with its biggest-ever auction for renewable energy, seeking to award contracts to purchase 1.9 gigawatts of clean electricity as well as attracting foreign investment to support jobs at home.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/27/2017 3:52:18 PM
Subject: Perry: DOE grid study to ferret out policies hostile to coal

By Eric Wolff

06/27/2017 11:47 AM EDT

Energy Secretary Rick Perry said the grid reliability study his agency is conducting will look for ways to reverse policies he claimed were motivated by a desire to harm the coal industry.

Perry didn't specifically mentioned the Obama administration in his speech today to the Energy Information Administration annual conference, but he made it clear that he would pursue a different course.

"Over the last few years, grid experts have expressed concern about the erosion of critical baseload resources, specifically how it is dispatched and compensated," he said. "These are politically driven policies driven by a hostility to coal."

The Obama administration looked for ways to promote low-carbon energy sources in the name of fighting climate change. President Donald Trump, Perry and other Cabinet secretaries have questioned climate science and vowed to reinvigorate the coal industry.

"No reasonable person can deny the thumb — no the hand — that's been put on the scale in favor of certain political outcomes," Perry said.

Perry did not mention economic factors such as competition from cheap natural gas among the problems facing coal and nuclear generators. DOE's reliability study will focus on the "regulatory burden placed on baseload generation," he said.

At the same time, he stressed that DOE would "ensure that renewable energy finds its way into the grid," but that reliability would not be "tossed aside in the name of some political favorite."

Two climate protesters interrupted Perry's EIA speech, both demanding that Perry acknowledge that he was "a climate denier."

WHAT'S NEXT: Perry's grid study is expected in July.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/perry-doe-grid-study-to-ferret-out-policies-hostile-to-coal-089736

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/14/2017 12:16:28 AM
Subject: BREAKING NEWS Northam wins Virginia Democratic gubernatorial primary

Lt. Gov. Ralph Northam has won the Democratic nomination for governor in Virginia, beating former Rep. Tom Perriello in Tuesday's primary.

Northam had 57 percent of the vote to Perriello's 43 percent when the Associated Press called the Democratic primary with 39 percent of precincts reporting. The Republican primary has not yet been called.

See http://www.politico.com/story/2017/06/13/virginia-governor-northam-perriello-gillespie-stewart-239517 for full primary coverage.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 6/15/2017 3:00:37 PM
Subject: CORRECTED: Sources: Biofuel volume proposal could be released as soon as today

By Eric Wolff

06/15/2017 10:16 AM EDT
Updated 06/15/2017 10:57 AM EDT

EPA could release a proposed rule setting the biofuel volume mandates for 2018 as soon as this afternoon, industry sources tell POLITICO.

An ethanol and an oil industry source said the agency will keep the conventional ethanol volumes at 15 billion gallons, and increase the requirement for advanced biofuels to 4.38 billion gallons, up 100 million gallons from 2017.

The release of the proposal could slip to Friday, the sources said.

EPA did not immediately respond to a request for comment.

The mid-June release could make it difficult for EPA to issue the final rule by the deadline of Nov. 30, something Administrator Scott Pruitt has said he wants. EPA sent the proposal to OMB last month.

The oil industry had hoped EPA might lower the volumes from the statutory maximum set for 2017, but government projections for higher gasoline consumption next year made that unlikely.

WHAT'S NEXT: EPA will take take public comment after release of the proposal.

CORRECTION: An earlier version of this alert incorrectly stated the year for which EPA is proposing biofuel volume mandates. It is 2018.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/sources-biofuel-volume-proposal-could-be-released-as-soon-as-today-089141

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 11/15/2017 11:11:48 PM
Subject: Today on Climate Beat

November 15, 2017

Today on Climate Beat . . .

. . . we looked at the impacts, highlighting a new report finding that air pollution from oil and gas development disproportionately affects African-American communities, conclusions environmentalists hope will help fight Trump administration efforts to undo the Obama EPA's first-time limits on the greenhouse gas methane from new oil and gas drilling.

And our daily news roundup took another look at ongoing international climate talks, where several other countries and domestic climate advocates appear to be breathing a sigh of relief that administration officials are not actively trying to undermine the Paris climate agreement.

READ THE CLIMATE BEAT →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/7/2017 1:03:48 PM
Subject: June 07 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 07, 2017 - Number 108

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Illuminated Exit Signs Test Procedure Waiver Request
AIR

Notice of the Department of Energy, Office of Energy Efficiency and Renewable Energy, announces the receipt of a petition from Acuity Brands, of Atlanta, requesting a waiver from test procedures for determining the energy consumption of illuminated exit signs under 10 CFR 431.401. The company seeks to use an alternate test procedure to address issues involved in testing certain basic models of illuminated exit signs identified in its petition. The agency has proposed alternate test procedures that provide methods to test and rate the basic models at issue without the rated wattage of the light source or sources due to a finding that rated wattage of light sources had not been well documented in Acuity's product literature. Comments are due July 7, 2017. Contact: Bryan Berringer; DOE, Building Technologies Program; 202-586-0371; AS_Waiver_Requests@ee.doe.gov

82 FR 26469 (06/07/2017)

Regulatory Update

AIR
Nevada SIP/Lake Tahoe CO Maintenance Plan
AIR

Final rule of the EPA amends regulations under 40 CFR 52.1470 to approve a revision to the Nevada SIP. The revision consists of a second 10-year maintenance plan for the eight-hour carbon monoxide (CO) NAAQS for the Lake Tahoe area, including the 2011 emissions inventory, the 2024 projected emissions inventory, and a revised alternative monitoring strategy and contingency plan. The rule also postpones the effective date of a March 10, 2017, direct final rule (82 FR 13235) that added these revisions to the SIP to provide a response to adverse comments prior to the rule's effectiveness. The rule is effective July 7, 2017. Contact: John Kelly; EPA Region 9, Air Planning Office; 415-947-4151; kelly.johnj@epa.gov

82 FR 26351 (06/07/2017)

Regulatory Update

AIR
Tennessee SIP/Reid Vapor Pressure Requirements
AIR

Final rule of the EPA amends regulations under 40 CFR 80.27 to approve a request from the state of Tennessee to revise the summertime federal Reid vapor pressure (RVP) standards for gasoline. The rule revises the RVP standard to 9.0 pounds per square inch for gasoline sold from June 1 to Sept. 15 each year for the Middle Tennessee area, which includes Davidson, Rutherford, Sumner, Williamson and Wilson counties. In a Feb. 24, 2017, proposed rule (82 FR 11517), the EPA proposed to approve the easing of the federal RVP requirement as a revision to the SIP. The rule is effective June 7, 2017. Contact: David Dickinson; EPA, Office of Transportation and Air Quality; 202-343-9256; dickinson.david@epa.gov

82 FR 26354 (06/07/2017)

Regulatory Update

ENDANGERED SPECIES
Georgia/Marine Mammals Incidental Take Permit
ENDANGERED SPECIES

Final rule of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, adopts regulations under 50 CFR 217.250 through 217.257 concerning taking of marine mammals incidental to conducting waterfront construction at the U.S. Naval Submarine Base in Kings Bay, Ga., requested by the U.S. Navy. The applicant requests take of bottlenose dolphins by Level B harassment incidental to impact and vibratory pile installation and removal from July 12, 2017, to July 11, 2022. The application is requested in connection with proposed repairs, construction, and modifications that will require the use of impact and vibratory pile driving, including installation and removal of steel, concrete, composite, and timber piles. The rule is effective July 12, 2017, and expires July 11, 2022. Contact: Ben Laws; NMFS, Office of Protected Resources; 301-427-8401

82 FR 26360 (06/07/2017)

Regulatory Update

FOOD SAFETY
Customer and Partner Service Surveys
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding customer and partner service surveys. The surveys identify strengths and weaknesses in service to various regulated entities, including food processors; cosmetic drug, biologic, and medical device manufacturers; consumers; and health professionals. Comments are due Aug. 7, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 26497 (06/07/2017)

Regulatory Update

FOOD SAFETY
Reportable Food/Third-Party Disclosure, Recordkeeping
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding third-party disclosure and recordkeeping requirements for reportable food, which are articles of food for which the use of or exposure to will cause serious adverse health consequences or death to humans or animals. The collection addresses notification requirements through electronic communication methods for responsible parties and their previous sources and/or immediate subsequent recipients. The collection also addresses recordkeeping requirements for reports and notifications for a period of two years. Comments are due Aug. 7, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 26489 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
California/Potter Valley Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the receipt of a notice of intent from Pacific Gas & Electric Co., of San Francisco, to file a license application for a new license and commencing the pre-filing process for the Potter Valley Project on the Eel and East Fork Russian rivers in Lake and Mendocino counties in California. The notice specifies that a portion of the project occupies Mendocino National Forest lands administered by the U.S. Forest Service. The agency is initiating consultation with the U.S. Fish and Wildlife Service and/or the National Oceanic and Atmospheric Administration. An environmental site review will be conducted June 27, 2017. Meetings are scheduled for June 28, 2017, in Ukiah, Calif. Comments are due Aug. 4, 2017. Contact: John Mudre; FERC; 202-502-8902; john.mudre@ferc.gov

82 FR 26475 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Connecticut/Wyre Wynd Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a notice of intent to file a license application and a request to use the traditional licensing process for the Wyre Wynd Hydroelectric Project on the Quinebaug River in New London and Windham counties in Connecticut. The project is proposed by Aspinook Hydro LLC, of Boulder, Colo. The commission is initiating consultation with the U.S. Fish and Wildlife Service and/or the National Oceanic and Atmospheric Administration regarding joint agency requirements. Contact: John Ramer; FERC; 202-502-8969; john.ramer@ferc.gov

82 FR 26479 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Humanitarian Device Exemptions and Institutional Review Boards
GENERAL ENVIRONMENT AND SAFETY

Final rule of the Food and Drug Administration amends regulations under 21 CFR 814.3, 814.100, 814.102, 814.124 and 814.126 regarding humanitarian device exemptions (HDEs) and institutional review boards (IRBs) for devices. The rule makes technical amendments pursuant to the 21st Century Cures Act related to HDE approval for devices to treat or diagnose a condition to increase to "not more than 8,000" the threshold for individuals in the U.S. affected by the disease or condition. The rule also removes the requirement for institutional review committees for devices to be local. The rule is effective June 7, 2017. Contact: Ian Ostermiller; FDA, Center for Devices and Radiological Health; 301-796-5678

82 FR 26348 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
National Marine Fisheries Service/Regulatory Review
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces the periodic review of agency rulemaking actions to determine if they should be amended or withdrawn to address significant economic impacts on small entities, as required by Section 610 of the Regulatory Flexibility Act. The current review addresses rules issued in 2010 under 50 CFR Chapters II, III, IV, V, and VI, including domestic and international fisheries; a Feb. 19, 2010, final rule (72 FR 7383) that implemented the Harbor Porpoise Take Reduction Plan to address the mortality and serious injury of the Gulf of Maine/Bay of Fundy stock of harbor porpoises; migratory species; and endangered and threatened wildlife and plants. Comments are due July 7, 2017. Contact: Tara Scott, NOAA, National Marine Fisheries Service; 301-427-8579

82 FR 26419 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
North Carolina/Ward Mill Dam Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application to surrender the license for the Ward Mill Dam Project on the Watauga River near Boone, N.C. The notice specifies that the surrender is due to the requirements of a recently issued subsequent license and certain circumstances of the licensee. The notice also specifies that the licensee plans to disconnect the generating units from the utility interconnection point and remove the generators and turbines. Comments, protests, or motions to intervene are due July 3, 2017. Contact: Diana Shannon; FERC; 202-502-6136; Diana.shannon@ferc.gov

82 FR 26474 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oncologic Drugs Advisory Committee Meeting/Acute Lymphoblastic Leukemia
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a meeting of the Oncologic Drugs Advisory Committee to discuss a biologics license application for tisagenlecleucel-T suspension for intravenous use (BLA 125646), submitted by Novartis Pharmaceuticals Corp., of East Hanover, N.J. The proposed indication for the product is for the treatment of pediatric and young adult patients three to 25 years of age with relapsed/refractory B-cell acute lymphoblastic leukemia. The meeting is scheduled for July 12, 2017, in Silver Spring, Md. Comments are due July 10, 2017. Contact: Jennifer Shepherd; FDA, Center for Drug Evaluation and Research; 301-796-9001; ODAC@fda.hhs.gov

82 FR 26492 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oncologic Drugs Advisory Committee Meeting/Acute Myeloid Leukemia
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a meeting of the Oncologic Drugs Advisory Committee to discuss a biologics license application for Mylotarg (BLA 761060), submitted by Wyeth Pharmaceuticals Inc., a subsidiary of Pfizer Inc., of New York. The proposed indication for the product is in combination therapy with daunorubicin and cytarabine for the treatment of adult patients with previously untreated, de novo acute myeloid leukemia. The meeting is scheduled for July 11, 2017, in Silver Spring, Md. Comments are due July 10, 2017. Contact: Jennifer Shepherd; FDA, Center for Drug Evaluation and Research; 301-796-9001; ODAC@fda.hhs.gov

82 FR 26495 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oncologic Drugs Advisory Committee Meeting/Avastin, Herceptin Biosimilars
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a meeting of the Oncologic Drugs Advisory Committee to discuss a biologics license application for ABP 215 (BLA 761028), a proposed biosimilar product to Genentech/Roche's Avastin (bevacizumab), submitted by Amgen Inc., of Thousand Oaks, Calif. The proposed indications for the product include treatment of patients with metastatic colorectal cancer, certain nonsmall cell lung cancers, glioblastoma, metastatic renal cell carcinoma, or carcinoma of the cervix. The agenda also includes discussion of MYL-1401O (BLA 761074), a proposed biosimilar product to Genentech Inc.'s Herceptin (trastuzumab), submitted by Mylan GmbH, of Zurich. The proposed indications for the product

include treatment of patients with HER2-overexpressing node positive or node negative breast cancer, HER2-overexpressing metastatic breast cancer, or HER2-overexpressing metastatic gastric or gastroesophageal junction adenocarcinoma. The meeting is scheduled for July 13, 2017, in Silver Spring, Md. Comments are due July 10, 2017. Contact: Jay Fajiculay; FDA, Center for Drug Evaluation and Research; 301-796-9001; ODAC@fda.hhs.gov

82 FR 26488 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pennsylvania/Line QP, Line Q and Queen Storage Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of an environmental assessment for the Line QP, Line Q, and Queen Storage Project proposed by National Fuel Gas Supply Corp., of Williamsville, N.Y. The project involves construction and operation of facilities, abandonment by sale of a natural gas storage system and associated pipeline, replacement of a compromised portion of the pipeline, and installation of a new pipeline to maintain National Fuel's distribution capability in Forest and Warren counties in Pennsylvania. Comments are due July 1, 2017. Contact: Kimberly Bose; FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 26480 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Texas/Central Texas Gathering System
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application by Transcontinental Gas Pipe Line Co., of Houston, for authorization to abandon offshore gathering laterals at the Central Texas Gathering System (CTGS) offshore of Texas. The applicant proposes to abandon the CTGS West Facilities that consist of an approximately 11-mile offshore gathering lateral extending from the Brazos Block A-133A platform to the Brazos Block A-76 subsea tie-in and a 30-mile lateral extending from the Brazos Block A-76 subsea tie-in to the Brazos Block 538 platform. The notice specifies that the agency will complete an environmental assessment or issue a notice of schedule for environmental review by Aug. 30, 2017. Comments are due June 22, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 26478 (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Texas/Existing NuStar Burgos Pipeline Presidential Permit
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of State announces the issuance of a presidential permit to NuStar Logistics LP, of San Antonio, to operate and maintain existing Burgos Pipeline facilities at the

U.S.-Mexico border near Edinburg, Texas, for the transport of refined petroleum products, including naphtha, liquefied petroleum gas, natural gas liquids, jet fuel, regular and premium gasoline, and diesel. The permit requires NuStar to take necessary mitigation measures identified in the final environmental assessment and measures approved in the future by the State Department or other relevant agencies. The permit is effective May 30, 2017. Contact: Matthew McManus; Department of State, Office of Policy Analysis and Public Diplomacy; 202-736-7149

82 FR 26563 (06/07/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Railroads/System Safety Programs
HAZARDOUS MATERIALS TRANSPORTATION

Final rule of the Federal Railroad Administration further delays until Dec. 4, 2017, the effective date of an Aug. 12, 2016, final rule (81 FR 53850) that adopts regulations under 49 CFR 270.1 through 270.305 (nonconsecutive) to establish the System Safety Program for commuter and intercity passenger railroads. The agency previously delayed (82 FR 14476; 03/21/2017) the effective date until May 22, 2017, in response to a presidential memorandum establishing a regulatory freeze, and then again (82 FR 23150; 05/22/2017) until June 5, 2017, to provide additional time for review. Contact: Matthew Navarrete; FRA, Office of Chief Counsel; 202-493-0138; Matthew.Navarrete@dot.gov

82 FR 26359 (06/07/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Puerto Rico/Palo Seco Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces a proposed cost recovery settlement agreement under CERCLA with the Puerto Rico Electric Power Authority (PREPA) for response costs incurred by the EPA at the Palo Seco Superfund Site in Toa Baja, Puerto Rico. The agreement requires PREPA to pay $1 million to reimburse assessment costs and cover cleanup actions at the site. The proposed agreement also includes a covenant from the EPA not to sue or to take administrative action against PREPA with regard to the response costs. Comments are due July 7, 2017. Contact: Margo Ludmer; EPA Region 2, New York/Caribbean Superfund Branch; 212-637-3187; ludmer.margo@epa.gov

82 FR 26482 (06/07/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Puerto Rico/Oil Pollution Act Consent Decree
OIL AND GAS INDUSTRY

Notice of the Department of Justice announces a proposed consent decree in United States v. Port Stewart GmbH&Co. Kg of Germany (Civil Action No. 3:17-cv-01742), lodged on June 1, 2017,

with the U.S. District Court for the District of Puerto Rico. The consent decree resolves claims under the Oil Pollution Act for damages to a coral reef habitat resulting from alleged discharges of oil due to the grounding of the T/V Port Stewart oil tanker at the entrance of the Yabucoa Channel. The consent decree requires the defendant to pay $550,000, including $412,000 for restoration, $128,000 of NOAA costs, and $10,000 of the Puerto Rico Department of Natural and Environmental Resources costs. Comments are due July 7, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 26518 (06/07/2017)

Regulatory Update

RADIATION
ACRS Subcommittee on Northwest Medical Isotopes Meeting
RADIATION

Notice of the Nuclear Regulatory Commission announces a meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Northwest Medical Isotopes. The agenda includes discussion of the construction permit application preliminary safety analysis report for a radioisotope production facility at the Discovery Ridge Research Park in Columbia, Mo., and associated agency safety evaluation reports. The meeting is scheduled for June 19, 2017, in Rockville, Md. Comments are due June 19, 2017. Contact: Kathy Weaver; NRC; 301-415-6236; Kathy.Weaver@nrc.gov

82 FR 26519 (06/07/2017)

Regulatory Update

TOXIC SUBSTANCES
Schedule I Controlled Substances/Acetyl Fentanyl
TOXIC SUBSTANCES

Notice of the Drug Enforcement Administration announces a final order amending regulations under 21 CFR 1308.11 to temporarily place the synthetic opioid acetyl fentanyl and its isomers; esters; ethers; salts; and salts of isomers, esters, and ethers into Schedule I of the Controlled Substances Act. The final order is effective June 7, 2017. Contact: Michael Lewis; DEA, Office of Diversion Control; 202-598-6812

82 FR 26349 (06/07/2017)

Regulatory Update

WATER
California/National Marine Sanctuaries Discharge Requirements
WATER

Notice of the National Oceanic and Atmospheric Administration, National Ocean Service, further delays until Dec. 9, 2017, the effectiveness of the discharge requirements under 15 CFR 922 regarding U.S. Coast Guard activities in the Gulf of the Farallones (now renamed Greater Farallones) and Cordell Bank national marine sanctuaries offshore of California, as set forth in a March 12, 2015, final rule (80 FR 13077). The current action extends several prior postponements

of the discharge requirements in both sanctuary expansion areas with regard to Coast Guard activities. The delay is intended to give the agency additional time to development alternatives for an environmental assessment. Contact: Maria Brown; NOAA, Greater Farallones National Marine Sanctuary; 415-561-6622; Maria.Brown@noaa.gov

82 FR 26339 (06/07/2017)

Regulatory Update

WATER
Payments for Benefits from Headwater Improvements
WATER

Notice of the Federal Energy Regulatory Commission announces the submission of a continuing information collection request to the OMB regarding payment for benefits from headwater improvements, which provide additional energy production from the regulation of river flows by an upstream storage reservoir (FERC-521; 18 CFR 11, Subpart B). The collection addresses data reporting requirements for downstream federal and nonfederal hydropower project owners. The data also is used to determine annual charges for nonfederal hydropower projects. Comments are due July 7, 2017. Contact: Ellen Brown; FERC; 202-502-8663; DataClearance@FERC.gov

82 FR 26476 (06/07/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Sun 6/11/2017 3:14:26 PM
Subject: Italian minister: G-7 'distant' on climate change

By Sara Stefanini

06/11/2017 11:06 AM EDT

BOLOGNA, Italy — G-7 ministers are in "complete agreement" on all the environmental issues they're discussing today and Monday — except for climate change, Italian Environment Minister Gian Luca Galletti told reporters today.

The two-day G-7 environment ministers gathering comes 10 days after President Donald Trump confirmed that he would withdraw the U.S. from the Paris climate agreement.

But even before his announcement, American resistance to tackling climate change emerged as a sticking point at the G-7 leaders' summit last month and the G-7 energy meeting in April, where the ministers failed to agree on a communiqué.

"The positions, especially on Paris, are distant positions," said Galletti, host of the environment meeting.

"Here in Bologna we're doing very important work, we're mending. We'll only know at the end what result it will have, but we have already obtained a result because we continue to talk, to identify solutions and common objectives," he added. U.S. Environmental Protection Agency Administrator Scott Pruitt is in Bologna representing the U.S. but is leaving this afternoon.

Galletti said his early departure was always planned because of a meeting with Trump.

"The administrator has had bilateral meetings with a number of our G-7 partners discussing the importance of engagement and environmental issues including conservation, food waste, climate, marine litter and resource efficiency," Lincoln Ferguson, Pruitt's spokesman, told POLITICO by email.

Patricia Espinosa, head of the United Nations' climate change secretariat, told reporters that Pruitt said the U.S. wants to continue to make efforts to combat climate change and engage with the secretariat.

This article first appeared on POLITICO.EU on June 11, 2017.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/italian-minister-g-7-distant-on-climate-change-088899

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This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 7/24/2017 7:57:43 PM
Subject: July 24 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

White House Team Differs on Trump Support for Russia Sanctions

Posted July 24, 2017, 12:17 P.M. ET

By Ros Krasny

The Trump administration supports the current version of a bill to sanction Russia, the new White House press secretary said, although her boss, Anthony Scaramucci, wouldn't guarantee that President Donald Trump will sign it.

The legislation, which would affect energy projects abroad and may soon land on Trump's desk for a signature, wasn't the only area where Trump's hand-picked communications director differed from others in the administration on July 23, two days after taking the job.

Scaramucci and press secretary Sarah Huckabee Sanders, also named to her role on July 21, along with Jay Sekulow, one of Trump's lawyers, were the administration's collective face on Sunday's political talk shows. The interviews came days after both teams were shaken up in an effort by Trump to impose order on his White House in the face of a widening Russia probe.

Sanders' comments on sanctions followed a tentative deal reached by Republican and Democratic leaders in the House to move ahead this week on a measure that, among other things, would prevent the president from acting unilaterally to remove sanctions on Russia for its involvement in the 2016 election and other actions.

"The original piece of legislation was poorly written, but we were able to work with the House and Senate. And the administration is happy with the ability to do that and make those changes that were necessary," Sanders said on ABC's "This Week." "We support where the legislation is now."

'Decision Shortly'

Scaramucci, brought on board to reset the administration's communication's strategy as Trump enters his second six months in office with record-low approval ratings, said on CBS's "Face the Nation" that "I don't know the answer to whether the president will sign" the sanctions bill. On CNN's

"State of the Union," Scaramucci suggested that Trump is "going to make that decision shortly."

If the president were to veto the bill, "we will override his veto," Sen. Ben Cardin (D-Md.), the top Democrat on the Senate Foreign Relations Committee, said on "Fox News Sunday."

Heading into a week of congressional action on the investigations into Russian election meddling, including testimony behind closed doors to two committees by his son-in-law and senior adviser Jared Kushner, Trump said on Twitter July 22 that "all agree the U.S. President has the complete power to pardon."

House to Vote Soon

Republican and Democratic leaders in the House reached a tentative deal over the weekend to fix procedural concerns, add measures against North Korea, and modify provisions that would restrict the participation of U.S. energy companies in some international projects.

A version of the bill released by House Republican leaders includes changes sought since the Senate passed legislation in June that would prohibit U.S. businesses from working on or supporting energy projects that include any participation by Russian companies, even outside Russia's borders.

The new version would also set a threshold for Russian involvement, applying that restriction to projects where sanctioned Russian entities have at least a 33 percent interest.

A separate procedural impasse would be resolved by allowing leaders from both the majority and minority parties in the Senate or House to force their respective chamber to consider an objection to White House action on sanctions. The original bill allowed any member of Congress in either chamber to force consideration of sanctions waivers. Senators can still introduce resolutions, with leadership approval.

The bill is expected to be considered in the House on July 25 using an expedited process that requires two-thirds of all members voting for passage.

The modified House bill represents a modest victory for oil companies, manufacturers and oilfield service firms that had argued the earlier, Senate-passed bill could jeopardize projects around the globe—even those that weaken Russia's ability to use its own natural gas as a political weapon. They had warned that under the Senate measure, Russia would be empowered to elbow U.S. companies out of energy projects globally simply by making small investments in them.

The 33 percent threshold that would be established under the compromise legislation likely is high enough to avoid disruptions at the giant Shah Deniz project in Azerbaijan, a chief alternative to Russia-sourced natural gas for Turkey. That project could have been swept up by the Senate-passed bill because Russia's Lukoil owns a 10 percent share in an ongoing expansion, even though BP Plc is the lead operator.

The White House had argued that it needs flexibility to adjust economic sanctions against Moscow. Administration officials were on Capitol Hill earlier this month asking lawmakers to reconsider the Russia provisions that the Senate added to an Iran sanctions bill and passed 98-2.

—With assistance from Terrence Dopp, Robert Schmidt, Jennifer A. Dlouhy, Billy House and Anna Edgerton.

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EU Mulls Retaliation Against U.S. Over New Russia-Sanctions Plan

Posted July 24, 2017, 9:10 A.M. ET

By Jonathan Stearns

The European Union said it would be prepared to retaliate against the U.S. should Washington hit Russia with new sanctions that affect EU-based energy companies, risking a deeper trans-Atlantic split over economic and security policies.

The European Commission, the bloc's executive arm, made the threat as U.S. lawmakers prepare to give the green light as soon as this week to economic penalties against Russia over its meddling in last year's American presidential election. The draft U.S. measures would prohibit American businesses from being involved in energy projects that include Russian companies, including ventures outside Russia.

"The EU is always ready to respond adequately and imminently should the case be needed," Margaritis Schinas, the commission's chief spokesman, told reporters on July 24 in Brussels. "I will not speculate on any retaliation."

The latest trans-Atlantic tensions follow sharp disagreements over U.S. President Donald Trump's "America First" agenda, including his anti-trade stance, his withdrawal from an international treaty to fight climate change and his criticism of European nations for failing to spend more on defense. The fresh friction also contrasts with close cooperation between the EU and former U.S. President Barack Obama over sanctions against Russia for its encroachment in Ukraine.

Expanded Sanctions

The commission, led by President Jean-Claude Juncker, is echoing concerns expressed by German Chancellor Angela Merkel, whose spokesman said in June that the U.S. Congress's plan for expanded sanctions against Russia posed a threat to European economic interests. One casualty could be the planned $10 billion Nord Stream 2 natural-gas pipeline between Russia and Germany, a project that to some extent would compete with U.S. exports of liquefied natural gas to Europe.

Schinas said the adequacy of energy supplies for the EU is at stake and the commission is engaged in a diplomatic offensive to limit the impact of any U.S. measures on the bloc, expressing "hope" that no European countersteps will be necessary.

"We are activating all diplomatic channels to address these concerns—from these U.S. measures—with our U.S. counterparts," he said. "We expect" Europe's "interests to be addressed by the ongoing, pre-legislative process."

The Financial Times and Politico reported on July 24 that Juncker planned to put retaliation against the U.S. on the agenda of a regular meeting of EU commissioners on July 26, citing an internal commission note. Both reports said the goal is for the 28-nation bloc to be able to react "within days."

Separately, the commission is preparing for possible retaliation against the U.S. over a threat by

Trump to curb steel imports on national security grounds. In June, EU Trade Commissioner Cecilia Malmstrom said she was "extremely worried" about the possibility of such American trade restrictions, saying they could trigger protectionist reactions around the globe.

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Flood Risks Prompt Massachusetts Review of Enbridge Gas Facility

Posted July 24, 2017, 7:51 A.M. ET

By Adrianne Appel

Massachusetts Gov. Charlie Baker (R) bowed to public pressure and ordered his administration to scrutinize a natural gas facility planned by Enbridge for its Pennsylvania to Canada pipeline.

Enbridge Inc. wants to build a 7,700-horsepower natural gas compressor station in Weymouth, Mass., as part of an expansion to its 60-year-old Algonquin Gas Transmission pipeline. The expansion, called Atlantic Bridge, will deliver natural gas from Pennsylvania up to Maine and Eastern Canada.

Enbridge received permission (a Certificate of Public Convenience and Necessity) from the Federal Energy Regulatory Commission Jan. 25 for the expansion, including the compressor station, following years of protests by local residents who say the plant would pose health and safety risks.

The plant still needs local and state permits before it begins operating, and those permits could be stymied depending on the outcome of studies ordered by Baker July 14.

"Although the siting of compressor stations is primarily regulated by the Federal Energy Regulatory Commission, the Commonwealth need not and will not remain silent during this process," Baker said in a July 14 letter to Weymouth Mayor Robert Hedlund.

Air, Storm Safety

The compressor facility would be built directly on the coast south of Boston, near Quincy, and therefore is subject to review by the state Office of Coastal Zone Management.

Baker ordered the coastal zone office to obtain more information from Enbridge "in an effort to achieve a conclusive and definitive understanding of what the specific flooding and inundation risks are," as sea level rises and storms increase in the future due to climate change.

The plant site "is susceptible to flooding and waves during storm events under present and future conditions," Baker said. Enbridge must show that it will mitigate any potential climate change impacts, Baker said.

Public Health

Baker also directed the Massachusetts Department of Environmental Protection and Department of Public Health to prepare an assessment of any impact the facility would have on air quality. The assessment will be completed and potential air quality considered before any air permits are issued by the DEP, Baker said.

Baker instructed his secretary of public safety and secretary of energy and environmental affairs to help bring the concerns of the public about the plant's safety to the federal Department of Transportation's Pipeline and Hazardous Materials Safety Administration.

FERC granted the certificate to Enbridge after a comprehensive, 23-month review, Marylee Hanley, an Enbridge spokeswoman, said in a July 21 email to Bloomberg BNA. More than 600 public comments were considered.

"The Atlantic Bridge facilities are designed and will be constructed, operated and maintained to meet or exceed federal safety standards and regulations," she said.

Visited Baker's Office 76 Days

Public opposition to the compressor facility has been fierce for years, and Baker is a relative latecomer to the debate.

Baker is "committed to ensuring the community's concerns are heard fully," Baker spokesman Brendan Moss told Bloomberg BNA July 21 in an email.

Local groups, Hedlund and U.S. Sens. Elizabeth Warren (D) and Edward Markey (D) have expressed opposition to the planned compressor station. One Weymouth resident, Andrea Honore, visited the governor's office for 76 straight days about her concern about the Weymouth plant before Baker agreed to visit the plant site and meet with her. Days later, Baker issued his directives about the plant.

Baker, a popular moderate Republican in a state that mostly votes Democratic, is up for re-election in 2018. Democratic gubernatorial candidates Setti Warren and Jay Gonzalez both issued statements against the plant before Baker took action.

U.K. Seeking to Fill Climate Leadership Void Left by Trump

Posted July 24, 2017, 02:57 P.M. ET

By Jessica Shankleman

Britain should seek to fill the leadership void created by Donald Trump's decision to pull the U.S. out of the landmark Paris Agreement, Climate Change Minister Claire Perry said July 24.

While Prime Minister Theresa May has been criticized by some environmental groups for failing to speak out over the U.S. president's June 1 decision to step back from the 2015 Paris deal, Perry said U.K. ministers "haven't missed an opportunity" to express their disappointment over the news.

Perry said that as well as head-of-state discussions, she has also been having talks with "other players" in the U.S. who are seeking to ensure the U.S. delivers on its carbon reduction commitments. Last week the mayor of Houston visited the U.K. and discussed climate opportunities, she said.

"The U.K. is ranked third in the world in tackling climate change. I think we need to exploit and take that leadership position because we can change the world doing this and we can also generate highly productive jobs," she said while visiting a green housing project at Nottingham University, in the East Midlands of England.

Perry's department on July 24 unveiled policies designed to make it easier for homeowners to install battery systems that can store renewable energy created by solar panels or wind turbines. That includes updating a 28-year-old Electricity Act that doesn't recognize batteries as part of the power system.

Perry said the U.K.'s green economy already employs about 400,000 people and could provide a source of growth through research and exports for certain technologies as the country quits the European Union.

"I look at this and see it's the way the world is going, so it's not just about British businesses, it's about global mega-trends, so how do we seize that opportunity to decarbonize our own economy and help other countries," she said.

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U.K. Braced for Record-Breaking Wet Winters, Blames Climate Shift

Posted July 24, 2017, 9:38 A.M. ET

By Jessica Shankleman

Britain faces a future of record-breaking wet winters, potentially leading to more of the widespread flooding seen in recent years, according to new modeling that incorporates changing climate patterns.

England and Wales now have a 34 percent chance of record rainfall between October and March, the study by the government's Met Office said July 24. In 2013, heavy rain deluged parts of Cornwall and the south east. That was followed by three named storms that flooded some of Cumbria, Lancashire and Yorkshire in December 2015, while Storm Angus battered parts of Britain last November.

Changing weather patterns caused by increasing global temperatures means meteorologists can no longer rely on historical rainfall records to predict future weather events. Instead, a new supercomputer at the Met Office simulated thousands of possible scenarios using current climate patterns.

"This gave many more extreme events than have happened in the real world, helping us work out how severe things could get," Adam Scaife, lead researcher on the study, said in a statement.

The simulations could help insurers and governments to assess risks and plan for future extreme weather events, Vikki Thompson, lead author of the report, said in a video released by the Met Office. The Association of British Insurers estimated floods in December cost about 1.3 billion pounds ($1.7 billion) in claims.

"This is important research and reinforces our call for the government to prepare for and expect a significant flood event to take place somewhere in the country almost every year," said Daniel Johns, head of adaptation at the U.K. Committee on Climate Change, which advises the government on its response to global warming.

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Conservative Party Merger Alters Landscape in Canada's Oil Patch

Posted July 24, 2017, 9:18 A.M. ET

By Doug Alexander and Josh Wingrove

The merger of Alberta's two main conservative parties creates a new political force in the heart of Canada's oil patch that threatens to unseat Premier Rachel Notley and kill the province's carbon tax.

Members of the Wildrose and Progressive Conservative parties voted July 22 to create the United Conservative Party. Combined, those parties hold 30 of 87 districts, though they received 52 percent of the vote in the last election.

In recent polls each has outpaced Notley's New Democratic Party, which won a surprise majority in 2015 and benefited heavily from a split among right-leaning voters in the province with Canada's highest median household income. The next election is due in 2019.

For the NDP, unification "is their worst-case scenario," Duane Bratt, a political scientist at Mount Royal University in Calgary, said in an interview. While an improving economy or a divide over social policies could still help Notley hold power, "a unified conservative party at this stage would be tough to beat."

Some 95.4 percent of Wildrose members who voted backed the merger, while it won 95 percent support from the PCs, according to the July 22 results.

Carbon Tax

While the merger agreement doesn't specify a plan to repeal the carbon tax, its key figures have all campaigned against it. Notley's carbon measures include a hard cap on emissions from Alberta's oil sands, the world's third-largest proven oil reserve, though the province isn't near its self-imposed cap. Repeal of that will set up a collision course with Prime Minister Justin Trudeau, who has imposed a minimum carbon price nationally as of 2018.

Alberta is Canada's heaviest carbon emitter, though only its fourth-most populous, and a frequent target of environmental and anti-oil campaigns.

"I'm not convinced that the carbon tax will disappear, and for evidence of that, all you have to do is look south of the border with repeal-and-replace of Obamacare," Bratt said. "Once you bring in a program and it runs for a couple of years, it is tough to get rid of."

The parties had also pledged to balance the budget and slash Alberta's ratio of debt to nominal gross domestic product, which has more than doubled in the past two years, to 13.8 percent from 6.1 percent, with the slump in oil prices. Alberta draws 8 percent of its revenue from oil and other non-renewable resources, down from 18 percent just three years earlier, government budget documents show.

Disapproval Rating

The unified party will pick its leader on Oct. 28, with an interim leader serving in the meantime. The

leading candidates are expected to be Wildrose leader Brian Jean, a former federal lawmaker who hails from Fort McMurray, the hub of the oil sands region, and Progressive Conservative leader Jason Kenney, a former federal lawmaker and cabinet minister who largely led the unity push. Doug Schweitzer, a Calgary lawyer, announced his interest in the leadership position in June.

"If anybody other than myself is elected by the members they will have my total enthusiastic support because this unity project will only work if we are prepared to park our egos --- and I'm certainly prepared to do that," Kenney said in his July 22 speech.

Notley has one of the highest disapproval ratings among Canada's provincial leaders, though the premier's numbers remain relatively strong in each of the two major cities, where about two-thirds of electoral districts are clustered, polling from Mainstreet Research shows.

"It's going to be a tough road for Rachel Notley and the NDP if the PCs and Wildrose unite—not impossible," Mainstreet President Quito Maggi said in an interview. The merger could still spur further splintering, both among staunch conservatives and centrists. "It's not a guarantee of that unified party forming government. They're still going to have to do some work."

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VW, Daimler Workers Step Up Pressure to Come Clean on Collusion

Posted July 24, 2017, 9:00 A.M. ET

By Elisabeth Behrmann

Germany's carmakers are coming under pressure from their employees to come clean on allegations that they colluded on technology for decades, as investors continued to sell the stocks on concern the industry faces another major scandal following the diesel emissions crisis.

Prodded by labor leaders, Volkswagen AG Chairman Hans Dieter Poetsch is convening a special supervisory board meeting on July 26 "given the current situation," Michael Brendel, a spokesman at the Wolfsburg-based manufacturer, said in a July 24 email. Daimler AG's "workers are rightly horrified and angry" by antitrust allegations that emerged last week, and "there must obviously be consequences" if they're confirmed, Michael Brecht, head of that company's works council, said separately.

Shares of Volkswagen, Daimler and BMW AG have fallen at least 5 percent since Spiegel magazine reported July 21 that the carmakers had held talks since the 1990s on coordinating automotive technology, including development of combustion engines, emissions systems, brakes and transmissions. In conjunction with Germany's antitrust regulator, the European Union's competition overseer said July 22 that it's studying possible collusion among auto manufacturers.

Worker representatives are a powerful presence on major German companies' supervisory boards, holding half of the seats, and Volkswagen's meeting was prompted by a demand for an extraordinary session from labor representatives.

Management 'Duty'

"Management has the duty to thoroughly inform the supervisory board. That hasn't happened yet," the Volkswagen works council said in a statement. "We also expect the management board to give an explanation to the workforce. Trust in company leadership is dwindling more each day." Its

counterpart at Munich-based BMW said separately that it "expects to be informed of the situation promptly."

Stuttgart-based Daimler doesn't plan to hold a special meeting, said Ute Wuest von Vellberg, a spokeswoman. The company is due to report its quarterly results June 26, and Volkswagen publishes figures a day later. Boards usually convene shortly before those numbers are released to give final approval to the reports.

"I advise the car industry to clear the air now, to say what has happened, and then we can look to the future together again," Volker Kauder, caucus leader of German Chancellor Angela Merkel's Christian Democrat-led bloc in parliament, said July 24 on ARD television. "If the antitrust violations were to prove true—and there's a lot to suggest that—then one must really say the clear sentence: the rule of law also applies to the car industry."

Diesel Cheating

The antitrust allegations emerged a little less than two years after Volkswagen's revelation that it rigged diesel engines to cheat on emissions tests, an admission that has prompted governments to scrutinize the entire industry's technology. BMW sought on July 23 to defuse concerns about possible collusion as well as allegations of manipulating diesel emissions by downplaying the talks with rivals as being focused on promoting exhaust-treatment technology in Europe.

"In the aftermath of the diesel scandal, illicit collusion would be a catastrophe for the credibility of the German auto industry," said Stefan Bratzel, director of the Center of Automotive Management in Bergisch Gladbach, Germany. A potential cartel could lead to billions of euros in fines and comes as the industry already faces threats from the shift to self-driving electric cars.

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Photos of Melted Fuel at Japan's Fukushima to Help Cleanup

Posted July 24, 2017, 8:58 A.M. ET

By Stephen Stapczynski

Japan's likely discovery of melted fuel inside the wrecked Fukushima nuclear power plant is seen as a critical step in hastening the $72 billion, 40-year cleanup of one of the worst atomic disasters in history.

Images released on July 22 by Tokyo Electric Power Co. Holdings Inc.—Japan's biggest utility and owner of the plant—showed for the first time what is likely melted fuel at the bottom of the containment vessel of the No. 3 reactor at Fukushima. Pictures released July 21 showed fuel possibly hanging from the top of the pressure vessel inside the same reactor.

"The recent investigation results are significant early signs of progress on the long road ahead to safely decontaminate and decommission the Fukushima Dai-Ichi facility," said Lake Barrett, a former official at the U.S. Nuclear Regulatory Commission who was involved with the cleanup at the Three Mile Island nuclear power plant in the U.S.

While TEPCO, as the utility is known, said some of the debris captured on film is "highly likely" to contain melted fuel, the company noted that definitive confirmation will take time.

For Tokyo Electric, which bears most of the cleanup costs, the discovery could help the utility design a way to remove the highly radioactive material, according to Takahiro Kimoto, an official at the company.

Melted Fuel Removal

The company aims to decide on the procedure to remove the melted fuel from each unit as soon as this summer, with fuel removal slated to begin in 2021.

"This is a continuous step-wise program of gathering unit-specific engineering data so that engineers can develop the various engineering approaches and specific remote-controlled equipment to remove the melted fuel and other highly radioactive materials," Barrett, the former U.S. nuclear official, said by email.

With only a handful of nuclear meltdowns ever occurring around the world, TEPCO must come up with new technology for its cleanup. New tools, such as long-handled devices guided by a television monitor system, were developed for removing fuel core debris at Three Mile Island after its meltdown in 1979. In Chernobyl, a concrete sarcophagus was used to entomb the wrecked plant with no attempt to remove its fuel.

Decommissioning the reactors in Japan will cost 8 trillion yen ($72 billion), according to an estimate in December from the Ministry of Economy, Trade and Industry. Removing the fuel is one of the most important steps in a cleanup that may take as long as 40 years.

The pictures taken over the weekend were made possible with the help of a Toshiba Corp.-designed robot sent to explore the inside of the reactor for the first time. The 30-centimeter (12 inches) long swimming robot was tasked with surveying the damage and finding the location of corium—a mixture of the atomic fuel rods and other structural materials formed after the meltdown.

TEPCO must still confirm the location of melted fuel inside the No. 1 and 2 reactors at Fukushima.

In January, the company took photographs of what appeared to be black residue covering a grate under the Fukushima Dai-Ichi No. 2 reactor, which was speculated to have been melted fuel. A follow-up survey by another Toshiba-designed robot in February failed to confirm the location of any melted fuel in the reactor after it got stuck in debris.

A robot designed by Hitachi-GE Nuclear Energy Ltd. also failed to find any melted fuel during its probe of the No. 1 reactor in March.

"This could be a very early step, with many more hard steps to go, on the path to eventual decommissioning," M.V. Ramana, a professor at the Liu Institute for Global Issues at the University of British Columbia, said by email. "In the more short term, if some of these fragments can be brought out of the reactor and studied, it would allow nuclear engineers and scientists to better model what happened during the accident."

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PODCAST: Trump Rhetoric Gives Border Town Mayor Headaches

Posted July 24, 2017, 7:01 A.M. ET

By David Schultz

Small town mayor Serge Dedina has an international environmental problem: water pollution originating in Mexico flows across the border and into his Southern California town, hurting the ecosystem and causing health problems for residents.

Dedina, the mayor of Imperial Beach, Calif., has for years been working closely with federal, state, and local officials in Mexico to try to curb these pollution flows. But now, as he tells us in the latest episode of our environmental podcast Parts Per Billion, the rhetoric of President Donald Trump is making it harder and harder to sustain this cross-border cooperation.

To listen to our conversation with Dedina on the latest episode of Parts Per Billion, click here.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Mon 11/27/2017 3:03:32 PM
Subject: POLITICO's Morning Energy: U.S. backs Obama-era HFC deal — Scores descend on West Virginia for Clean Power Plan hearing — Upton vows to stay on Enbridge's case

By Anthony Adragna | 11/27/2017 10:00 AM EDT

U.S. BACKS HFC REDUCTION DEAL: While you were munching on turkey and mashed potatoes, the Trump administration pledged its support for an international accord aimed curbing emissions of hydrofluorocarbons, highly potent greenhouse gases. "The United States believes the Kigali Amendment represents a pragmatic and balanced approach to phasing down the production and consumption of HFCs, and therefore we support the goals and approach of the amendment," Judith Garber, the State Department official who led the delegation to Montreal Protocol conference, said in remarks on Thanksgiving Day. It's a big deal because the agreement, which enters into force in 2019, is expected to avoid a temperature increase of 0.5° C [0.9° F] by 2100.

And the U.S. ponied up, too: The U.S. agreed to pour $36.67 million annually from 2018 through 2020 into the Multilateral Fund, through which rich nations help developing ones to phase out HFCs. That's part of a broader $540 million countries agreed to contribute over the three-year period. Look for Congress to be a lot more willing to contribute for this than it has been for other international climate efforts given both industry and environmentalists strongly back the broader agreement.

Limping toward Senate consideration: Garber told diplomats the U.S. had "initiated the process" for putting the Kigali agreement to the Senate for its advice and consent, though she cautioned there was "no timeline currently determined" for formally sending it over to Congress. "There are a number of steps in our domestic process that we would need to complete before reaching a final decision," she noted.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and NRDC's Ed Chen was first to identify the Saturday Evening Post as landing spot for Norman Rockwell's iconic Thanksgiving painting. For today: Within two percentage points, what percentage of Americans hold valid passports? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

WOMEN RULE WEEK! POLITICO is partnering with women-led businesses in the DC-metro area to offer a full week of exclusive perks in conjunction with the 5th annual Women Rule Summit! Join the fun at participating businesses during Women Rule Week **(Nov. 27 - Dec. 1)** for exclusive deals and tweet 5x using #WomenRule for a chance to win two free tickets to the Summit on Dec. 5!

HEADS TURN TO WEST VIRGINIA: Washington's attention will be trained on what will be a critical week in Congress for the GOP's tax package, but the eyes of the energy and environmental world turn to Charleston, W.Va. for the lone public hearing on EPA's proposed repeal of the Obama-era Clean Power Plan. Preliminary lists of witnesses on Tuesday and

Wednesday include numerous heavy-hitters: coal magnate Robert Murray, West Virginia Attorney General (and Senate candidate) Patrick Morrisey, Rep. Evan Jenkins, as well as dozens of environmental, health and public interest advocates vocally opposing the regulation's repeal. Remember EPA continues to accept comment on its proposed repeal through Jan. 16.

Oversight hearings from Appropriators: As they work to stave off a government shutdown, House Appropriators will check in with the U.S. Forest Service and Army Corps of Engineers on Wednesday before hearing from Deputy Interior Secretary David Bernhardt on Thursday. Bernhardt, who will be joined by officials from EPA and Energy, is also due to provide an update to the House Oversight Committee on their regulatory reform initiatives on Wednesday.

Taking stock: POLITICO's Seung Min Kim looks at the daunting remainder of the year for Congress.

EPW to move more nominees: The Senate Environment and Public Works Committee is scheduled to vote on the nominations of Kathleen Hartnett White to run the White House Council on Environmental Quality and Andrew Wheeler to be EPA deputy administrator on Wednesday at 10 a.m.

Brownfields bill hits the floor: The House is slated to vote Thursday on legislation H.R. 3017 (115) that reauthorizes and revamps EPA's Brownfields program, which helps promote the redevelopment of contaminated sites.

MAKING PROGRESS: TransCanada said it's removed 44,400 gallons of oil from the site of a spill from the Keystone pipeline in South Dakota in its most recent update on the situation. The company said it has 170 people "on-site, working around-the-clock" to clean up the spill and that "there have been no significant" environmental impacts from the incident. Preliminary inspections were supposed to be completed Sunday, and the company has not given any estimate of when the pipeline will begin operations again.

UPTON STAYING ON ENBRIDGE'S CASE: House Energy and Commerce Energy Subcommittee Chairman Fred Upton told Michigan radio on Sunday that he, along with Gov. Rick Snyder's office, met "at length" with representatives from Enbridge about its troubled Line 5 pipeline, and he vowed to continue seeking greater transparency from the company about the status inspections and repairs. "There is no room for an accident here," Upton said. "We're going to stay on their case."

More on why he passed on a Senate run. "I've never lost an election - didn't think that I would - but it's a tough sledding that's for sure, so at the end we just said, 'No, not gonna do it.'"

QUITE AN INTERESTING RECOMMENDATION: Interior Secretary Ryan Zinke has recommended the creation of a new national monument in Montana that would protect more than 200 square miles of federal land from any fossil fuel development, a move some see as politically shrewd given the former Montana congressman's whispered future ambitions, NPR reports . "I think the secretary has talked about wanting to come back to Montana after he's done being secretary and potentially run for governor," said Land Tawney, president of the Montana-

based sportsmen's group Backcountry Hunters and Anglers. During an April executive order signing, Trump described national monument designations made under prior administrations as "massive federal land grab[s]" and Zinke has suggested shrinking a handful of them.

DEFENDING GAETZ IN CLIMATE CAUCUS: Rep. Matt Gaetz 's joining the Climate Solutions Caucus raised more than a few eyebrows in Washington given his legislation earlier this year to abolish the EPA, but the Citizens Climate Lobby actually sees it as a major sign of progress. "We think his joining (which happened at the invitation of a fellow freshman Congressman from across the aisle) signals a big shift in the way climate change is being approached in Congress," Flannery Winchester, a spokeswoman for the group, wrote in an email. "Gaetz's membership on the caucus shows that the issue is becoming less politicized, and his exposure to the other Republicans in the group will likely bring him closer to bipartisan climate legislation that's actually viable."

BACK ON THE JOB: In a Thanksgiving statement, Whitefish Energy said it resumed efforts to repair Puerto Rico's electric grid after receiving enough of a payment to indicate a "good faith intent" from the island's beleaguered utility to pay the Montana-based company. The amount of the payment was not specified. Government figures Sunday showed more than 42 percent of the island remains without electricity.

DON'T DO IT! Eleven state attorneys general sent a letter last week to the National Park Service voicing strong opposition to proposed fee increases at high-profile parks around the country. "The Service has not offered a reasoned explanation for its proposed fee increases and its actions are inconsistent with the laws that govern our national park system," the letter, led by California's Xavier Becerra, says.

NOW LOBBYING: Former Sen. Byron Dorgan has been hired by the Wilderness Society to lobby on "conservation issues relating to the Arctic National Wildlife Refuge," according to records posted last week.

OBSTACLES AHEAD: Keeping energy consumption in check is crucial if the European Union intends to meet 2020 targets for renewables and energy efficiency, POLITICO Europe's Kalina Oroschakoff reports, citing an European Environment Agency warning. The agency also urged countries to speed up cutting fossil fuel use in their energy systems to meet the 2030 renewable and energy efficiency targets.

QUICK HITS

- Growing Gas Glut Threatens West Texas Oil Boom. Wall Street Journal.

- Scott Pruitt on a mission to change the culture of the EPA. USA Today.

- Meredith to buy U.S. publisher Time in Koch-backed deal. Reuters.

- Kansas: Feds Say All Its Counties Meet Air Quality Standards. AP.

- Aramco Sees Oil Market Balanced as U.A.E. Dismisses Shale Threat. Bloomberg.

- Behind Buffett's support of Keystone XL pipeline project. Omaha World-Herald.

- US appeals court orders halt on natural gas pipeline in Ohio. AP.

THAT'S ALL FOR ME!

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TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 14, 2017

Latest News

Bodine Backs Centralized OECA, Squelching Talk Of New Program Function

EPA enforcement chief nominee Susan Bodine is dismissing earlier discussion that the Trump administration is planning to close down the agency's Office of Enforcement and Compliance Assurance (OECA) and disperse its functions to program offices, embracing its mission as a centralized entity in EPA headquarters, according to her written response to senators' questions.

Communities Ready Task Force To Resist Pruitt Superfund Reform Effort

Grassroots community groups are forming a task force to help them push back against EPA Administrator Scott Pruitt's efforts to reform the Superfund program, arguing that his endeavor raises significant concerns about curtailing cleanup oversight and planning to come up with alternative approaches to offer the administrator.

Court Recalls Mandate In Methane NSPS Suit, But Only For 'Limited Period'

The federal appellate court panel that last week vacated EPA's stay of portions of the Obama-era oil and gas new source methane rule is granting the agency's motion to recall its immediate mandate to lift the stay, though it gives the agency only two weeks -- well short of the almost two months EPA was seeking -- before it must implement the rule.

Pruitt Sets Longer-Term Plans To Remake EPA, Secure Deregulatory Agenda

Even as EPA Administrator Scott Pruitt works to roll back a host of Obama-era rules as a relatively short-term priority, he is preparing a set of medium-term plans for the agency's budget and policy agenda that would remake the agency and institutionalize the Trump administration's deregulatory agenda.

EPA Sees Potential For Long-Term RFS Obstacle With Ethanol 'Blend Wall'

EPA's proposed rule setting renewable fuel standard (RFS) blending goals for 2018 indicates that the agency sees the potential for a progressively worsening long-term

obstacle to increased ethanol use in the "blend wall," the limit on how much ethanol can be blended into the fuel supply given infrastructure and vehicle constraints.

EPA's 2018 RFS Targets Biofuel Fraud But Avoids 'Obligation' Point Debate

EPA in its proposed renewable fuel standard (RFS) volumes rule for 2018 is seeking public input on potential steps it could take to avoid fraud in the program and improve the RFS' market for biofuels credits, but avoids taking a position in the contentious debate over which stakeholders should be subject to the rule's compliance "obligation" point.

Daily Feed

EPA releases first SNURs since TSCA reform enactment

EPA's release of significant new use rules for 29 chemicals is part of an effort to cut the backlog of new chemical reviews since last year's overhaul of the federal toxics law.

EPA denies iron foundry air permit objection petition

EPA has denied a petition by a private citizen asking it to object to a Clean Air Act operating air permit that Wisconsin issued to an iron foundry.

Senate panel advances controversial judicial nominee but ENRD pick stalls

The Senate Judiciary Committee advanced the nomination of Damien Schiff to the Court of Federal Claims in a party-line vote, though Democrats delayed a vote on the nomination of Jeffrey Clark to head the Justice Department's environment division.

4th Circuit declines coal ash CWA appeal

The appeals court will not review Clean Water Act liability for groundwater pollution from coal ash until district court proceedings finish -- a process that could reach into or beyond 2018.

Environmentalists oppose relaxed cement plant air monitoring

EPA's plan to indefinitely lift continuous air monitoring requirements for cement plants could trigger a legal challenge.

Ewire: The surge in environmental litigation

From today's Ewire: Litigation over Trump deregulatory efforts is heating up but one former EPA official says: “Their legal reasoning in some of these cases is so bare bones that it just seems experimental.” Plus: Pruitt on Europe's climate “hypocrisy.”

Environmentalists fault Pruitt's 'closed mind' to attack RMP delay

EPA Administrator Scott Pruitt's past opposition to facility safety rule revisions undermines his lengthy stay of the regulatory changes, according to environmentalists.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Thur 7/27/2017 9:44:24 AM
Subject: Morning Media: Sean Spicer's next (dance?) steps -- Fox Newsers at the White House -- Local coverage may be hurting ACA repeal and replace

By Hadas Gold | 07/27/2017 05:42 AM EDT

With Alex Weprin and Cristiano Lima

SEAN SPICER TO DANCE WITH THE STARS? Maybe! Yesterday Tara Palmeri and I started getting tips that the ABC reality show was interested in Spicer joining their next season. The New York Post scooped us but we soon followed with our own version. We also learned that multiple agencies are fighting to rep Spicer, but that he hasn't signed on with anyone yet. Spicer didn't respond to our request for comment and ABC said they don't comment on casting.

-- Spicer also made the rounds at the "Fake News" media to kick the tires about possible jobs. We know he talked to ABC News, CBS, NBC and Fox. No one would comment about the meetings, but Fox has previously said they talk to "all the major players" and another source said ABC News doesn't seem that interested in hiring him. CNN publicly said last week they weren't interested. Another network source warned that networks would be smart to take a meeting with Spicer because he'd be a big interview get as well.

TOP FOX NEWSERS WERE AT THE WHITE HOUSE YESTERDAY -- Sean Hannity, Kimberly Guilfoyle and former Fox News president Bill Shine dined with the president, first lady and Anthony Scaramucci, Ryan Lizza reported last night. Scaramucci is a former Fox contributor and was on Hannity's show last night. He's also said to be personally close to Shine, who as we all know is very close to Hannity. CNN's Dylan Byers added that Kimberly Guilfoyle was also at the dinner -- she was once in talks to join the White House at one point, though she recently signed a long term contract with the channel.

-- So why was Shine there? The recently ousted Fox News president does have time on his hands since leaving the network in May. Could he be angling for a White House job? Scaramucci has previously floated the idea of a daily administration "television" broadcast at 7 a.m., complete with a desk on the White House lawn, and Shine sure would have the credentials for such a job. Or maybe he could get another position, perhaps a loftier gig like an ambassadorship? Or perhaps as Undersecretary for Public Diplomacy, the position former Fox News chief Roger Ailes was rumored to be in the running for months ago?

Related: Thanks to Scaramucci's financial disclosure,which my colleague Lorraine Woellert obtained yesterday, we learned he made $88,461 as a contributor for Fox Business. (Scaramucci is not happy about that financial disclosure being leaked and late last night said he wants the FBI and DOJ to look into Chief of Staff Reince Priebus for leaking).

Tucker Carlson also made an appearance at 1600 Pennsylvania Ave yesterday. A tipster pinged me on Wednesday afternoon to tell me they spotted Carlson at the White House gates checking in with security at the gate used to enter the West Wing. As I went searching for why,

Vice President Mike Pence tweeted that he had been interviewed by Carlson. A few minutes later, Fox News announced that the Pence interview would air on Wednesday evening and had just been filmed in the Eisenhower Executive Office Building. Sources tell me after his interview in EEOB Carlson made the rounds in the West Wing.

Good morning and welcome to Morning Media! I always want to hear from you -- hgold@politico.com / @Hadas_Gold. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**. (clima@politico.com / @ludacristiano). Archives. Subscribe.

IS MATT DRUDGE THROWING WARNING SHOTS AT TRUMP? That's what CNN's Oliver Darcy reported yesterday: "Over the past several weeks, Drudge's website has covered the White House with a more critical eye, more frequently drawing attention to news not exactly flattering to the president." Darcy also reports Drudge is at the White House "all the time" but that he's starting to grow "impatient" with the president.

FORMER BREITBART SPOX SAYS THEY'RE NOT FULLY DEFENDING ATTORNEY GENERAL JEFF SESSIONS, Kurt Bardella wrote in an op-ed yesterday. Bardella said he knows from experience what it's like when Breitbart goes to #war over someone or something, and their coverage of Sessions' issues with Trump recently aren't it. While they've been plenty critical of the president for harping on one of his most important cabinet secretaries (and his first Senate endorsement), Bardella says the "full-tilt combat with Breitbart" doesn't look like those few articles. "Substitute Donald Trump with any other political figure, and I guarantee you these relentless, one-sided attacks against Sessions would be met with all-out open warfare, not warnings that 'Sessions could endanger the administration and the split the critical coalition that helped Trump to the presidency.'"

LOCAL MEDIA MAY BE HELPING TO KILL THE REPEAL AND REPLACE OF OBAMACARE. Local media still has a big influence on voters, and the Wesleyan Media Project has been tracking local coverage of the healthcare debate, which they say may be contributing to the backlash some Senators are getting from their constituents. One thing they've found is that coverage of the repeal and replace has focused on the policies, what might substantially change and what would be lost. Drafting the bill behind closed doors caused local coverage to fall dramatically, they found.

-- This all plays into the White House's increasing efforts to connect with media outside of the national bubble. I told you last week how local affiliates from Washington and New York met with the White House to discuss coverage and how they could book more administration people. **Earlier this week the White House invited 19 talk radio hosts -- all from the conservative leaning Salem Media Group -- to broadcast live from the White House,** and made many high-ranking administration officials available for interviews including top White House officials like Seb Gorka and Kellyanne Conway, as well as EPA administrator Scott Pruitt, Education Secretary Betsy Devos, HUD Secretary Ben Carson, Transportation Secretary Elaine Chao, Secretary of Commerce Wilbur Ross, Chief Economic Advisor Gary Cohn, Communications Director Anthony Scaramucci and SBA Administrator Linda McMahon.

POLL: 45% OF REPUBLICAN VOTERS SUPPORT CLOSING 'BIASED OR INACCURATE' OUTLETS: President Donald Trump isn't alone in his disdain for the so-called "fake news media." A new The Economist/YouGov poll found that 45 percent of Republicans support "permitting the courts to shut down news media outlets for publishing or broadcasting stories that are biased or inaccurate," highlighting the ongoing tension between the party and the press. Yet neither the media nor the Republican president came out with favorable views with the population at large, with a plurality of Americans disapproving of the way each one is treating the other. And for prominent outlets -- like The New York Times, the Wall Street Journal, Fox News and MSNBC -- trustworthiness ratings were down slightly across the aboard from two months ago, showing a continued erosion of faith in the media.

SOUNDBITE: "At the Pentagon, the first of the three tweets raised fears that the president was getting ready to announce strikes on North Korea or some other military action." [BuzzFeed]

BEN SHAPIRO, ADAM CAROLLA TO TESTIFY ON CAPITOL HILL for a hearing about free speech on college campuses. Per my colleagues at Morning Education, conservative commentator Shapiro will talk about the concept of "micro-aggressions" which he says have been used to justify violence against speakers who voice views that some find offensive. "All of this destroys free speech, he writes. "But just as importantly, it turns students into snowflakes, craven and pathetic, looking for an excuse to be offended so they can earn points in the intersectional Olympics and then use those points as a club with which to beat opponents."

-- Comedian Carolla will rail against "safe spaces" on campuses. "Instead of fostering the development of young adults, colleges are providing coloring books, play-doh, puppies, and stuffed animals," the testimony says. "It's basically your four-year-old daughter's bedroom where one can shut out the challenges and facts of the outside world. Providing this bubble wrapped type of education does not prepare the next generation for the challenges of life. It prepares them for failure."

NIEMAN HAS AN IMPORTANT REPORT ON MOTHERS IN MEDIA: "If news organizations want to attract and retain millennial journalists, newsrooms must better meet the needs of parents with young children-and create better work-life balance for everyone." Read it here.

REVOLVING DOOR:

-- The San Francisco Chronicle's 98-year-old science editor David Perlman is retiring after nearly seven decades (!)

--Former NBC "Today" anchor Ann Curry will return to TV with a show on PBS, "We'll Meet Again."

TIL: Energy Secretary Rick Perry was duped by a Russian radio prankster duo who spoke with Perry for 22 minutes as they impersonated the prime minister of Ukraine. [Washington Post]

EXTRAS:

-- New York Times' Bret Stephens says the White House Director of Social Media lied about him unmasking the name of a CIA agent, and hasn't corrected it. [New York Times]

-- Viacom has dropped out of the bidding for Food Network and HGTV owner Scripps Networks, leaving Discovery Communications as the only possible suitor. [Reuters]

-- A Breitbart editor said his Twitter account was briefly suspended. [Facebook]

-- "Megyn Kelly Today" will be the name of the former Fox News anchor's morning program on NBC. [Page Six]

-- In op-ed published by his own outlet, Michael Bloomberg blasted Trump's transgender ban for offending "on both moral and practical grounds, in both style and substance. [Bloomberg]

-- Trump may be "failing" as president but he's succeeding as reality television. [BuzzFeed]

-- Cheddar is forging partnerships with local TV offering stations one- to two-minute market updates each day on a taped and live basis. [Poynter]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/07/27/sean-spicers-next-dance-steps-fox-newsers-at-the-white-house-local-coverage-may-be-negatively-affecting-aca-repeal-and-replace-001319

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 7/6/2017 2:41:29 PM
Subject: BREAKING NEWS: 18 states sue Betsy DeVos over delay of student loan protections

Eighteen states and the District of Columbia have filed suit against Education Secretary Betsy DeVos over her delay of regulations meant to provide new protections for federal student loan borrowers, particularly those at for-profit colleges.

The lawsuit, led by Massachusetts and joined by 18 other Democratic attorneys general, accuses DeVos of illegally delaying the regulations, which were finalized by the Obama administration and had been set to take effect on July 1. The rules made it easier for defrauded student loan borrowers to have their loans forgiven. They also prohibited colleges from requiring students to resolve complaints through arbitration rather than in court.

Read more: http://www.politico.com/story/2017/07/06/18-states-sue-devos-over-delay-of-student-loan-protections-240260

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Sat 6/24/2017 10:34:04 AM
Subject: Cheney and Pruitt draw attention to $850k EPA grant for Wyoming water protection

THE CASPER STAR TRIBUNE

Cheney and Pruitt draw attention to $850k EPA grant for Wyoming water protection

The Casper Star Tribune
Heather Richards
June 24, 2017
http://bit.ly/2t5hpOM

Wyoming will receive nearly a million federal dollars to address water pollution, an award praised by U.S. Rep. Liz Cheney and EPA Administrator Scott Pruitt.

The $850 million grant will be used for seven state projects that include stream restoration and the reduction of pollutants like selenium in rivers to lakes. That type of pollution occurs from runoff, when rain and snowmelt carry contaminants from cities, bacteria or pesticides from ranches and pollutants from mines and drilling activities down to Wyoming's waterways.

Cheney praised Wyoming regulators for their work in a statement Friday.

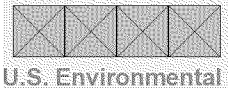
"Wyoming's waters are a precious natural resource that have tremendous impact on our local economy and every facet of our way of life," Cheney said in a statement Friday. "The Wyoming Department of Environmental Quality deserves to be recognized for crafting effective, efficient and actionable watershed plans worthy of this funding that will help to improve the quality of our impaired waters today and for generations to come." ...

Trump appointee Pruitt said the grant reinforces the idea that states are the best managers of environmental standards.

"Providing funds directly to Wyoming is an excellent example of EPA partnering with states to help address their unique and critical environmental challenges," EPA Administrator Scott Pruitt said in a statement. "EPA is making investments like this grant to help empower states who know best how to protect resources, and grow their economy while solving real environmental problems in local communities."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/25/2017 9:26:43 PM
Subject: BREAKING NEWS: House overwhelmingly approves Russia sanctions

The House voted 419-3 to approve legislation sanctioning Russia, Iran, and North Korea, including constraints on President Donald Trump's power to ease or end penalties against Vladimir Putin's government. The Senate is expected to soon follow suit on a bill that the White House has not yet committed to signing despite its rhetorical support for the new sanctions.

Read more: http://www.politico.com/story/2017/07/25/house-overwhelmingly-approves-russia-sanctions-240951

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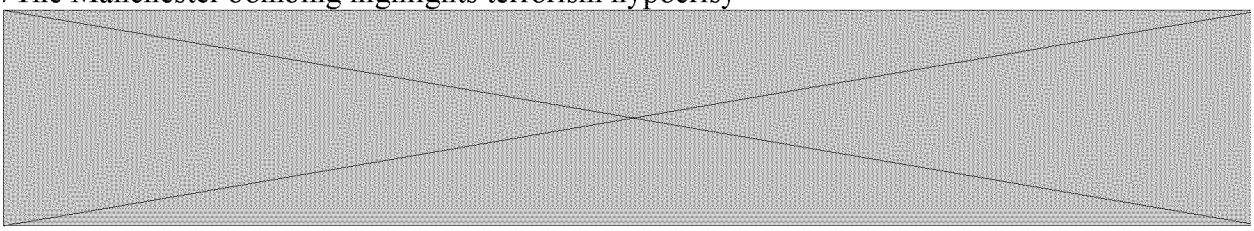
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Wed 5/24/2017 10:19:43 AM
Subject: AEI Today: The Manchester bombing highlights terrorism hypocrisy

. The Manchester bombing highlights terrorism hypocrisy



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

The Manchester bombing highlights terrorism hypocrisy

Michael Rubin | Washington Examiner

What happened Monday night in Manchester is a tragedy. It's terrorism, and it's evil. There can be neither moral justification of the act nor any mitigating factors for those who indoctrinated, trained, and equipped the terrorist; they are just as guilty. On a broader level, it's essential that policymakers see terrorism as a black-and-white issue. To allow any terrorist group to reap reward from its violence only legitimizes murder.

Reuters

To reform NATO, use clearer messaging and less bullying

Dalibor Rohac | The Hill

Tomorrow, as part of his trip to Europe and the

Middle East, President Trump will attend the annual NATO summit in Brussels. Since he called the alliance obsolete — and presented German Chancellor Angela Merkel with a "bill" for what Germany supposedly owes the United States — there's no wonder Europeans are queasy. But President Trump's central message is a reasonable one. What matters now is how it's delivered.

Reuters

Losing the House is not a preexisting condition for the Republican Party

Joseph Antos and Peter J. Wallison | Real Clear Politics

Should Republicans be worried that they'll lose control of the House if they repeal Obamacare? Don't bet on it. We've seen this movie before. Last time, it was called Occupy Wall Street, which the media celebrated as a progressive answer to the Tea Party. The public furor over preexisting conditions is predictable, but that doesn't make them an existential threat to the GOP's 2018 chances.

AEI

Hensarling: Deregulation didn't cause the crisis — nor did it even happen.

Peter J. Wallison | AEI event video

The Financial Choice Act is expected to see a vote by the full House of Representatives soon. Years in the making, the bill is a comprehensive response to the Dodd-Frank Act of 2010. "The regulatory burden for the decade prior to the crisis actually increased by almost 20 percent," said House Financial Services Chairman Jeb Hensarling at AEI yesterday. "[Financial] deregulation is actually a myth." (Clip begins at the 0:39 mark.)

More from AEI

President Trump is winning over allies in the Middle East simply by not being Obama
Michael Rubin | Washington Examiner

The federal debt surge was hidden by ultralow interest rates. If the recovery picks up, watch out.

Phil Gramm and Thomas R. Saving | The Wall Street Journal

Good people, without political motive, can get important things very wrong. Even the FBI.

Michael Barone | Washington Examiner

The barriers still in the way of fully digitized reading are all legal, not technical

Ariel Rabkin | TechPolicyDaily.com

Watch: Microaggressions, fact vs. myth

Christina Hoff Sommers | AEI Factual Feminist

Despite tougher rhetoric, President Trump's actions on Iran and North Korea echo the Obama worldview

John R. Bolton | The Wall Street Journal [paywall]

Infographic: Closed source vs. open source budget scoring agencies

Matt Jensen | AEI Open Source Policy Center

4 things this remarkable presidency means for education

Frederick M. Hess | Education Next

Last chance to RSVP: Saving veterans from the disability trap

Gary J. Schmitt, Sally Satel, and Thomas Donnelly | AEI event tomorrow at 12:25 PM ET

Quote of the day: On trade, what's good for the family is good for the country

Mark J. Perry | AEIdeas

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/13/2017 10:59:04 PM
Subject: June 14 -- Daily Environment Report

Daily Environment Report

June 14, 2017 - Number 113

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Leading the News

Congress

House Vote Possible This Summer on Four Environment Bills: Shimkus

The House could pass four major environmental bills before Congress's August recess, including one delaying implementation of 2015 ozone standards, a key House Republican told Bloomberg BNA.

News

Air Pollution

VW Sleuths Say Fiat Chrysler Diesels Also Spew Excess Pollution

Fiat Chrysler diesel vehicles spewed pollution as much as 20 times the legal limit, according to testing by the same researchers who exposed the Volkswagen AG emissions cheating scandal.

Chemicals

EPA Pledges Long-Term Elimination of New Chemicals Backlog

A top EPA official is promising to develop guidance for industry's new chemical submissions that will help to completely eliminate the backlog of new chemicals under review.

Energy

Canadian Oil Production to Rise 33% by 2030, Straining Pipelines

Canada will churn out 33 percent more oil by 2030, exceeding the capacity of existing pipelines to ship the product to market and threatening producers' competitiveness, according to the industry's main trade group.

Energy

Delayed Appliance Efficiency Rules Spark Lawsuits from States

Eleven Democratic state attorneys general and a coalition of environmental groups sued Energy Secretary Rick Perry June 13 for delaying Obama administration energy efficiency standards for five common electrical appliances (California v. Perry, N.D. Cal., No. 4:17-cv-3406, 6/13/17).

Energy

European Parliament Greenlights Energy Labeling Law

The European Parliament June 13 ratified a European Union regulation that will simplify the energy-efficiency labeling of refrigerators, washing machines and other domestic appliances sold in the bloc.

Energy

Lines Drawn in Fight on Increased Ethanol Sales Before Hearing

The battle lines are drawn on the eve of a Senate hearing on transportation fuel with higher ethanol blends.

Energy

Senate Committee to Move Nuclear Regulator Nominees Quickly

Leaders of the Senate Environment and Public Works Committee stressed their commitment to vote soon on three Nuclear Regulatory Commission nominees, weeks before the commission is set to lose its quorum unless at least one nominee is confirmed.

Energy

The Energy Agency Trump Aims to Kill Could Instead Be a Model

A congressionally mandated study determined that an Energy Department agency the budget of President Donald Trump aims to kill should instead serve as a model for the entire department.

Enforcement

EPA Enforcement Office Nominee Says Federal Role Remains

The EPA's enforcement office will manage proposed budget cuts by focusing on high-profile pollution cases and leaving the day-to-day work to state regulators, the nominee to lead the division told senators June 13.

Forests

Brazil's Most Degraded Woodland Sees Deforestation Spike

The deforestation rate in Brazil's most degraded woodland spiked nearly 58 percent between 2015 and 2016, the largest increase in a decade, according to an environmental nonprofit.

International Climate

EU Set to Commit to Climate Deal, Free Trade in Rebuff to Trump

European Union leaders are planning to use a summit next week to declare their commitment to global free trade and the Paris climate accord in a rebuff to U.S. President Donald Trump.

Natural Gas

Blast Backlash Hangs Over Drillers as 'Fractivists' Seek Limits

Two months after a Colorado home exploded near an Anadarko Petroleum Corp. well, the reverberations are still rattling the oil industry, driving down driller shares and raising fears of a regulatory backlash.

Oil & Gas

Water Concerns Keep Australia From Getting at Gas Reserves

In the tight-knit Outback town of Narrabri, the cold-shoulder treatment farmer Peter Gett has felt over the natural gas wells on his property has shown him that promoting Australia's energy security comes at a cost.

Proxy Voting

BlackRock Sheds Light on Proxy-Voting Decisions When Boards Balk

The world's largest asset manager is experimenting with near real-time reporting on what happens when companies don't respond to its concerns on topics such as climate change.

Regulatory Policy

Regulatory Revamp Fever Running High in Wisconsin

Wisconsin is poised to become the first state in the nation to enact a sweeping regulatory overhaul process pushed by corporate interests and free-market advocacy groups.

Renewable Energy

Apple issuing a Second Green Bond to Finance Green Energy

Apple Inc., which issued the biggest green bond ever sold by a U.S. corporation last year to finance projects fighting global warming, is doing it again.

Renewable Energy

Brazil's Biggest Wind Farm Starts Spinning Turbines

The largest wind farm in Brazil has started operation as the research arm of the Mines and Energy Ministry predicts wind power will grow in the nation's energy mix over the next year.

Renewable Energy

Canadian Investor Applies for Chernobyl Solar Project in Ukraine

Canadian investor Refraction Asset Management Ltd. is seeking permission to install 100 megawatts of solar panels inside the radioactive exclusion zone surrounding Ukraine's defunct Chernobyl nuclear plant.

Toxic Substances

BP, Shell Face Revived MTBE Claims Despite Settlements

BP and Shell Oil are back on the hook for a California water district's claims that they contaminated groundwater with the gas additive MTBE, after the Second Circuit reinstated the allegations June 12 (Orange Cty. Water Dist. v. Texaco Ref. & Mktg. Inc., 2017 BL 198084, 2d Cir., No. 15-3934-cv, 6/12/17).

Water Resources

Water Wars Roil Midwest in Disputes Over High-Capacity Wells

Water wars are starting to roil the upper Midwest.

Practitioner Insights

Chemicals

Practitioner Insights: Rapid Tests Transform Chemical Safety Calls

Dr. Russell Thomas and Dr. John Wambaugh: The Environmental Protection Agency needs to make safety-related decisions on thousands of chemicals to accomplish its mission.

These range from prioritizing chemicals for additional study to performing in-depth risk assessments and are typically based on an understanding of the chemistry, hazard (inherent toxicity), dose-response, and exposure.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/15/2017 2:19:32 PM
Subject: Sources: Biofuel volume proposal could be released as soon as today

By Eric Wolff

06/15/2017 10:16 AM EDT

EPA could release a proposed rule setting the biofuel volume mandates for 2019 as soon as this afternoon, industry sources tell POLITICO.

An ethanol and an oil industry source said the agency will keep the conventional ethanol volumes at 15 billion gallons, and increase the requirement for advanced biofuels to 4.38 billion gallons, up 100 million gallons from 2017.

The release of the proposal could slip to Friday, the sources said.

EPA did not immediately respond to a request for comment.

The mid-June release could make it difficult for EPA to issue the final rule by the deadline of Nov. 30, something Administrator Scott Pruitt has said he wants. EPA sent the proposal to OMB last month.

The oil industry had hoped EPA might lower the volumes from the statutory maximum set for 2017, but government projections for higher gasoline consumption next year made that unlikely.

WHAT'S NEXT: EPA will take take public comment after release of the proposal.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/sources-biofuel-volume-proposal-could-be-released-as-soon-as-today-089141

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 7/24/2017 7:53:04 PM
Subject: Senate Democrats ask Interior IG to probe career staff reshuffle

By Esther Whieldon

07/24/2017 03:49 PM EDT

Senate Energy and Natural Resources ranking Democrat Maria Cantwell and seven of her colleagues today asked the Interior Department's inspector general to investigate the agency's recent reassignment of a number of senior executive staff.

Interior Secretary Ryan Zinke in June reassigned about 50 senior executive employees, including Joel Clement, who was moved from a managerial position involving climate change issues to a job collecting royalties from oil and gas companies.

Moving senior executives from the positions in which they may best use their expertise to jobs "where their talents are wasted would constitute a serious act of mismanagement, a gross waste of public funds, and an abuse of authority," the senators said in the letter to Deputy Inspector General Mary Kendall.

The senators acknowledged that Zinke is allowed to shuffle senior executives around. But they argued the law requires for reassignments to be made to best accomplish the agency's mission, promote program continuity and to provide for an executive system that is free from improper political interference.

"Any suggestion that the department is reassigning SES employees to force them to resign, to silence their voices or to punish them for the conscientious performance of their public duties is extremely troubling and calls for the closest examination," the letter said.

The letter was also signed by Senate Finance ranking member Ron Wyden and Sens. Mazie Hirono (D-Hawaii), Martin Heinrich (D-N.M.), Bernie Sanders (I-Vt.), Tammy Duckworth (D-Ill.), Debbie Stabenow (D-Mich.) and Al Franken (D-Minn.)

WHAT'S NEXT: It remains to be seen whether the IG will launch an investigation.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/senate-democrats-ask-interior-ig-to-probe-career-staff-reshuffle-090969

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 6/2/2017 4:00:37 PM
Subject: [SPAM] Checkpoint: Watch the exact moment a 'kill vehicle' takes out a mock ballistic missile

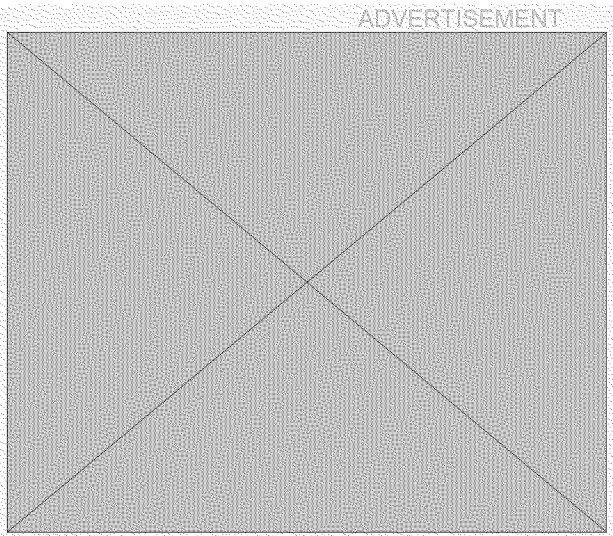


Pentagon plan to track weapons provided to Syrian forces is problematic, experts say

"What we've seen is that when the U.S. is providing weapons to armed groups, those armed groups have a hard time maintaining custody of those weapons," one expert said.

By Thomas Gibbons-Neff • Read more »

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Pentagon chief arrives in Singapore after Trump pulls out of Paris climate deal

Defense Secretary Jim Mattis will meet with Asian counterparts to discuss a variety of security threats.

By Dan Lamothe • Read more »

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5 things to expect when ex-FBI director James Comey testifies on Russia

James B. Comey will testify before the Senate Intelligence Committee next week. Here's what you need to know.

By Matt Zapotosky • Read more »

Watch the exact moment a 'kill vehicle' takes out a mock ballistic missile

"All our systems performed exactly as designed," said Vice Adm. Jim Syring, head of the U.S. Missile Defense Agency.

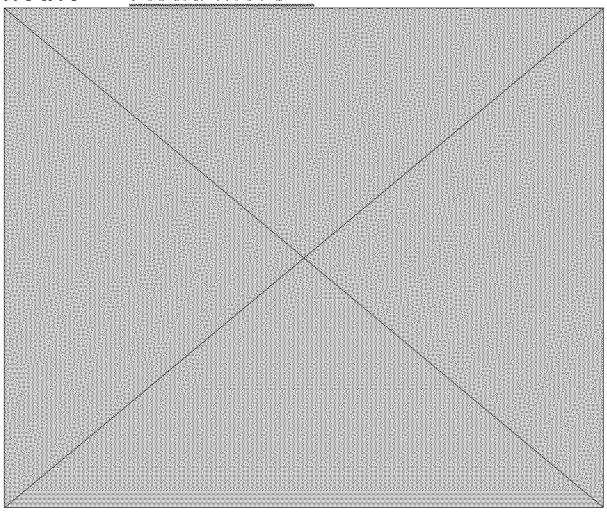
By Thomas Gibbons-Neff • Read more »

With eyes on North Korea, U.S. successfully destroys mock ICBM over Pacific

The test was delayed last year, but a success Tuesday.

By Dan Lamothe • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Mon 11/27/2017 3:02:08 PM
Subject: POLITICO's Morning Score: McSally internal poll shows tie with Ward — Conyers allegations put Pelosi in tight spot — Group opposing tax reform bill targets Murkowski, Capito

By Maggie Severns | 11/27/2017 10:00 AM EDT

With Kevin Robillard, Scott Bland and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

EARLY POLLING DATA - FIRST IN SCORE - McSally internal poll shows tie with Ward: An internal polling memo from Arizona Rep. Martha McSally 's campaign, obtained by Morning Score, has the congresswoman essentially tied with former State Sen. Kelli Ward in the state's GOP Senate primary. The survey has McSally earning 38 percent of the vote to Ward's 36 percent, with 26 percent undecided. Public polling in the race, mostly IVR surveys, has shown Ward with a significant lead over McSally, who has yet to officially launch her campaign. "Contrary to what some public polls suggest, Kelli Ward does not hold a strong position in the Primary race for United States Senate in Arizona. The limitations of these poorly-conducted surveys have created a misleading dialogue about the state of the nomination contest," WPA Intelligence pollsters Chris Wilson and Alex Muir write. **Read the full memo here.**

SEXUAL HARASSMENT FALLOUT - "Conyers allegations put Pelosi in tight spot," by POLITICO's Kyle Cheney and Heather Caygle: "Rep. John Conyers said Sunday he was stepping down from his post as the top Democrat on the Judiciary Committee amid accusations of sexual harassment that have put his party's leaders in a bind. The decision by the Michigan lawmaker - who has held his seat since 1965 and who denies the harassment allegations - followed several days of internal deliberation and pressure from Democratic colleagues, including Minority Leader Nancy Pelosi, who wanted Conyers to leave the high-profile post but didn't want to be seen as forcing him out. Congressional Black Caucus Chairman Cedric Richmond (D-La.) and assistant Democratic leader Jim Clyburn (D-S.C.) reached out to some CBC members over the Thanksgiving recess to take the temperature of the caucus, according to multiple sources. The group is arguably the most powerful bloc within the House Democratic Caucus and is fiercely protective of its members, particularly Conyers, who was a founding member."

- "In an interview Sunday on NBC's 'Meet the Press,' Pelosi seemed to underscore the cautious approach by taking pains to praise Conyers' record and call for 'due process,' even as she said she believed 'he will do the right thing.' She also referred to Conyers as an 'icon' for his lengthy service and work 'to protect women.' ... After criticism on social media of her use of the word 'icon,' Pelosi quickly endorsed Conyers' decision to step aside from the committee post. 'No matter how great an individual's legacy, it is not a license for harassment,' she said in a statement." **Full story.**

- Primary politics note: Conyers has faced contested primaries in each of the last three elections, getting less than 61 percent of the Democratic vote twice. If Conyers does decide to run for reelection, don't sleep on the prospect of him losing this time around despite his "safe" district.

AIR WARS - FIRST IN SCORE - Not One Penny targets Murkowski, Capito in new ads: Not One Penny, a coalition of Democratic groups fighting the GOP plan for tax reform, is out with new television ads pressuring Sens. Shelley Moore Capito of West Virginia and Lisa Murkowski of Alaska to vote against the plan. The ad aimed at Capito notes the plan "cuts access to affordable health care, including coverage for opioid addiction treatment," while the ad encouraging voters to call Murkowski says the "congressional Republican tax plan delivers tax breaks to billionaires, millionaires and wealthy corporations." The ads are part of a seven-figure national ad buy, which also includes spots aimed at Maine Sen. Susan Collins and Nevada Sen. Dean Heller. **Watch the ads here and here. Full story here.**

-American Chemistry Council backs Heitkamp, Barrasso with TV ads: The American Chemistry Council, which began airing ads backing Michigan Democratic Sen. Debbie Stabenow and the GOP's Heller last week, also plans to air ads supporting North Dakota Sen. Heidi Heitkamp and Wyoming Sen. John Barrasso , according to FEC disclosures. Heitkamp faces a tough fight for reelection, while Barrasso may face a GOP primary challenge. The group is spending $571,000 on ads supporting Stabenow, $590,000 on ads supporting Heller, $153,000 on ads supporting Heitkamp and $133,000 on ads backing Barrasso. The 30-second spot ad boosting Heitkamp says "she fights to provide a strong safety net for our agriculture industry while working to lessen regulations for our farmers and small businesses." **Watch the ad here.**

CASH CRISIS - NRSC raises $2.1M, spends $2.7M in October: The NRSC spent $2.7 million and raised just $2.1 million in October, according to FEC records, the fourth month in a row the group spent more than it brought in. The committee has about $14.3 million on hand, but still has $10.3 million in debt. Its counterpart, the DSCC, raised $4.1 million, spent $2.4 million and has $17.5 million on hand. The DSCC has about $8 million in debt, which includes the mortgage on its Capitol Hill offices. **Full report here.**

Days until the 2018 election: 344.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

WOMEN RULE WEEK! POLITICO is partnering with women-led businesses in the DC-metro area to offer a full week of exclusive perks in conjunction with the 5th annual Women Rule Summit! Join the fun at participating businesses during Women Rule Week **(Nov. 27 - Dec. 1)** for exclusive deals and tweet 5x using #WomenRule for a chance to win two free tickets to the

Summit on Dec. 5!

UH OH - "The time to hack-proof the 2018 election is expiring - and Congress is way behind," by POLITICO's Martin Matishak: "Lawmakers are scrambling to push something - anything - through Congress that would help secure the nation's voting systems ahead of the 2018 elections. But it might already be too late for some critical targets. By this point during the 2016 election cycle, Russian hackers had already been in the Democratic National Committee's networks for at least three months. ... Voters in Texas and Illinois will take to the polls in the country's first primaries in just over three months - a narrow timeline for implementing software patches, let alone finding the funds to overhaul creaky IT systems, swap out aging voting machines or implement state-of-the-art digital audits." **Full story here.**

ICYMI - "Moore communications director resigns": "Embattled Alabama GOP Senate nominee Roy Moore has lost his campaign communications director with only three weeks to go before the Dec. 12 special election, Moore's campaign announced. ... The statement did not include a reason for Rogers' departure." **Full story here.**

- "Pro-Jones super PAC touts Democrat's Christian values and support for gun rights," by POLITICO's Daniel Strauss: "A new ad by the pro-Doug Jones super PAC Highway 31 argues that the Democratic Senate nominee in Alabama would be led by his Christian convictions and is a strong defender of gun rights. 'He's the tough prosecutor who brought the [1996 Atlanta] Olympics bomber, Eric Rudolph, to justice,' the narrator in the ad says." **Full story here.**

- Trump weighed in on Jones over the weekend: "The last thing we need in Alabama and the U.S. Senate is a Schumer/Pelosi puppet who is WEAK on Crime, WEAK on the Border, Bad for our Military and our great Vets, Bad for our 2nd Amendment, AND WANTS TO RAISES TAXES TO THE SKY. Jones would be a disaster!" Trump wrote on Twitter. **More from POLITICO's Matthew Nussbaum here.**

FLIPPING 24 SEATS - March On's Fight Back PAC announced a new fundraising campaign for 2018 called $24 for 24. Per a press release, "the campaign is centered around impeachment and the concern that the Republican Congress would not initiate impeachment proceedings no matter what Special Counsel Robert Mueller reports. The only way we can be sure any potential allegations against Donald Trump and his cronies are handled correctly is to flip the 24 Congressional seats needed to take back the majority in Congress. ... Andi Pringle, Executive Director of March On's Fight Back PAC, said, 'Flipping Congress is no easy task. Whether you're a committed activist or not, *$24 for 24* is a way everyone can participate in the vitally important work of reclaiming our country from the extreme Right. That is the only way we'll be able to turn the tide on issues of importance to our community, whether that's women's reproductive health, climate change protections or impeachment.'"

FLORIDA MAN - "John Morgan: I'm leaving Democratic party, Nelson should run for governor," BY POLITICO Florida's Matt Dixon: "John Morgan tossed a bomb Friday into the 2018 political landscape, saying in a post-Thanksgiving message he is leaving the Democratic Party, and that Democratic Sen. Bill Nelson should not run for re-election, but rather seek the governor's mansion so he can leave a 'legacy.' ... Morgan did not close the door on the

idea of running for governor himself - a notion supported by many in his party - but said in his message, if he did, he would do so as an independent." **Full story here . Read Morgan's Facebook post here.**

QUOTE OF THE DAY: "I'm not aware of a single senator of either party who was elected for supporting leadership, and I know there hasn't been a candidate elected by opposing Mitch McConnell," said GOP strategist Josh Holmes, a former McConnell chief of staff, downplaying the notion that candidates stand to gain by avoiding McConnell this year in POLITICO.

To view online:
https://www.politico.com/newsletters/morning-score/2017/11/27/mcsally-internal-poll-shows-tie-with-ward-032062

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 7/14/2017 10:33:23 AM
Subject: POLITICO Playbook, presented by Better Medicare Alliance: TRUMP tweets as he arrives at Bastille Day parade in Paris -- POTUS says he'll be 'at my desk, pen in hand' waiting for health care bill … We say be patient -- EXCERPTS from Trump on Air Force One

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Today's POLITICO Playbook presented by Better Medicare Alliance
07/14/2017 06:30 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

BULLETIN at 6:16 a.m.: "PARIS (AP) - French president thanks the US for coming to its aid 100 years ago during WWI, saying 'nothing will ever separate us.'"

Good Friday morning. QUITE THE MOMENT. NYT's Maggie Haberman, who is in Paris with the president, was tweeting that President Donald Trump was pulling up to the viewing stand at the Bastille Day parade as Trump was tweeting about the progress -- or lack thereof -- on repealing and replacing the health care law in the Senate.

-- WHAT THE PRESIDENT SAID: at 3:57 a.m.: "Republicans Senators are working hard to get their failed ObamaCare replacement approved. I will be at my desk, pen in hand!" ... **at 4:05 a.m.:** "So impt Rep Senators, under leadership of @SenateMajLdr McConnell get healthcare plan approved. After 7yrs of O'Care disaster, must happen!" ... **at 4:07 a.m.:** "After all of these years of suffering thru ObamaCare, Republican Senators must come through as they have promised!" ... **at 4:09 a.m.:** ".@VP Mike Pence is working hard on HealthCare and getting our wonderful Republican Senators to do what is right for the people."

-- ONE THOUGHT, before we quickly hand it over to Burgess Everett and Jen Haberkorn: When we were up in the Capitol yesterday, an influential conservative House Republican was skeptical this would sail through his chamber if it passes the Senate. So we'd suggest, Mr. President, that you don't wait at your "desk, pen in hand" for a bit. We're not saying it will not pass the House, but it's not yet even on the floor of the Senate.

WHERE HEALTH CARE STANDS ... "Senate Republicans one vote away from

Obamacare repeal failure," by Burgess Everett and Jen Haberkorn: "Senate Republican leaders are praying that their fragile whip count holds over the weekend, as just one more 'no' vote would doom the party's Obamacare repeal effort from even coming up for debate. Two GOP senators, Susan Collins of Maine and Rand Paul of Kentucky, said Thursday afternoon they will oppose a procedural vote next week to bring the bill to the floor.

"GOP leaders are putting immense pressure on about half a dozen other Republican senators not to join them and topple the entire effort. Another 'no' is enough to kill the bill, and would also likely lead to mass defections. ... Undecided Republicans include Lee and Sens. Jeff Flake of Arizona, Rob Portman of Ohio, John Hoeven of North Dakota, Dean Heller of Nevada, Lisa Murkowski of Alaska and Shelley Moore Capito of West Virginia." http://politi.co/2sWmnd2

-- JUST LIKE WE TOLD YOU YESTERDAY, the procedural vote to allow debate on the GOP health care is the real game. In other words: if Republicans are able to begin debate on the bill, most people think it will pass. Senate Majority Leader Mitch McConnell has been pressing Republicans to get on board and amend the package on the floor. If the bill reaches the floor, McConnell is expected to offer a manager's amendment, which could change parts of the bill in one fell swoop.

WASHINGTON POST'S THE FIX has a cool whip list page http://wapo.st/2uq37ZA

SHOW ME THE MONEY -- THE 'POLAR PAYOFF' -- "GOP Health Bill Steers Cash to the Home State of a Reluctant Senator," by Bloomberg's Anna Edney, Hannah Recht and Laura Litvan: "Call it the Polar Payoff. Changes made to the Republican legislation to repeal large parts of Obamacare would send hundreds of millions of extra federal dollars to Alaska, whose Republican Senator Lisa Murkowski has been holding off from giving her much-needed vote to the bill. Under formulas in the revised legislation, only Alaska appears to qualify for the extra money. The money comes from the legislation's $182 billion in funding meant to help stabilize insurance markets and help states provide coverage. Under the formulas, states -- in this case just Alaska -- with disproportionately higher premiums would get extra funds from that account." https://bloom.bg/2tStd4D

TOP TWEETS -- @jmartNYT: "Wow, Trump on AF 1: 'What I'd like to do is a comprehensive immigration plan. But our country&political forces are not ready yet.'" ... **@NBCNews**: "President Trump tells the French first lady that she's 'in such good shape'" http://bit.ly/2tPrXRb

ARTICLE OF THE DAY -- "Trump's legal team faces tensions -- and a client who often takes his own counsel," by WaPo's Phil Rucker, Ashley Parker and Devlin Barrett: "The challenge for President Trump's attorneys has become, at its core, managing the unmanageable - their client. He won't follow instructions. After one meeting in which they urged Trump to steer clear of a certain topic, he sent a tweet about that very theme before they arrived back at their office. He won't

compartmentalize. ... Compounding the challenges have been tensions between Trump's and Kushner's legal teams in a frenzied, siege-like environment. Senior White House officials are increasingly reluctant to discuss the issue internally or publicly and worry about overhearing sensitive conversations, for fear of legal exposure. ... Trump's eldest child, Donald Trump Jr., hired his own criminal defense attorney this week ... [and] also is considering hiring his own outside public relations team. ...

"Another question is who will pay the legal fees for the president and administration officials involved in the Russia inquiries. Some in Trump's orbit are pushing the [RNC] to bear the costs ... Although the RNC does have a legal defense fund, it well predates the Russia investigations and is intended to be used for legal challenges facing the Republican Party, such as a potential election recount. The RNC has not made a decision, in part because the committee is still researching whether the money could legally be used to help pay legal costs related to Russia. But many within the organization are resisting the effort, thinking it would be more appropriate to create a separate legal defense fund for the case." http://wapo.st/2uYhbGX

PROPUBLICA'S JUSTIN ELLIOTT: "Trump Lawyer Marc Kasowitz Threatens Stranger in Emails: 'Watch Your Back , Bitch'": "Kasowitz, President Trump's personal attorney on the Russia case, threatened a stranger in a string of profanity-laden emails Wednesday night. The man, a retired public relations professional in the western United States who asked not to be identified, read ProPublica's story this week on Kasowitz and sent the lawyer an email with the subject line: 'Resign Now.' Kasowitz replied with series of angry messages sent between 9:30 p.m. and 10 p.m. Eastern time. One read: 'I'm on you now. You are f***ing with me now Let's see who you are Watch your back , bitch.' In another email, Kasowitz wrote: 'Call me. Don't be afraid, you piece of shit. Stand up. If you don't call, you're just afraid.' And later: 'I already know where you live, I'm on you. You might as well call me. You will see me. I promise. Bro.'" http://bit.ly/2tSEult

--KASOWITZ LATER APOLOGIZED: A spokesman sent ProPublica this statement: "Mr. Kasowitz, who is tied up with client matters, said he intends to apologize to the writer of the email referenced in today's ProPublica story. While no excuse, the email came at the end of a very long day that at 10 p.m. was not yet over. 'The person sending that email is entitled to his opinion and I should not have responded in that inappropriate manner,' Mr. Kasowitz said. 'I intend to send him an email stating just that. This is one of those times where one wishes he could reverse the clock, but of course I can't.'"

JARED WATCH -- "Kushner pushed for more aggressive defense of Trump Jr. meeting," by Tara Palmeri: "Jared Kushner has been pressing other White House aides to more vigorously defend the meeting between Donald Trump Jr. and a Kremlin-linked lawyer that Kushner also attended, but has faced resistance from some of Trump's top press aides, according to six sources familiar with the matter. Four White House officials and two outside advisers say Kushner wants the White House to more aggressively push out surrogates and talking points to change the narrative around the latest twist in

the Russia scandal. ...

"A source close to Kushner ... said that while he doesn't have an exact plan for an overall Russia response, he was angry that there wasn't a more robust effort from the communications team. Kushner wanted them to complain about chyrons on cable news, call reporters to update stories with White House statements, and unleash surrogates immediately. He was angry that there were no talking points offered to surrogates, the source said. One senior administration official suggested that two aides from the communications shop be dedicated to updating chyrons." http://politi.co/2ulbPI0

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

PERFECT TIME FOR AN IVANKA/JARED GETAWAY! -- CLICKERS - RECODE: "Photos: Jeff Bezos, Tim Cook and Ivanka Trump are hanging out this week at an exclusive mogul retreat" - *12 pix* http://bit.ly/2uYku0J

--THE DAILY MAIL -- "Ivanka Trump beams as she networks with new billionaire friends at mogul summit while Jared hides from the cameras - and Rupert Murdoch attends without his vacationing wife" - *63 pix on one page* http://dailym.ai/2ugbx5v

NOT SO FAST -- "Co-founder of firm behind Trump-Russia dossier will not testify before Senate next week," by Josh Dawsey and Kyle Cheney: "The co-founder of a political and corporate intelligence firm behind an explosive dossier alleging Russian intelligence influence over President Donald Trump will not testify next week before the Senate Judiciary Committee, according to two sources familiar with his plans. The committee on Wednesday announced a July 19 hearing that listed Fusion GPS co-founder Glenn Simpson, a former Wall Street Journal investigative reporter, as a witness. ... But the request for Simpson to appear was voluntary, and it's unclear whether the committee will seek to compel his testimony." http://politi.co/2uYsxe5

COMING ATTRACTIONS -- "House Dems plot to force Republicans to cast Russia votes," by Austin Wright: "House Minority Leader Nancy Pelosi and other senior Democrats on Friday will announce a new, coordinated strategy to force Republicans to cast votes on issues related to President Donald Trump's and his campaign aides' alleged ties to Russia. Pelosi and senior Democrats on several key House committees will hold a news conference to announce the strategy, which is to introduce a series of so-called resolutions of inquiry, according to a Democratic leadership aide. Resolutions of inquiry are a rarely used tactic for forcing House votes. The resolutions are introduced in the House and request information from the executive branch." http://politi.co/2vjqUqJ

CLINTON AND BUSH TALK ABOUT THE PRESIDENCY -- Via Reuters in Dallas: "'He (Clinton) was humble in victory, which is very important in dealing with other people,' Bush said at the event to mark a graduation at the Presidential Leadership Scholars program, a partnership among the Bush, Clinton, Lyndon Johnson and George H.W. Bush presidential centers. Clinton said: 'If you want to be president, realize it's about the people, not about you. 'You want to be able to say 'things were better off when I quit, kid's had a better future, things were coming together.' You don't want to say, 'God, look at all the people I beat.'" http://reut.rs/2t9L7Tc

BREAKING EARLY THIS MORNING -- NYT'S ISABEL KERSHNER: "In an extraordinarily brazen assault, three men armed with guns and knives killed two Israeli police officers early Friday in the vicinity of what Jews call the Temple Mount, known to Muslims as the Noble Sanctuary, Jerusalem's holiest site for both faiths and an emotional and volatile focal point of the Israeli-Arab conflict. ...

"Initial police reports said that the three assailants, assumed to be Palestinians, fled into the compound of Al Aqsa Mosque after the attack and were killed by police officers. The police announced that they had evacuated the compound of worshipers and closed it, and helicopters circled above the area after the attack." http://nyti.ms/2tPJB7v

THE JUICE ...

-- WHAT TRUMP AND MACRON ATE LAST NIGHT -- @markknoller: "What was for dinner at the Jules Verne tonight? Looks like the six course selection:" "Selection of pate ... Tomato, Eggplant, Zucchini ... Dover sole, spinach, Hollandaise ... Filet of beef, brioche, souffle potato, truffle sauce ... Warm strawberry w/ yogurt sorbet ... Hot Chocolate souffle with chocolate ice cream".

-- SPOTTED LAST NIGHT AT CAFE MILANO: At three separate tables: Kellyanne Conway dining with Linda McMahon ... Wilbur Ross with his wife Hilary and L.A. power lawyer Tom Gerardi and Erika Jayne, who's on the "Real Housewives of Beverly Hills" ... Bret Baier and Tripp Donnelly

-- SPOTTED: MICHAEL FLYNN waiting for the 10:20 p.m. American flight from DCA to Providence, Rhode Island. Former HHS Secretary Tom Ridge was also on the flight, but our tipster says the two didn't make eye contact as Flynn passed Ridge and boarded the flight.

ISAAC DOVERE talks with Jake and Anna about how Trump is changing the Washington game, their takeaways from the past year working on Playbook and their upcoming book in the latest "Off Message" podcast. http://politi.co/2tPNoS5 ... ***Subscribe and listen*** http://apple.co/2e2dLvm

-- AND THERE'S MORE: Jake and Anna talk with our producer Zach Montellaro about what it's like to work on Playbook in a bonus audio briefing. Plus, a special message from Daniel. http://bit.ly/2vjMKuf

Playbook Reads

PHOTO DU JOUR: President Donald Trump, first lady Melania Trump, French President Emmanuel Macron his wife Brigitte Macron, sit for dinner at the Jules Verne Restaurant on the Eiffel Tower in Paris, Thursday, July 13, 2017. | Carolyn Kaster/AP Photo

SNEAK PEEK: NEW YORKER COVER - BARRY BLITT illustrated next week's magazine's cover, titled "Grounded," which shows President Trump twisting the ear of Don Jr. as they walk down Air Force One (with Jared making an appearance too). Blitt: "Tolstoy said that 'happy families are all alike, but every unhappy family is unhappy in its own way.' Somehow this seems to apply to the Trumps, particularly lately." http://bit.ly/2ugoyvP

IN BEDMINSTER -- "Eric Trump: President Donald Trump's visit to U.S. Women's Open is 'TBD,'" by NJ Advance Media's Matt Stypulkoski: "[D]espite saying he did not have time to speak with reporters, he did answer a brief questions about the golf course, the tournament and the possibility of a visit from the elder Trump before being whisked away by his staff. So will the president pay a visit? That's still 'TBD,' Eric Trump said. ... Back in May, Eric Trump - who serves as an executive vice president within the Trump Organization - promised that this year's U.S. Women's Open will be the 'best tournament [the USGA] has ever had.' And as of Thursday afternoon, he believed Trump National was living up to his word. 'The week's going great,' Eric Trump said. 'The course is beautiful. People are happy.'" http://bit.ly/2tSqvMu

WILD STORY -- "'Private' video of Virgin Islands Democratic delegate posted online," by John Bresnahan and Alex Isenstadt: "A 'private' videotape of the Virgin Islands' delegate to Congress, Democratic Rep. Stacey Plaskett, which showed her husband naked and wearing makeup, was posted online Wednesday night but later removed, the freshman lawmaker said in a statement Thursday. A topless 'selfie' of Plaskett also was being circulated. Plaskett said in the statement that her computer had been hacked and someone copied personal 'photographs and a private family video' of her and her husband, Jonathan Buckney-Small. ... One of the couple's children makes an appearance in the video as well." http://politi.co/2upM9L8

-- DOJ PRESS RELEASE: "Two Former Employees of House Member Indicted On Federal Charges in Cyberstalking Case": "Juan R. McCullum, 35, of Washington, D.C., was indicted by a grand jury on two counts of cyberstalking, and a co-worker, Dorene Browne-Louis, 45, of Upper Marlboro, Md., was indicted on two counts of obstruction of justice. ... According to the indictment, McCullum worked from April 2015 until June 2016 in the House member's legislative office in Washington, D.C. Browne-Louis worked in the same office from January 2015 until April 2016. The indictment

alleges that, during the course of his employment, McCullum offered in March 2016 to assist the House member in repairing the member's malfunctioning, password-protected cellular iPhone by taking the device to a local Apple store. ...

"The iPhone contained the private, nude images and videos. As alleged in the indictment, in July 2016, after McCullum left the House member's staff, he engaged in a course of conduct that included creating a Hotmail account and a Facebook social media account, using a fictitious name, to distribute and post the private images and videos. Further, according to the indictment, he encouraged others on social media to redistribute the images and videos in the member's congressional district." http://bit.ly/2upLuJo

THE LATEST ON THE TRAVEL BAN -- "New directive may expand Trump travel ban," by Nahal Toosi and Ted Hesson: "President Donald Trump's travel ban may soon extend to many more countries under new visa procedures described in a State Department cable to consulates. The new consular guidance, which the State Department sent out Wednesday, follows through on Trump's March 6 executive order, which called for a worldwide review of visa security measures by the Department of Homeland Security. It's unclear whether the cable's strict vetting procedures will eventually supplant the administration's ban on travel from six majority-Muslim countries ... or whether even more restrictive vetting will be devised for those countries. ... The tighter standards for granting visas will be implemented over a 50-day period, according to the cable. If nations do not comply after that time, 'designated categories' of travelers from those countries could be banned from the U.S., the cable said." http://politi.co/2upTWIX

GARY D. COHN and H. R. McMASTER in the NYT, "The Trump Vision for America Abroad": "Perhaps most important, President Trump affirmed on this trip that America First is grounded in American values - values that not only strengthen America but also drive progress throughout the world. America champions the dignity of every person, affirms the equality of women, celebrates innovation, protects freedom of speech and of religion, and supports free and fair markets. ... America First is rooted in confidence that our values are worth defending and promoting. This is a time of great challenge for our friends and allies around the globe - but it is also a moment of extraordinary opportunity. The American delegation returned from the trip with tremendous optimism about the future and what the United States, our allies and our partners can achieve together." http://nyti.ms/2uYvZFI

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health

care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

FUN READ - NYT Business Day cover, "At Goldman, He's David Solomon. At the Club, He Goes by D.J. D-Sol," by Kate Kelly: "On a sunny afternoon in the Bahamas this month, dozens of beachgoers mingled and danced to a soundtrack mixed by a man using a Pioneer sound system on a platform at the local tiki bar. Nothing was unusual about this island scene - except, perhaps, the disc jockey: David M. Solomon, the co-president of Goldman Sachs, possibly the most powerful investment bank in the world, was the man at the controls. 'Great fun this weekend spinning at Nipper's in Great Guana Cay,' Mr. Solomon, 55, wrote in a recent Instagram post accompanying video of the performance under his stage name, D.J. D-Sol. ...

"Mr. Solomon's love of spinning music suggests a youthful, unguarded side that is rare in the wealthy, button-down world of high finance. In recent years, he has performed regularly as a D.J., according to associates, mixing and tweaking electronic dance music for a live audience. ... Mr. Solomon's hobby has become a more or less monthly gig, with recent stops in New York, Miami and the Bahamas, all noted on the Instagram page. ... Shortly after The New York Times called, the Instagram page was made private." http://nyti.ms/2t9lFgC

MEDIAWATCH -- "Leaked Documents Suggest Secretive Billionaire Trump Donors Are Milo's Patrons," by BuzzFeed's Joseph Bernstein: "Leaked documents, including a promissory note and emails, as well as conversations with several people familiar with the matter, strongly imply that the Mercers funded [Milo] Yiannopoulos following his resignation from Breitbart News after video surfaced in which he appeared to condone pedophilia. Together, they suggest that the financiers of the new conservative politics aren't simply interested in protecting their money, but in winning a brutal new culture war waged largely online." http://bzfd.it/2uYsVcH

-- "Trump's off-the-record on-the-record toggle vexes reporters," by Hadas Gold: "President Donald Trump has not held a wide-ranging news conference since February, instead choosing to keep his media interactions limited to handpicked interviews and short, four-question news conferences with foreign leaders. But ... as he flew from Washington to Paris, Trump sat with reporters and held a roughly hourlong conversation. The reporters on the plane had been told it was off the record, and that's how it was conveyed to the larger White House press pool.

"But during a photo spray with French President Emanuel Macron on Thursday, New York Times reporter Maggie Haberman asked a question which had apparently been

asked during the flight. 'POTUS asked your pooler why she didn't use what he has said last night. Your pooler reminded him last night was off the record. POTUS asked if I had heard him say it could be on-record; your pooler replied truthfully no (co-poolers also were not under impression it was on-record, since [White House deputy press secretary] Sarah Sanders had declared it off record),' Haberman wrote in her pool report. ... A couple hours after Trump asked for the conversation to be put on-record, the White House released some excerpts. But they did not include two portions the pool had requested, which Haberman later provided separately to the email list." http://politi.co/2t9V03h

-- NYT: "Excerpts From Trump's Conversation With Journalists on Air Force One": ON CHINA AND NORTH KOREA: "A big thing we have with China was, if they could help us with North Korea, that would be great. ... They have an 8,000 year culture. So when they see 1776 - to them, that's like a modern building. The White House was started - was essentially built in 1799. To us, that's really old. To them, that's like a super modern building, right?"

-- COMPARES HEALTHCARE TO MIDEAST PEACE: "We have a thing called healthcare. I'm sure you haven't been reading about it too much. It is one of the -- I'd say the only thing more difficult than peace between Israel and the Palestinians is healthcare."

-- THE 'SOLAR WALL': "Q: 'You were joking about solar, right?'": **TRUMP:** "No, not joking, no. There is a chance that we can do a solar wall. We have major companies looking at that. Look, there's no better place for solar than the Mexico border -- the southern border. And there is a very good chance we can do a solar wall, which would actually look good. ... One of the things with the wall is you need transparency. You have to be able to see through it."

--LENGTH OF THE BORDER WALL: "[I]t's a 2,000 mile border, but you don't need 2,000 miles of wall because you have a lot of natural barriers. You have mountains. You have some rivers that are violent and vicious. You have some areas that are so far away that you don't really have people crossing. So you don't need that. But you'll need anywhere from 700 to 900 miles."

-- HIS MEETING WITH PUTIN: "What I said, I asked him, were you involved? He said, very strongly -- said to him a second time -- totally different -- were you involved? Because we can't let that happen. ... I told him. I said, look, we can't -- we can't have -- now, he said absolutely not twice. What do you do? End up in a fistfight with somebody, okay?"

-- INVITING PUTIN TO 1600 PENN: "Q: 'Do you think you'll invite Putin to the White House?'" **TRUMP:** "I would say yes, yeah. At the right time. I don't think this is the right time, but the answer is yes I would. Look, it's very easy for me to say absolutely, I won't. That's the easy thing for me to do, but that's the stupid thing to do. Let's be the smart people not the stupid people. ... It would be the easiest thing for me to say to Maggie

and all of you, I will never speak to him, and everybody would love me. But I have to do what's right." ***The rest of the excerpts*** http://nyti.ms/2tSltiZ

Playbookers

SPOTTED: Sens. John McCain (R-Ariz.) and Jeff Flake (R-Ariz.) on the American Airlines flight from DCA to PHX Thursday evening ... Rep. Joaquin Castro (D-Texas) and D.C. Mayor Muriel Bowser dining in the bar area of RPM Italian last night ... former Rep. Anthony Weiner (D-N.Y.) riding a Citi Bike (without a helmet) in NYC yesterday at 7th and West 18th - ***pic*** http://bit.ly/2ulpoqY

TRANSITIONS -- Mack McLarty III, chairman and co-founder of McLarty Associates, and former Energy Secretary **Ernest J. Moniz** have entered into a "strategic partnership" with energy consulting firm EJM Associates, a premier energy consultancy; the firm will provide McLarty Associates clients with advice on energy. http://politi.co/2sWsQEZ ... **Haley Dorgan** is starting later this month as the media director at the Women's Equality Center, a nonprofit that supports reproductive health and rights in the U.S. and Latin America. Yesterday was her last day as press secretary for Sen. Jeanne Shaheen (D-N.H.) ...

... **David Helfenbein** has been named a senior adviser at strategic branding firm Main & Rose. He was most recently VP at DKC and is also a State alum. ... The R Street Institute has hired **James Wallner** as a senior fellow and member of R Street's Governance Project team and legislative branch capacity working group. He was formerly the group VP for research at the Heritage Foundation. ... **Ron Boehmer** starts today as comms director for Rep. Mark Pocan (D-Wis.), where he'll also work with the Congressional Progressive Caucus. He most recently was comms director for Rep. Rosa DeLauro (D-Ct.).

OUT AND ABOUT -- SPOTTED last night at Hill Country BBQ for MavPAC's members-only Mavericks Conference kickoff dinner: Sen. Lindsey Graham (R-S.C.), Reps. Will Hurd (R-Texas), Trey Hollingsworth (R-Ind.), and Mike Gallagher (R-Wis.); Ambassador Nancy Brinker, Kristen Soltis Anderson, Morgan Ortagus, Fritz Brogan, Chad VonLuehrte, Kathleen Rooney, Kevin Curran, Kenny Cunningham, Garrett Marquis, and Stef Webb. ***Washingtonian's Elaina Plott's report about what Graham said last night at the dinner*** http://bit.ly/2uYwj7j

-- SPOTTED at The Path Forward Coalition's summer reception on "The Future of Work" last night on the upper deck patio at Joe's Seafood in D.C.: Broderick Johnson, Robert Doar, Steve Danon, Leslie Shedd, Ellen Davis, Bill Thorne, Lizzy Simmons, Jon Hixson, Matt Lathrop, Kathleen McLaughlin, Jennifer Millerwise Dyck, Mike Dubke, Brian Jones, Michael Meehan, Spencer Overton, Harry Holzer.

WELCOME TO THE WORLD -- Sean Bonyun, longtime Rep. Fred Upton (R-Mich.)

aide and House E&C alum, and **Meredith Mino Bonyun,** founder of Prescott Strategies, recently welcomed Halston Thatcher. "He clocked in at 8lbs 11oz, and 22 inches long (with a full head of hair!). Big brother Prescott (pictured) is already taking his new responsibilities very seriously." ***Pic*** http://bit.ly/2sWtmmp

-- Dave Boyer, principal and healthcare practice director at BGR Group and **Jen Boyer,** senior health policy adviser at Senate HELP committee for Sen. Lamar Alexander (R-Tenn.), email friends and family: "We're excited to announce the arrival of Ms. Hartley Kathleen Boyer, who's named after her grandmothers, Dave's late mother Susan Hartley Boyer and Jen's mom Kathleen Joan Petock. Hartley joined the party a little after 1:00 [Thursday] afternoon, weighing in at 6 lbs. 10 oz. and measuring 19.5 inches. She and Jen are both healthy and sleepy, and Hartley is enjoying all the new noises she can make, at max volume. As expected, the Beastie Boyers (Rufus and Bailey) are beyond eager to meet their new little sister in a few days." ***Pics*** http://bit.ly/2uglwl3 ... http://bit.ly/2tSlEKZ

-- Marc Goldwein, SVP and head of policy at the Committee for a Responsible Federal Budget, and **Kim Goldwein,** storyteller and social media associate at Georgetown Day School, have welcomed their first child Juliana Margaret Goldwein. ***Pic of Juliana in a Budget Hawk onesie*** http://bit.ly/2tP5hAy

SUNDAY SO FAR - NBC's "Meet the Press": Senate Majority Whip John Cornyn (R-Texas) ... Sen. Mark Warner (D-Va.). Panel: Tom Brokaw, Al Cardenas, Doris Kearns Goodwin, and Danielle Pletka

-- CBS' "Face the Nation": Sen. Mark Warner ... Jay Sekulow ... Sen. Rand Paul (R-Ky.). Political panel: Susan Page, Jeffrey Goldberg, Ed O'Keefe, and Ramesh Ponnuru ... Jeffrey Kluger

-- "Fox News Sunday": Sen. Rand Paul ... Jay Sekulow. Panel: Brit Hume, Julie Pace, Mike Needham, Ezekiel Emanuel

-- ABC's "This Week": Jay Sekulow ... Rep. Adam Schiff (D-Calif.)

-- CNN's "State of the Union": Jay Sekulow ... Sen. Mark Warner ... Sen. Susan Collins (R-Maine). Panel: Bakari Sellers, Alice Stewart, Ken Cuccinelli, Rep. Eric Swalwell (D-Calif.)

-- CNN's "Inside Politics" (guest host: Nia-Malika Henderson): Margaret Talev, Karoun Demirjian, Jeff Zeleny, Manu Raju

-- CNN's "Fareed Zakaria GPS": William Browder ... Mohammad Javad Zarif, PhD, former Foreign Minister of Iran

BIRTHDAY OF THE DAY: James Davis, president of In Pursuit Of, a "mission driven" for profit PR and marketing firm for the Koch Network, and EVP of marketing and

comms at Freedom Partners. **How he's celebrating:** "I have to take my two oldest girls to Georgia this weekend for summer camp and we'll likely leave early Saturday morning. And honestly, with four strong daughters ranging from nearly 13 years to 19 months old, we live in the moment." Read his Playbook Plus Q&A: http://politi.co/2ugMiQn

BIRTHDAYS: New Mexico Gov. Susana Martinez, a former RGA chair, is 58 (hat tip: Danny Diaz) ... former Rep. Patrick Kennedy (D-R.I.) is 5-0 ... Martha Coakley is 64 ... Brent Bozell, Media Research Center president ... Gail Ross ... lobbyist James Capalino is 67 ... Politico's Eliana Johnson ... Mary Lee, a reporter for the new Politico Pro Legislative Compass product ... Politico's Daniel Strauss is 3-0. He's celebrating on Bastille Day in Paris (h/t girlfriend Claire Tonneson, filing from France) ... Teneo Strategy VP Brian Gregory is 27 ... Ammon Simon, legislative counsel for Sen. Sasse ... Mike Panetta ... Julie Wood ... ABC News' Devin Dwyer, who's going to Germany later this month on an American Council on Germany trip (h/t Jonathan Karl, whose daughter Emily was in an AP pic yesterday of a throng of journalists on Capital Hill http://bit.ly/2tm2D1C) ... "Hardball" booker Nkechi Nneji, celebrating in Cartagena, Colombia (h/ts Annie Linskey and Ken Vogel) ... Politico chief Europe correspondent Matthew Karnitschnig ... Caroline Kelly ... Jordan Sekulow, attorney, radio show host, and son of Trump lawyer Jay Sekulow, is 35 ... Elizabeth Bennett ... Corey Solow ... Claire Grisolano ... former Rep. Tom Latham (R-Iowa) is 69 ...

... Jose Andres is 49. He's celebrating in Spain by walking the pilgrimage to Santiago with wife Patricia and their daughters (h/t Jorge Guerjada, whose favorite Jose Andres restaurant is China Chilcano) ... Zeina Awad ... Alison Kenworthy, associate producer at ABC's "Good Morning America" ... Richard Seline ... Kiernan Majerus-Collins is 22 ... WSJ Africa correspondent Matina Stevis ... Naval Academy rising senior Nathan Bermel, who recently got back from doing climate research in the Marshall Islands (h/t brother Colby) ... Edda Collins Coleman (hubby tip: Bernard) ... Mike Casey, president and founder at Tigercomm ... Dan Horowitz, LinkedIn's director of advocacy and campaigns (h/ts Jon Haber) ... Alex Lebow ... Heather Colburn, celebrating by crushing her first Door County Sprint Triathlon on Saturday ... Claire Grisolano ... Brody Dickson ... Pam Deardon ... Brett Froyen ... Ben Johnson (h/ts Teresa Vilmain) ... movie producer Scott Rudin is 59 (h/t AP)

****** **A message from BMA:** Better Medicare Alliance is helping to build the future of care through Medicare Advantage. As a community of experts, we're leading the way on health care through research, policy, and grassroots advocacy. Together, we're creating a path forward for innovative, modern health care. Stand with us: http://www.bettermedicarealliance.org/special-needs-plans ******

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From: Bloomberg BNA
Sent: Thur 7/27/2017 12:28:43 AM
Subject: July 27 -- Daily Environment Report

Daily Environment Report

July 27, 2017 - Number 143

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Leading the News

Climate Change
How Climate Change Can Get You Sued
The climate is changing and are so are the legal risks it will pose.

Mining
Hardrock Miners Want to Trade Royalties for Faster Permits
Hardrock mining companies are considering breaking with almost 150 years of history, saying they're willing to start paying federal royalties on the minerals they extract in exchange for faster environmental permitting.

News

Air Pollution
China's Air Pollution Crackdown Could Close 176K Businesses
Up to 176,000 businesses in the Beijing, Tianjin and Hebei province could be forced to shut down because of air pollution violations if they do not address the problems by the end of September, the Chinese government says.

Biofuels
Trump Is Selling Out the Midwest, Biofuel Industry Says
As a presidential candidate, Donald Trump spent a lot of time currying the favor of the ethanol industry, barnstorming its rural Midwest base and repeatedly expressing his support for biofuels made from corn and soybeans. He was rewarded in November: Of the 184 counties with an ethanol plant in the U.S., 95 percent voted for Trump, according to data compiled by the Renewable Fuels Association. As president, Trump has continued to pledge that he'll protect the Renewable Fuel Standard, ...

Brownfields

Minnesota Brownfields Get $4.6 Million in Redevelopment Funds

A Minneapolis industrial site polluted with petroleum and other contaminants will receive the largest chunk of $4.6 million in grants from a Minnesota agency seeking to clean up and redevelop non-Superfund sites.

Chemical Safety Board

Causes of ExxonMobil Explosion Detailed in Coming Report

The cause of a November 2016 explosion at an ExxonMobil refinery in Baton Rouge, La. will be revealed in a U.S. Chemical Safety Board report to be released in the next month, according to Vanessa Sutherland, the board's chair.

Chemicals

Products With Flame Retardants in Foam Face San Francisco Ban

Upholstered furniture and children's products treated with chemical retardants could be gone from San Francisco stores if a new local ordinance passes.

Climate Change

Children's Climate Lawsuit Paused Pending Ninth Circuit Review

A novel lawsuit by a group of young people seeking to force the federal government to act on climate change may be in jeopardy after a federal appeals court stepped in to halt the case.

Coal Mining

Environmental Group Widens Suit Over Secrecy on Coal Leasing

An environmental group is widening its legal case against the Trump administration over its allegation that the administration kept secret its bid to reopen the federal coal leasing program.

Coal Mining

Interior's Reclamation Order Open to Legal Challenge

An Oklahoma coal mining company can move forward with its legal challenge to an Interior Department decision without first exhausting all its mandatory remedies, a federal court ruled.

Emissions Trading

Now California Needs to Cap Costs While it Caps Carbon

Now that California has extended its carbon dioxide trading program through 2030 businesses are waiting to see how state regulators plan to keep compliance costs down.

Energy

New York Nuclear Subsidies Upheld by Federal Court

Dynegy Inc., NRG Energy Inc. and certain other power generators have lost their bid in federal court to overturn New York's controversial nuclear subsidies and plan to appeal.

Energy

Petronas Deals Fresh Blow as World Exits Canada's Energy Patch

Petroliam Nasional Bhd.'s decision to back out of a giant gas-export project on Canada's Pacific Coast is the latest hit to the country's energy sector—and to Prime Minister Justin Trudeau's plan of balancing energy exports and climate action.

Forests

Brazil Directive Could Fuel Land Grabbing, Deforestation in Amazon

A new government directive will paralyze the creation of new indigenous reserves in Brazil and fuel land-grabbing and deforestation, especially in the Amazon rainforest, environmental and Indian rights groups say.

Import Policy

Brazil Postpones Decision on Imposing Tariffs on Imported Ethanol

Brazil postponed a decision on whether to impose tariffs on ethanol imports, with the country's Chamber of Foreign Trade (Camex) choosing to discuss the matter in 30 days, a spokeswoman at the Ministry of Development, Industry, and Foreign Trade told Bloomberg BNA July 25.

Liable Parties

City's 'Disregard' of Hazmat Site Leads to Superfund Hit

The City of Fairbanks, Alaska, knew about contamination at a former dry cleaning site as early as 1999 and must share cleanup costs for failing to correct it, the District of Alaska ruled July 25 (Gavora, Inc. v. City of Fairbanks, 2017 BL 256894, D. Alaska, No.15-cv-00015, 7/25/17).

Motor Vehicles

Daimler Vows to Fight for Diesel's Survival Amid Disruption

Daimler AG is conducting a thorough investigation into allegations of diesel cheating as the German automaker seeks to burnish the technology's battered reputation amid an onslaught of negative news for an industry reeling from scandals.

Oil & Gas

Fisheries Service Hears Pros, Cons on Atlantic Seismic Surveys

Five oil and gas service companies are awaiting decisions by the National Marine Fisheries Service on their proposals for Atlantic offshore seismic surveys that could harm whales and other marine life.

Regulatory Policy

State AGs Suing Federal Agencies Over Rule Rollbacks

Democratic attorneys general, following the Republican playbook, are banding together to file lawsuits challenging federal agencies as they roll back Obama-era regulations.

Renewable Energy

Bill to Speed Wind, Solar Licensing Clears House Committee

Wind and solar projects on public lands could get quicker federal approval under legislation approved by the House Natural Resources Committee July 26.

Renewable Energy

Israel Boosts Green Energy After Missing 2014 Targets

Israel hopes to boost its solar power industry after its parliament approved tax breaks for companies that manufacture photovoltaic panels and trimmed away bureaucratic hurdles.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 6/1/2017 2:24:24 PM
Subject: BREAKING NEWS: Trump delays moving U.S. embassy in Israel to Jerusalem

President Donald Trump on Thursday signed a waiver that delays moving the American embassy in Israel from Tel Aviv to Jerusalem - kicking the can down the road in the hopes that the delay will give him momentum to broker peace in the Middle East.

On the campaign trail, Trump vowed to move the embassy to Jerusalem - a priority for the Republican evangelical base as well as many of his Jewish supporters - on Day One of his administration. A senior administration official said on Thursday that Trump is still committed to moving the embassy down the line, but that he could not squander what he sees as a "hopeful moment for peace."

Press Secretary Sean Spicer reiterated in a statement that the president was still committed in his support for Israel and for the eventual embassy move. "The question is not if that move happens, but only when," Spicer stated.

Read more: http://www.politico.com/story/2017/06/01/trump-signs-waiver-delaying-moving-us-embassy-to-jersualem-from-tel-aviv-239021

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From: Joe Pompeo - POLITICO Media
Sent: Wed 5/24/2017 10:18:15 AM
Subject: Morning Media, presented by the National Confectioners Association: Scenes from a press freedom fete — Hannity 'not discussing' Seth Rich conspiracy theory 'at this time' — Manchester coverage

By Joe Pompeo | 05/24/2017 06:16 AM EDT

With Cristiano Lima and Alex Weprin

LOTS OF MEDIA HEAVYWEIGHTS AT LAST NIGHT'S REPORTERS COMMITTEE DINNER - And as you can imagine, the Fourth Estate's fraught relationship with our current administration was heavy in the air at fancy Manhattan hotel The Pierre. "I am honored ... more than anything to be a journalist in these times," said Washington Post executive editor Marty Baron, bringing the curtain down with his closing remarks, which prompted a standing ovation. The co-writers of "Spotlight" were on-hand to present Baron with the evening's fourth and final Freedom of the Press Award. The other recipients were First Amendment law practice Davis Wright Tremaine; ProPublica executive chairman Paul Steiger; and former AP executive editor Kathleen Carroll. Steiger: "Publishing the secrets threatens the secret-keepers. It protects the public interest." Carroll: "I just can't wait to see what *holy sh-t* stories break tomorrow."

Let's see, what else? Atlantic editor in chief Jeffrey Goldberg gave a tribute to his friend, the late Gwen Ifill, who was originally supposed to be one of this year's honorees. CNN's Wolf Blitzer said a few words, including the following about the president's attacks on the press: "We must fight this, and we must fight this hard." Also, who knew that New York Times deputy general counsel David McCraw was such a comedian? (One of his zingers: "The Times vs. Sullivan," he said, referring to the landmark 1964 Supreme Court case, "doesn't just protect The New York Times. Breitbart needs it as much as we do." Punchline: "In fact, they need it more!") Charlie Gibson filled in as host for his ABC colleague David Muir, who'd made an unexpected trip to the U.K. to cover the aftermath of Monday night's Manchester bombing.

News: Washington Post owner and Amazon founder Jeff Bezos donated $1 million to the Reporters Committee, the largest gift in the organization's 47-year history.

Spotted: Sally Quinn, Dean Baquet, Arthur Gregg Sulzberger, Bill Keller, Lydia Polgreen, Ben Smith, Margaret Sullivan, Laura Poitras, Mark Whitaker, Steve Adler, Stephen Engelberg, Tim O'Brien and many more.

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. Many thanks to **Hadas Gold** for minding the store -- from Oslo, no less! -- while I was off duty earlier in the week. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Steven Shepard** contributed to today's column. **Archives**. Subscribe.

** **A message from the National Confectioners Association - #AlwaysATreat:** Leading global chocolate and candy companies are coming together to provide more information, options,

and support as consumers enjoy their favorite treats. It's the first step on our journey to help people manage their sugar intake and ensure that they feel empowered to make informed choices. Learn more at AlwaysATreat.com. **

HANNITY IS BACKING OFF HIS SETH RICH CRUSADE (SORT OF) - Following Fox News Channel's retraction of a controversial story about the DNC staffer's unsolved murder, the 10 p.m. anchor said on his show last night: "Out of respect for the family's wishes for now, I am not discussing this matter at this time." Hannity has perhaps been the media's biggest booster of conspiratorial claims that Rich was killed because he was allegedly the person who slipped thousands of private DNC emails to Wikileaks. Speaking on his radio show earlier in the day, Hannity had initially refused to stand down. But the host said last night he'd been convinced to back off from his coverage after speaking directly with Rich's brother. "My heart, my soul, my prayer goes out to [the family] during this very difficult time." Cristiano Lima has more.

FNC's full statement: "On May 16, a story was posted on the Fox News website on the investigation into the 2016 murder of DNC Staffer Seth Rich. The article was not initially subjected to the high degree of editorial scrutiny we require for all our reporting. Upon appropriate review, the article was found not to meet those standards and has since been removed. We will continue to investigate this story and will provide updates as warranted." (For what it's worth, Washington's local Fox affiliate told us they are not retracting their similar story, but rather standing by a clarification that was added to it last week.)

Margaret Sullivan: "The Seth Rich lie has become the new Comet Ping Pong -- another Washington-based conspiracy theory that ended in January with a gunman walking into a family-friendly pizza joint and firing shots as he 'self-investigated' a supposed child-molestation plot involving Hillary Clinton. Crazy, baseless and dangerous."

MUST READS:

-- "Trump Called Duterte To Congratulate Him On His Murderous Drug War: 'You Are Doing An Amazing Job'" [The Intercept]

-- "James Mattis, A Warrior In Washington" [The New Yorker]

-- "The Beleaguered Tenants of 'Kushnerville'" [ProPublica]

-- "Twin Peaks: The Return Is Riveting, Horrifying, and Patience-Taxing" [Vulture]

-- "Meet the Silver Lake shaman" [Quartz]

POLL: VOTERS SPLIT ON TRUMP'S MEDIA TREATMENT, by (POLITICO polling guru) Steven Shepard - A new POLITICO/Morning Consult poll out this morning finds voters evenly divided on whether President Donald Trump is getting a fair shake from the news media - 43% say he is being treated fairly, compared to 42% who say he's being treated unfairly. It splits, predictably, along party lines: 75% of Democratic voters say the media are treating him fairly, but 76% of Republicans say he's getting the shaft.

Also in the poll: 35% of voters say they are checking the national news (whether online, on TV or on social media) multiple times a day, and another 35% say they are checking once or twice per day. More Democrats (78%) are checking the news at least daily than Republicans (72%). Full results here.

QUESTION OF THE DAY - "Showing Screaming Teens After a Terror Attack May Be Compelling TV. But Is It Bad Journalism ?" That's Slate's Will Oremus, who writes: "As news broke Monday night of the deadly blasts at a concert in Manchester, England, you could flip to any major news network and see similar visuals: shaky cellphone videos of people on the scene -- many of them teenage girls -- screaming and running for their lives. ... [T]here's ... a ring of naiveté to suggestions that the answer is for cable news to simply stop playing such footage. TV producers aren't the ones who made the attacks scary or dramatic. That's the nature of the act, and to try to strip that dimension from the news coverage would verge on the dishonest and unjournalistic."

Speaking of which: The attack drew millions of viewers to cable news. It also reset the ratings trendlines of recent weeks, with Fox News leading CNN and MSNBC in both total viewers and viewers ages 25-54; and with MSNBC slipping to third in both categories behind CNN. Between the three channels, an average of around 6.7 million people were tuned in during primetime, according to data from Nielsen.

SOUND BITES:

-- "Freedom of the press is not a liberal value, it's an American value." [David McCraw]

-- "If a journalist can be arrested for asking a loud question in a public place, we had better be ready for much, much worse." [Kathleen Carroll]

-- "Ok TO BE CLEAR, I am closer to the TRUTH than ever. Not only am I not stopping, I am working harder. Updates when available. Stay tuned!" [Sean Hannity]

-- "The big q for Fox News: does @seanhannity have a future at the network if he covers the Seth Rich story again?" [Matthew Garrahan]

"As Fox diminishes in ratings the extreme liberalism and anti-American lefitism is going to get louder." [Rush Limbaugh]

JON STEWART'S HBO SHOW A NO-GO - HBO and Jon Stewart have decided not to move forward with their planned animated current events show, originally announced more than a year ago. The program was originally expected to debut in advance of the 2016 election. The New York Times' John Koblin reports that "the project was significantly more complicated than both sides anticipated." Stewart signed a four year deal with HBO, and will develop other programs for the channel.

FCC WON'T TAKE ACTION AGAINST COLBERT - No surprise here, but the Federal

Communications Commission made it official on Tuesday: It will not be taking any punitive action against the CBS "Late Show" host over a crude joke he made about President Trump. An FCC spokesman said they "concluded that there was nothing actionable under the FCC's rules." Colbert's show airs after 10 PM, when FCC rules are more lenient, and the dirty word in his Trump-Putin joke (rhymes with "smock") was bleeped out, making any enforcement action unlikely from the start.

In other Colbert news: He has another victory under his belt. This time, the "Late Show" is poised to win the entire 2016-2017 TV season in total viewers, barely edging out "The Tonight Show starring Jimmy Fallon." Colbert has been on a resurgent winning streak in recent months, and now it's beginning to show in the longer-term ratings.

RATINGS ARE IN FOR THE 'TWIN PEAKS' REVIVAL - Sunday's two-hour, two-chapter premiere at 9 p.m. delivered 506,000 viewers for Showtime. Consider this: 34 million tuned in to ABC for the original series premiere on April 8, 1990. But then consider this: "In the world that we live in now, offering original programming that attracts new subscribers is our primary business objective," said Showtime chief David Nevins in a statement. "By that standard, the 'Twin Peaks' premiere is the biggest single-night driver we've ever had." Deadline and The New York Times have more.

Bonus: Here's a piece I did for Mental Floss magazine a few years ago, "How Twin Peaks Made Modern Art of the Soap Opera"

REVOLVING DOOR:

-- **At Esquire**, Robert P. Baird has been bumped up to features director. The Paris Review/Harper's/New Yorker alum will "work closely ... on the development and execution of ... features, including investigative pieces, as well as fiction," per a spokeswoman. "He will also work to bring new voices to the magazine."

-- **Jessica Valenti, the feminist author/writer**, has been named a contributing editor for Marie Claire's website, where she will do a weekly column.

THE NEXT FRONTIER? SNAPCHAT SHOWS - Among those getting in on the millennial social media app's video mojo is NBC News, which later this year "is expected to launch the first Snapchat Show that will offer daily news reports," according to Variety. "[T]here's a line forming ... that's made up of at least a dozen major media companies ready to place bets ... on Snapchat Shows." The list also includes ABC, CBS, the BBC, ESPN, Vice and Discovery.

CBS announced a James Corden Snapchat series yesterday: "JAMES CORDEN'S NEXT JAMES CORDEN will debut exclusively as a Snapchat Show ... in fall 2017. ... [It] will take Corden from late night to the world of a fictional reality competition show to find a young up-and-comer to be his LATE LATE SHOW successor. While Corden is by no means leaving THE LATE LATE SHOW anytime soon, he knows that someday, years and years from now, he'll have to hand over the reins to a new host, and he wants ample time to select and groom a worthy successor."

SOUNDTRACK: Joy Division, "Atmosphere"

EXTRAS:

-- "Fox News is losing its mojo." [Bloomberg]

-- Can you guess which outlets have the leakiest paywalls and which ones have the most airtight paywalls? [CJR]

-- Comedy Central has ordered more episodes of Anthony Atamanuik's Trumpersonation, "The President Show." [Variety]

-- Gay hookup app Grindr is getting into the news business. [Advertising Age]

** **A message from the National Confectioners Association - #AlwaysATreat:** We've always created transparent, fun, and great-tasting treats. By 2022, Mars, Wrigley, Nestlé USA, Ferrero, Lindt, Ghirardelli, Russell Stover, and Ferrara Candy Company will work together to make half of their individually wrapped products available in sizes that contain 200 calories or less per pack. And, 90 percent of the best-selling treats made by these companies will have calorie information printed right on the front of the pack. During the same time period, the newly established AlwaysATreat.com will evolve into a digital resource full of easy-to-use information for consumers to better understand the unique role that chocolate and candy can play in a happy, balanced lifestyle. Learn more at AlwaysATreat.com. **

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/05/24/scenes-from-a-press-freedom-fete-hannity-not-discussing-seth-rich-conspiracy-theory-at-this-time-manchester-coverage-001278

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Subject: POLITICO's Morning Energy, presented by Exelon: What's new for Energy Week? — Zinke takes Montana — Pruitt returns to Capitol Hill

By Ben Lefebvre | 06/27/2017 10:00 AM EDT

With help from Darius Dixon Alex Guillen and Eric Wolff

ENERGY WEEK ROLLS ON: We've heard the rah-rah but ME is still wondering if and when something substantive may come. So far it's been hinted that Interior Secretary may have something new to say when he speaks in Montana today (more below), but at first blush Energy Week may shape up to be old hydrocarbons in new barrels.

Enticing India with LNG: Following a meeting at the White House with Indian Prime Minister Narendra Modi on Monday, Trump played up the possibility of selling more liquefied natural gas to India, which is trying to bring electricity to more of its population, Pro Trade's Doug Palmer reports. Trump said oil and gas contracts are "right now being negotiated and we will sign them. We're trying to get the price up a little bit." But India has been in the market for U.S. gas at least since 2011, when its state-owned gas company, GAIL India, was among the first customers to sign a 20-year contract with then-fledgling Cheniere Energy. India has said it will increase its oil and gas purchases from the U.S., but the country is notorious for being price-sensitive. GAIL earlier this year reached a deal with Swiss trading company Guvnor to save on shipping costs by swapping some of its Cheniere cargoes for closer supplies.

Wait 'til tax reform: When it comes to questions of new policy, Energy Secretary Rick Perry mostly sidestepped questions when he briefed reporters on energy week plans earlier Monday. But he said answers would likely come in the president's tax plan. "I don't think the administration is going to be wildly supportive of government subsidies for sectors of the energy industry," Perry said when asked whether to expect continued federal support for renewable energy research. He then added: "Whenever we get this healthcare bill passed and we get into tax reform, at that particular point in time we'll have a good healthy conversation on the energy sector and tax subsidies."

Nuclear happens: Perry did say the White House is keenly aware that nuclear power operators are facing an increased threat of bankruptcy because of competition from cheap natural gas and renewables. "There's a lot of reasons we need to have the conversation about keeping our nuclear industry viable...whether it's Gen 4 plant or modular reactors," he said. Perry did not weigh in on specific issues such as the fate of a nuclear energy tax credit extension being debated in Congress or programs aimed at propping up existing reactors in states like New York and Illinois, but he warned that the U.S. risked losing ground to competitors like China and Russia in developing the next generation of nuclear technology. "Most Americans will say nuclear energy will occur," Perry continued. "Who controls it and is most supportive, I'm sure that will be America."

If you'd like to hear more from Perry, he's up for the keynote address at the 8:30 a.m. plenary

session today at EIA's Energy Conference at the Washington Hilton. He also is tentatively scheduled to talk at 9:45 a.m. today with Piyush Goyal, of India's ministry of power, coal, new and renewable energy and mines at U.S.-India Business Council's 42nd Annual Leadership Summit.

Going local: One possible new avenue the administration may follow may come when President Donald Trump will meet tribal leaders on Wednesday to discuss local energy. This is in line with the administration's line that wouldn't mind for Native American tribes to get in on the oil boom. Energy and Interior department officials met with tribes in May to discuss energy development, and the topic popped up in Senate subcommittee hearings on Interior's budget.

GOOD MORNING, MORNING ENERGY! I'm your host, Ben Lefebvre, filling in for Anthony Adragna, who is away on matrimony. No applause - just throw tips and comments to blefebvre@politico.com, please. Anthony will be back Wednesday. You can find him at aadragna@politico.com, or follow us on Twitter @bjlefebvre, @aadragna, @Morning_Energy and @POLITICOPro.

THE DOI ABIDES: Zinke is slated to speak at the Western Governors' Association today in Whitefish, Mont., his old stomping grounds. While there, he'll make a "bigly onshore energy announcement," a department source tells ME. The WGA, which is giving the secretary of the Interior twin billing with actor and hometown hero Jeff Bridges, will not stream Zinke's speech. They do promise to live-Tweet it at #WGA17.

Say what you want about the tenets of national monuments: Whatever Zinke may have his sleeve, it's his Trump-ordered review of national monuments that seems to be getting the most attention from locals in Whitefish, where Zinke served as state lawmaker from 2009 to 2011 (he also tried to open a bed and breakfast and brewery there around the same time). Whitefish Mayor John Muhlfeld has joined environmentalists and sportsmen in the area calling on Zinke to resist the urge to eliminate or shrink national monuments under his review. "As a friend of Ryan Zinke, I urge him to respect and protect America's public lands, in Montana and across the country," Muhlfeld says in a press release sent by the Center for Western Priorities.

PILT paychecks: Zinke was in Nevada Monday, where he announced that nearly $465 million is headed to local governments as part of the Payments in Lieu of Taxes program. PILT payments compensate jurisdictions that are home to large swaths of federal land they cannot tax. Details on who's getting how much here.

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ROUND 2 FOR PRUITT ON BUDGET: EPA Administrator Scott Pruitt is on the Hill today to testify for the second time on the administration's proposal to massively slash his agency's funding, and if his first hearing is any guide, Pruitt is in for some tough questions from both parties.

What to expect today: Sen. Lisa Murkowski, who chairs the Senate's Interior-EPA spending panel, is already on the record as not being a big fan of EPA's proposed cuts. She's noted before that recent years have already seen Congress significantly reduce EPA's budget and personnel, and she's likely to raise objections to the administration's proposal to zero out a water infrastructure program aimed at Alaska Native villages. Expect one or more senators, including possibly Steve Daines , to complain about the proposed Superfund cuts. The hearing starts at 9:30 a.m. in Dirksen 124.

Hands across the Capitol: The Sierra Club, Union for Concerned Scientists and more than a dozen other environmental groups plan to protest the 31 percent cut to the EPA that Trump's budget calls for. They'll meet at Lower Senate Park ahead of the hearing.

Coincidentally: Today marks the end of the 60-day stay on the Clean Power Plan lawsuits put in place in April by the D.C. Circuit Court of Appeals. The court took comment on whether to remand the rule to EPA (as environmentalists wanted) or keep the lawsuit in abeyance indefinitely while EPA works on its review, as advocated for by the agency and the rule's challengers. Click for a refresher on who wanted what and why. It's not clear what exactly might happen today, if anything; the court could decide on the remand-versus-abeyance issue today, or extend its stay and decide later.

SCIENTIST SPEAKS UP: Look for Pruitt to also face questions today about his agency's treatment of independent science advisers, especially in the wake of Monday night's New York Times report that his chief of staff pressured one of them to alter her testimony to a separate congressional committee last month. EPA Chief of Staff Ryan Jackson asked Deborah Swackhamer, who chairs EPA's Board of Scientific Counselors, to stick to the agency's "talking points" about why board members were not being reappointed before she testified to the House Science Committee, according to the paper, which cited emails she had shared with committee Democrats. Science Chairman Lamar Smith told the Times that Democrats are "politicizing" an attempt by EPA to make sure her testimony was accurate. Swackhamer was testifying as a private citizen and not on behalf of EPA, and it does not appear that she changed her written testimony. In it, she warns that changes to the board "may lead to the perception that science is being politicized and marginalized within EPA."

NATURE ABHORS A VACUUM AND RGGI FILLS A SPOTLIGHT: The nine-state Regional Greenhouse Gas Initiative meets today to discuss whether to modify its carbon cap, whether and how to link with other cap programs, and how to manage new participants. Emissions reductions from the northeastern states have gone faster than expected, and green groups hope to see some carbon cap tightening from the meeting. If you go: It's at 1 p.m. at Jerome Greene Hall Room 701, Columbia Law School, in New York. You can also stream it here.

Be! Aggressive! B! E! Aggressive!: Emissions reductions have come faster than expected, so green groups are looking for deeper reduction requirements. The Natural Resources Defense Council and 50 other green groups have asked the program to set caps lower to push for more carbon reductions, and to raise the price floor so as to ensure that there's a cost to emissions.

ON HER WAY OUT: FERC Commissioner Colette Honorable plans to leave the agency Friday, Pro's Darius Dixon reports. She will formally announce the news today when she speaks to the EIA conference. That will leave acting Chairwoman Cheryl LaFleur as the only remaining commissioner, meaning both of Trump's pending nominees will have to be confirmed before FERC can conduct any major business again. Honorable tells ME she doesn't have a job lined up but "I have some irons in the fire."

THE ROAD TO RECLAIM: The RECLAIM Act is going before the House Natural Resources Committee for markup today. The bill as currently written would take money from the Abandoned Mine Land Fund to pay laid-off coal miners to work cleaning up abandoned mines.

EPW HEARING ON HOLD: A Senate EPW subcommittee meeting that had been scheduled for 2:45 p.m. today on clean energy technologies has been postponed. A committee spokeswoman tells us no new date planned yet.

NOMS ON PARADE: Two more former George W. Bush appointees are in line to return to the Interior Department, the White House said Monday. Trump plans to nominate Brenda Burman as commissioner of reclamation. She was the deputy commissioner for reclamation and assistant secretary for water and science under Bush; now she is the director of water strategy at the Salt River Project. Douglas W. Domenech, a senior adviser to Zinke, will be nominated as assistant Interior secretary for insular affairs. His positions in the Bush administration included deputy assistant Interior secretary for insular affairs and White House liaison.

SVINICKI SECURES SENATE NOD: The Senate voted 88-9 Monday to confirm Nuclear Regulatory Commission Chairwoman Kristine Svinicki to a third term at the agency, just days before her tenure had been set to expire. Nevada Sen. Dean Heller was the only Republican to vote against Svinicki; fellow dissenters included Sens. Catherine Cortez Masto, Kirsten Gillibrand, Cory Booker, Elizabeth Warren and Bernie Sanders, among others.

CALLING CARTER PAGE: The FBI interviewed Carter Page, an energy consultant who traveled to Moscow last year while advising the Trump campaign, Pro's Austin Wright reports. The interviews occurred in May and were part of the FBI's investigation into Russia's meddling in the 2016 Presidential election, Page said in a statement.

WATCHDOG TAKES NATIONAL PARK SERVICE OFF THE HOOK: The unlikely spat between the National Park Service and Trump may have broken toward the NPS, POLITICO's Matthew Nussbaum reports. Interior's Inspector General said Monday that NPS employees did not alter crowd size records, which Trump complained had low-balled the number of people attending his inauguration. The IG also said NPS wasn't the one who leaked info about a phone call in which Trump allegedly ordered the acting NPS director to release additional photos of the crowd. Will this end the feud? ME will keep an eye on a certain Twitter account in the coming days.

CRUDE HACK: Those "dipping donkey" pump jacks that dot the Texas and Oklahoma oil field landscape are a great entryway for hackers looking to disrupt America's fuel production, Deloitte

says in a new study. Cyber-attacks on oil and gas companies are growing in frequency, sophistication, and impact, the study finds, and the production part of the business is the most vulnerable to attack and the most potentially damaging if exploited. "Thus, the consequence of a cyber-attack on oil and gas production could be severe, promptly affecting both the top and bottom lines," Deloitte says in its report.

COUNTDOWN FOR KEYSTONE: A judge in the U.S. District Court in Montana will hear arguments on Aug. 31 whether to dismiss the case the Northern Plains Resource Council and other environmental groups brought against the Keystone XL pipeline, according to a new court filing. White House lawyers argued earlier that the case should be thrown out as the plaintiffs don't have standing to challenge the executive branch's authority in granting permits for pipeline border crossings.

SUNIVA DISPUTES GTM'S SOLAR IMPACT REPORT: Suniva is disputing GTM Research's findings Monday that the trade tariffs the company seeks for imported solar panels and cells could wipe out nearly two-thirds of U.S. solar projects slated to be built by 2022. "GTM's conclusions are based on faulty and unsupported assumptions, and demonstrate a fundamental misunderstanding" of what Suniva seeks, the company said in a press release.

MOVER/SHAKER: Washington lawyer Dennis Lee Forsgren has been named EPA's deputy assistant administrator in the Office of Water, a job that does not require Senate confirmation but gives him a significant role in the agency's efforts to rewind the Waters of the U.S. rule and other key regulations. Forsgren's appointment was revealed in a blog post from the Association of State Drinking Water Administrators. Forsgren most recently was a lawyer at HBW Resources, where his lobbying clients since 2011 have included GE and a subsidiary of the nuclear company Babcock & Wilcox.

QUICK HITS:

- Federal agencies greenlight proposed delta tunnel project, Los Angeles Times.

- Trump's Anti-Nafta Stance Is on a Collision Course with Natural Gas, The New York Times.

- Trump Has China to Thank for Recent Coal Industry Spike, Time.

- Swearengin prepares for campaign fight against Manchin, MetroNews.

- Microbe Mystery Solved: What Happened to the Deepwater Horizon Oil Plume, Berkley Lab.

THAT'S ALL FOR ME! I'll be back tomorrow, after which Anthony will take charge.

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when 34,000 Exelon employees come together at our annual Innovation Expo in Washington, D.C. this week to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/13/2017 10:57:59 PM
Subject: June 13 -- Energy and Climate Report



Energy and Climate Report

June 13, 2017 - Number 113

News

Congress
House Vote Possible This Summer on Four Environment Bills: Shimkus
The House could pass four major environmental bills before Congress's August recess, including one delaying implementation of 2015 ozone standards, a key House Republican told Bloomberg BNA.

Energy
Canadian Oil Production to Rise 33% by 2030, Straining Pipelines
Canada will churn out 33 percent more oil by 2030, exceeding the capacity of existing pipelines to ship the product to market and threatening producers' competitiveness, according to the industry's main trade group.

Energy
European Parliament Greenlights Energy Labeling Law
The European Parliament June 13 ratified a European Union regulation that will simplify the energy-efficiency labeling of refrigerators, washing machines and other domestic appliances sold in the bloc.

Energy
Lines Drawn in Fight on Increased Ethanol Sales Before Hearing
The battle lines are drawn on the eve of a Senate hearing on transportation fuel with higher ethanol blends.

Energy
Senate Committee to Move Nuclear Regulator Nominees Quickly
Leaders of the Senate Environment and Public Works Committee stressed their commitment to vote soon on three Nuclear Regulatory Commission nominees, weeks before the commission is set to lose its quorum unless at least one nominee is confirmed.

Energy
The Energy Agency Trump Aims to Kill Could Instead Be a Model
A congressionally mandated study determined that an Energy Department agency the budget of President Donald Trump aims to kill should instead serve as a model for the entire department.

Enforcement
EPA Enforcement Office Nominee Says Federal Role Remains
The EPA's enforcement office will manage proposed budget cuts by focusing on high-profile

pollution cases and leaving the day-to-day work to state regulators, the nominee to lead the division told senators June 13.

Forests

Brazil's Most Degraded Woodland Sees Deforestation Spike

The deforestation rate in Brazil's most degraded woodland spiked nearly 58 percent between 2015 and 2016, the largest increase in a decade, according to an environmental nonprofit.

International Climate

EU Set to Commit to Climate Deal, Free Trade in Rebuff to Trump

European Union leaders are planning to use a summit next week to declare their commitment to global free trade and the Paris climate accord in a rebuff to U.S. President Donald Trump.

Natural Gas

Blast Backlash Hangs Over Drillers as 'Fractivists' Seek Limits

Two months after a Colorado home exploded near an Anadarko Petroleum Corp. well, the reverberations are still rattling the oil industry, driving down driller shares and raising fears of a regulatory backlash.

Oil & Gas

Concerns About Water Keep Australia From Getting at Gas Reserves

In the tight-knit Outback town of Narrabri, the cold-shoulder treatment farmer Peter Gett has felt over the natural gas wells on his property has shown him that promoting Australia's energy security comes at a cost.

Renewable Energy

Apple issuing a Second Green Bond to Finance Green Energy

Apple Inc., which issued the biggest green bond ever sold by a U.S. corporation last year to finance projects fighting global warming, is doing it again.

Renewable Energy

Brazil's Biggest Wind Farm Starts Spinning Turbines

The largest wind farm in Brazil has started operation as the research arm of the Mines and Energy Ministry predicts wind power will grow in the nation's energy mix over the next year.

Renewable Energy

Canadian Investor Applies for Chernobyl Solar Project in Ukraine

Canadian investor Refraction Asset Management Ltd. is seeking permission to install 100 megawatts of solar panels inside the radioactive exclusion zone surrounding Ukraine's defunct Chernobyl nuclear plant.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Thur 6/15/2017 2:04:53 PM
Subject: POLITICO's Morning Score: Virginia memos: Gillespie says governor's race deadlocked, DGA claims momentum — Stewart mulls Senate race vs. Kaine — Another Democrat jumps in vs. Rohrabacher

By Scott Bland | 06/15/2017 10:00 AM EDT

With Daniel Strauss and Kevin Robillard

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

UPDATE FROM LATE WEDNESDAY - "House Majority Whip Steve Scalise was in critical condition in a Washington hospital Wednesday night," POLITICO's Louis Nelson, John Bresnahan and Jake Sherman report, "and will require additional surgeries after a bullet pierced his hip, injured organs and caused 'severe bleeding,' according to a statement." **Full story.**

MEMO ITEMS - Gillespie campaign says the Virginia governor's race is tied: In a memo released Wednesday morning, the Gillespie campaign said Public Opinion Strategies had conducted a poll of 600 likely voters from June 6-8. The poll showed Gillespie earning 46 percent of the vote to Northam's 45 percent, and leading him among independents 49 percent to 37 percent. The survey contradicts most public polling, which has shown Northam with a substantial lead. "It is clear that as the general election campaign begins, it opens as a dead heat," campaign manager Chris Leavitt writes. "But one candidate positioned himself well for a competitive general election campaign in the Commonwealth, while the other moved far to the left of the state's electorate. And that will have major ramifications."

- FIRST IN SCORE - DGA argues Northam has advantage: DGA communications director Jared Leopold argues his party's candidate is position to swamp Republican Ed Gillespie. "Republicans remain deeply divided. Their hand-picked insider candidate barely squeaked out a primary victory over an underfunded Confederate flag enthusiast, who bluntly refused to unite behind Gillespie," he writes. "Democrats have a head of steam: More than 542,000 Democrats turned out to vote in Virginia's open primary, compared to just 366,000 Republicans. Democratic primary turnout in 2017 reached nearly 70% of 2016 presidential primary figures, while Republican turnout hit just over 35%. And Republican nominee Ed Gillespie finished nearly 80,000 votes behind Democratic runner-up Tom Perriello." **Read the full memo here.**

- NARAL argues abortion rights gave Northam the win: NARAL is out with a memo arguing Lt. Gov. Ralph Northam's career-long support of and emphasis on abortion rights was crucial to his victory over former Rep. Tom Perriello in Tuesday night's Virginia primary. "The issue quickly [became] the most salient point of contrast between the two Democratic campaigns," NARAL Pro-Choice America political director Joel Foster wrote. "While both campaigns emphasized their plans to defend abortion access, the candidate who focused his campaign and

much of his career on the fight for reproductive freedom won handily." **Read the full memo here.**

BACK IN THE SADDLE? - "Republican Corey Stewart is eyeing Senate run against Tim Kaine in 2018," by The Washington Post's Laura Vozzella: "Corey Stewart said he might challenge Sen. Tim Kaine in 2018 on Wednesday, one day after he nearly won the GOP primary for Virginia governor in a surprisingly strong showing. 'Kaine is vulnerable,' said Stewart, who on Tuesday finished a little over 1 percent behind former Republican National Committee chairman Ed Gillespie. The Prince William County chairman ran a provocative, Donald Trump-style campaign that focused on the preservation of Virginia's Confederate monuments. He also took a hard line on criminal illegal immigrants, promising to 'lock them up.'" **Full story.**

NEW HOUSE CANDIDATE - Democratic medical researcher Hans Keirstead launches bid against GOP Rep. Dana Rohrabacher: Keirstead, a stem cell researcher and businessman whose work has included treatments for spinal cord injuries and cancer, is kicking off a campaign for CA-48 today. "I'm running for Congress because I believe that innovative thinking and a people-first attitude matter to the constituents of this district," Keirstead said in a release. Rohrabacher's CA-48 went narrowly for Hillary Clinton (48 percent to 46 percent) in 2016. He's not the first Democrat to launch in the district, though: Real estate businessman Harley Rouda is already in the race, too.

Days until the 2017 election: 145.

Days until the 2018 election: 509.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

YOUR DAILY GEORGIA - "U.S. Chamber plans final push for Handel," by the Atlanta Journal Constitution's Greg Bluestein: "The U.S. Chamber is pumping another $150,000 into the race for Georgia's 6th District with plans to target about 42,000 likely supporters of Republican Karen Handel in the final days before Tuesday's vote." **Full story.**

- NEW POLL - Ossoff 50, Handel 47 in Trafalgar survey: The GOP firm's latest IVR survey (June 10-13, 2.9 percentage point margin of error) shows Democrat Jon Ossoff with a narrow 3-point edge. **See the poll results here.**

FIRST IN SCORE - Let America Vote opens first field office in Virginia: The Democratic voting-rights group headed by Jason Kander will announce today that it is opening an office in Manassas "as part of a field operation that will span multiple states supporting voting rights champions running for office. The Manassas office will host field staff who will work to elect challengers and incumbents who support voting rights in state legislative races ... in addition to supporting Ralph Northam for governor. Virginia House of Delegates districts currently being

targeted by Let America Vote include districts 2, 13, 31, 32, 34, 40, 50, 51, 67, and 87."

- ALSO - Progressive Turnout Project announces overlapping set of Virginia targets: The Democratic group will spend $600,000 on turnout efforts in 10 GOP House of Delegates districts carried by Hillary Clinton last year: 2, 13, 21, 31, 42, 50, 67, 72, 73, and 94. PTP is opening three field offices and hiring 25 field organizers dedicated to "turning out likely Democrats who are inconsistent voters." The program will be run as "randomized control trial experiments," per a release.

DONOR MAINTENANCE - "Trump huddled with donors on day of Comey testimony," by POLITICO's Tara Palmeri and Kenneth P. Vogel: "On the same day last week that fired FBI Director James Comey delivered his damaging Senate testimony, President Donald Trump's team summoned about a dozen top donors to the White House to rally support for Trump's agenda. The donors - including Ken Griffin, Doug DeVos, Tom Hicks, Jr., Rebekah Mercer, Todd Ricketts, Tom Saunders, Paul Singer and Dick Uihlein - gathered in the Roosevelt Room on June 8 for a briefing from Trump's legislative director Marc Short, according to a senior administration official and other people familiar with the event. ... It took place just days after Short acknowledged to reporters that the Russia investigations were 'detract(ing) from our legislative agenda' ... a senior administration official said that topics covered during the briefing included health care, tax reform, the confirmation of Supreme Court justice Neil Gorsuch, pending judicial nominations, the Paris climate accord and the Saudi arms sale. '[It was a] "here's what we see as the legislative calendar and how you can be helpful" type of meeting,' the official said." **Full story.**

POLL POSITION - "Quinnipiac poll: Murphy 55-26 Guadagno, Christie approval at 15 percent," by POLITICO New Jersey's Matt Friedman: "New Jersey Gov. Chris Christie now has the lowest approval rating of any New Jersey governor in recorded history, and it's hurting his lieutenant governor's campaign to replace him, according to a poll released Wednesday . The Quinnipiac University poll shows Christie's approval rating among New Jersey voters at just 15 percent, with 81 percent disapproving. Christie's approval rating is the lowest Quinnipiac found for any governor it measured in any state in more than 20 years. ... The poll found [Democrat Phil] Murphy leading [Lt. Gov. Kim] Guadagno by a huge margin, 55 percent to 26 percent," in the gubernatorial race. **Full story.**

TRANSITIONS - EMILY's List hires Emily Cain as executive director: For the first time ever, an Emily will help lead EMILY's List. Emily Cain, a former Maine state legislative leader who lost congressional bids in 2014 and 2016, will replace now-DNC CEO Jessica O'Connell as the group's executive director. "Emily is a leader for progressive change at a moment when the rights, security and well-being of women and American families are under unprecedented assault by the radical and dangerous policies of the Trump administration and GOP," EMILY's List president Stephanie Schriock said. "Emily knows how to fight back. She has been a candidate in tough races and an effective minority leader in the state legislature."

CODA - QUOTE OF THE DAY: "It is clear to me, based on eyewitness accounts, that without these heroes, Agents Bailey and Griner, many lives would have been lost." - House Speaker Paul Ryan, speaking Wednesday about the Capitol Police officers who intervened during the shooting

at the congressional GOP baseball practice early Wednesday morning.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/06/15/virginia-memos-gillespie-says-governors-race-deadlocked-dga-claims-momentum-220852

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From: POLITICO Pro Energy Whiteboard
Sent: Wed 11/15/2017 10:52:28 PM
Subject: State power regulators oppose hefty solar tariffs

By Eric Wolff

11/15/2017 05:50 PM EDT

The National Association of Regulatory Utility Commissioners today approved a measure asking the Trump administration to go easy on trade tariffs for imported solar panels.

The group, a trade association for public utility regulators, approved a resolution at its annual meeting in Baltimore that said it "does not dispute" the U.S. International Trade Commission's finding that cheap imports from China and elsewhere harm U.S. manufacturing, but was concerned about potential trade barriers.

"NARUC is concerned that at least some of the requested trade protections could significantly increase the price of solar panels and therefore the cost of solar electricity generation," the resolution said.

The ITC sent its recommendations for tariffs and quotas to President Donald Trump on Monday. The Office of the U.S. Trade Representative is now taking comments on proposed remedies that it will present to Trump, who will make the final decision.

NARUC "urges the USTR, in its consideration of potential action, to carefully weigh the harm that could result to energy customers from increasing the costs of solar inputs across the country, and the potential challenges to achieving state renewable energy and greenhouse gas goals that may result from higher solar energy prices," the group said.

WHAT'S NEXT: The USTR will take comment until Nov. 20. Trump has until January to make a decision.

Emily Holden contributed to this report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/state-power-regulators-oppose-big-solar-tariffs-095759

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 7/24/2017 7:27:09 PM
Subject: Ebell: EPA eying Koonin for 'red team' climate science review

By Alex Guillén

07/24/2017 03:22 PM EDT

EPA is considering picking Steven Koonin, a top DOE official during former President Barack Obama's first term, to run its "red team" review of climate science, according to Myron Ebell of the Competitive Enterprise Institute.

Koonin suggested the formation of a red team in an April Wall Street Journal piece, where he said such a review "would shine much-needed light on the scientific debates" surrounding climate change. Koonin has long been a critic of climate change science, writing in the Journal in 2014 that the science "is not settled."

Some climate scientists and environmentalists have criticized such a review as giving a minority scientific opinion an outsized voice and laying the groundwork for revoking the 2009 endangerment finding that underlies all of EPA's greenhouse gas regulations.

EPA Administrator Scott Pruitt, who called Koonin's idea "very exciting," has raised the idea of a televised debate.

Ebell, who briefly led President Donald Trump's transition effort at EPA, said today that he is not directly involved in the search but has been told by an "impeccable" source that Koonin is the top choice to lead the climate red team.

A theoretical physicist by training, Koonin was undersecretary for science at the DOE from 2009 to 2011, and since 2012 has been director of the New York University Center for Urban Science and Progress. He previously was chief scientist for BP and provost of the California Institute of Technology.

Koonin did not respond to requests for comment. EPA did not immediately respond to a request for comment today.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/ebell-epa-eying-koonin-for-red-team-climate-science-review-090970

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 7/11/2017 7:55:42 PM
Subject: Pruitt: 'Red team' climate review may be televised

By Alex Guillén

07/11/2017 03:53 PM EDT

EPA Administrator Scott Pruitt said his plans for a "red team" review of climate change science may be televised, according to an interview with Reuters, in which he also accused climate scientists of not answering key questions.

"It is a question about how much we contribute to it. How do we measure that with precision? And by the way, are we on an unsustainable path? And is it causing an existential threat?" he told the wire service.

Pruitt did not elaborate on how scientists would be chosen, but said there should be "a robust discussion for all the world to see." That could include via television, he said, arguing that "the American people would be very interested in consuming that."

The red team review is "not necessarily" the first step toward undoing the 2009 endangerment finding that declared climate change a threat and led to a number of Obama-era climate regulations, Pruitt told Reuters. The service reported that Pruitt believes "there may be a legal basis to challenge the finding but would prefer Congress weigh in on the matter." There are currently at least three pending petitions with EPA seeking to overturn the finding.

Several noted climate scientists have scoffed at the idea of participating in a red team review, saying it would lend unearned legitimacy to the review. The peer-review scientific process and decades of research have provided the necessary review, scientists say.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/pruitt-red-team-climate-review-may-be-televised-090308

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Fri 7/14/2017 10:19:18 AM
Subject: Morning Media: Trump tangles with the media again -- NPR nears strike -- Anti-Trump late night shows dominate Emmy nominations

By Hadas Gold | 07/14/2017 06:16 AM EDT

With Alex Weprin and Cristiano Lima

TRUMP AND THE MEDIA, THE SAGA CONTINUES. Thursday was another day of adventure in the ongoing saga of President Donald Trump's relationship with the media. It started with an hour long off-the-record conversation with reporters aboard Air Force One which was later turned on-the-record, because apparently the President did not realize he was speaking off the record. "This was a group effort - but it began with POTUS asking why his remarks hadn't been published," pooler for the day Maggie Haberman of the New York Times tweeted late Thursday. But only certain excerpts were made available by the White House, which led to the poolers sending out two extra snippets that weren't originally included. In a separate incident, the press were not allowed to witness the President and First Lady give remarks to U.S. embassy staff, while White House staff tweeted out video. At the press conference with French President Macron, President Trump called on a Chinese journalist instead of a second American reporter, as would be customary.

-Trump turning an off-the-record conversation on-the-record, over the objections of his aides, is nothing new. In fact, he's done it with POLITICO reporters during an April Oval Office conversation and with conservative outlets at a reception, also in April. Check out my rundown on the latest Trump-media tiff here.

NPR UNION CONTRACT EXPIRES TODAY AND A STRIKE COULD BE COMING: Becky Sullivan, a producer on All Things Considered and a member of the bargaining team told me that has the situation has not been so dire in recent history at the radio network. "They're setting up the stage for [Friday] to be a dramatic day," Sullivan said. Management came out "swinging for the fences" trying to rewrite the SAG-AFTRA contract line by line, reducing new hire salaries, bringing in a culture of negotiations and more. A federal mediator was brought in this week. Meanwhile, Sullivan said the staff are confused with the harsh approach when management praises them for revenue and audience numbers that are at record levels.

-Staff morale at NPR is "in the dumps," according to White House correspondent Tamara Keith, and for weeks, staffers have taken to the internet in in support of the labor group, highlighting their work through the hashtag #WeMakeNPR and website. It's not clear what will happen to NPR shows if a deal is not worked out tomorrow and there is a strike.

-NPR's statement: "NPR and SAG-AFTRA are having productive discussions with the assistance of a federal mediator and continue to work toward a mutually satisfactory agreement that meets the needs of NPR's employees and our operations. Our goal is to make this organization economically sustainable for the long-term - and, importantly, enable NPR to invest more resources in expanding audiences, innovating its multi-platform journalism, and adding

newsroom staff to meet that growth and support current staff."

Good morning, happy Friday, and welcome to Morning Media! Thank you for all of your welcome notes and tips this first week -- keep them coming! **hgold@politico.com** / **@Hadas_Gold**. **Morning Media** is edited by **Alex Weprin** (**@alexweprin** / **aweprin@politico.com**) and produced with writing/reporting help from **Cristiano Lima**. (**clima@politico.com** / **@ludacristiano**). **Archives**. **Subscribe.**

BBC PARTNERS WITH CBS, ENDING ABC DEAL: The BBC and CBS News unveiled a new partnership Thursday that'll allow the two networks to pool resources and share content across their global platforms. "There's no better partner to strengthen and extend our global coverage than BBC News," said CBS News chief David Rhodes in a statement. The deal, effective immediately, will replace BBC's existing agreement with ABC News, its previous U.S. newsgathering and content-sharing partner. BBC head James Harding praised the network's "long and fruitful" relationship with ABC in announcing the shift.

WOULD CBS BUY CNN? CBS CEO Les Moonves said his company would take a long, hard look at the cable news channel were it to come up for sale... for example if AT&T decided it didn't want to be in the news business after it completed its acquisition of Time Warner. "CNN is a very worthy news organization... it's something that could enhance CBS," Moonves said in an interview with CNBC. "But I don't think that's on the table right now. If it came up later on, it would be something we would look at."

PETER BEINART: TUCKER CARLSON IS A 'GLIMPSE' INTO AN INTELLECTUALLY INTERESTING FOX NEWS: Talk about some backhanded compliments from The Atlantic's Peter Beinart, as he weeds out what he sees as redeeming debates from the newest Fox News' newest primetime star: "In his vicious and ad hominem way, Carlson is doing something extraordinary: He's challenging the Republican Party's hawkish orthodoxy in ways anti-war progressives have been begging cable hosts to do for years ... " [Carlson is] moderating a debate between the two strands of thinking that have dominated conservative foreign policy for roughly a century." And yet, Beinart finds issue with Carlson's dismissing the Trump-Russia issue as a non story saying: "Tucker Carlson can be a provocative, necessary voice on foreign policy. Or he can be an apologist for Donald Trump. He can't be both."

SPEAKER RYAN ASKS FOR NEW DRESS CODE: In case you missed the drama the other week, a report about the strict dress code for the Speaker's Lobby (the area off the House floor where reporters often catch members for interviews) went viral. The dress code for both sexes is rather strict -- no jeans, men must have ties, women must have shoulders covered, etc. I've spoken with reporters who were technically within the rules but were still turned away because they don't look "nice" enough. These rules have been in effect for years, but the uproar over the article has apparently caused House Speaker Paul Ryan to rethink the dress code, my colleague Rachael Bade reports:

-The Wisconsin Republican said in a press conference Thursday he has asked the House Sergeant at Arms to revisit and "update" business dress requirements that bar women from

wearing sleeveless and open-toed shoes. The dress code also requires men to wear jackets and a tie, though that requirement has largely escaped recent criticism ... "Decorum is important, especially for this institution, and a dress code in the chamber and in the lobby makes sense," Ryan said. "But we also don't need to bar otherwise accepted contemporary business attire, so look for a change on that soon."

ANTI-TRUMP LATE NIGHT SHOWS DOMINATE EMMY NOMS: It has been a good year to be a late night comedy host. The Trump administration has reshaped the late night landscape, propelling Stephen Colbert to the top of the heap, and rejuvenating the 42 seasons old "Saturday Night Live" with sharp impressions from Alec Baldwin and Melissa McCarthy. Now the shows are reaping the rewards, or, rather, the awards. Nominees for the 69th Emmy Awards (to be host by Colbert in September) were announced Thursday, and the shows that stuck the sharpest jabs at the president were at the top of the heap. Baldwin, for example, received a nomination for his Trump impression on the late night show.

-"SNL" was in fact tied with HBO's "Westworld" for the most nominations for any TV show, with 22. Colbert was nominated for both his 2016 election night special on Showtime as well as the "Late Show." Among late night talk shows, Colbert was joined by the very political "Last Week Tonight with John Oliver," "Full Frontal with Samantha Bee" and "Real Time with Bill Maher," as well as the less political "Jimmy Kimmel Live" and "Late Late Show with James Corden." "SNL" also had three of the six nominees in the comedy supporting actress category, and three of the six nominees in both guest actor and actress in a comedy. You can see all the nominees here.

NO, THERE WON'T BE A BILLY BUSH SHOW ON FOX - at least not yet. A network spokesperson quickly shot down a report in the Daily Mail on Thursday afternoon that the former NBC host, famous for being the only one who lost a job as a result of the Access Hollywood tape (the other guy is our president), is getting a deal with them. Daily Mail claimed he was going to be hosting a "Top 30" show that would air on Fox broadcast stations, but a spokeswoman for Fox said it wasn't true. Daily Mail later updated their story to say that he was in talks with Fox for another role, but we're also being told that's not true.

ARE THE MERCERS FUNDING MILO? A BuzzFeed investigation says possibly: "Leaked documents, including a promissory note and emails, as well as conversations with several people familiar with the matter, strongly imply that the Mercers funded Yiannopoulos following his resignation from Breitbart News after video surfaced in which he appeared to condone pedophilia. Together, they suggest that the financiers of the new conservative politics aren't simply interested in protecting their money, but in winning a brutal new culture war waged largely online."

-And despite dumping him, Breitbart is back in love with Milo, The Daily Beast reports. The site excerpted his book, hosted him on their radio show and on and on.

SOUNDBITE: "A number of you have asked me about whether POTUS said "cray" or if it was a typo and was actually 'crazy.' It was a [White House] typo. He did not say "cray." [Maggie Haberman pool report]

REVOLVING DOOR:

-- The New Yorker has tapped Dan Oshinsky to lead their growing newsletter platform. Oshinsky has has led BuzzFeed's expansion into the popular daily emails since 2012.

-- New York Magazine is adding Ezekiel Kewku and Benjamin Hart to its news and politics team over at the Daily Intelligencer. Kweku, recently with MTV News, will help expand the Intelligencer's coverage as a politics editor, while Hart will cover national politics as a writer.

-- **National Journal's Andrea Drusch is getting back in touch with her roots,** and will soon cover politics from Washington for the Ft. Worth Star-Telegram (she's also a POLITICO alumna, congrats Andrea!) [Twitter]

TIL: There's a war going on over Gwyneth Paltrow's lifestyle brand Goop.

EXTRAS:

-- ProPublica got their hands on some wild emails from Trump's lawyer, who later said he'd be apologizing for what he said in them. [ProPublica]

-- A GOP operative committed suicide days after talking to The Wall Street Journal about effort to get Hillary Clinton emails from Russian hackers [Chicago Tribune]

-- The president loves Seb Gorka getting into it with television anchors [Axios]

-- Donald Trump Jr. is on the cover of the next issue of Time: "Red Handed" [Time]

-- For all things Paris, Trump turns to his trusted friend Jim. But does he exist? [Associated Press]

-- Two Tribune-owned TV stations in Denver are wary of a political right-turn should Sinclair Broadcasting Group be successful in their bid to purchase their parent company. [The Denver Post]

-- How pro-Trump media figures spread a Russian lawyer-linked conspiracy theory all the way to the White House. [BuzzFeed]

-- Jared Kushner urged the White House press shop to go into combat mode over the latest Russia scandal twist, but they declined. [POLITICO]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/07/14/trump-tangles-with-the-media-again-npr-nears-strike-anti-trump-late-night-shows-dominate-emmy-nominations-001310

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Subject: July 26 -- Energy and Climate Report

Energy and Climate Report

July 26, 2017 - Number 143

News

Biofuels

Trump Is Selling Out the Midwest, Biofuel Industry Says

As a presidential candidate, Donald Trump spent a lot of time currying the favor of the ethanol industry, barnstorming its rural Midwest base and repeatedly expressing his support for biofuels made from corn and soybeans. He was rewarded in November: Of the 184 counties with an ethanol plant in the U.S., 95 percent voted for Trump, according to data compiled by the Renewable Fuels Association. As president, Trump has continued to pledge that he'll protect the Renewable Fuel Standard, ...

Climate Change

Children's Climate Lawsuit Paused Pending Ninth Circuit Review

A novel lawsuit by a group of young people seeking to force the federal government to act on climate change may be in jeopardy after a federal appeals court stepped in to halt the case.

Climate Change

How Climate Change Can Get You Sued

The climate is changing and are so are the legal risks it will pose.

Coal Mining

Environmental Group Widens Suit Over Secrecy on Coal Leasing

An environmental group is widening its legal case against the Trump administration over its allegation that the administration kept secret its bid to reopen the federal coal leasing program.

Emissions Trading

Now California Needs to Cap Costs While it Caps Carbon

Now that California has extended its carbon dioxide trading program through 2030 businesses are waiting to see how state regulators plan to keep compliance costs down.

Energy

New York Nuclear Subsidies Upheld by Federal Court

Dynegy Inc., NRG Energy Inc. and certain other power generators have lost their bid in federal court to overturn New York's controversial nuclear subsidies and plan to appeal.

Energy

Petronas Deals Fresh Blow as World Exits Canada's Energy Patch

Petroliam Nasional Bhd.'s decision to back out of a giant gas-export project on Canada's

Pacific Coast is the latest hit to the country's energy sector—and to Prime Minister Justin Trudeau's plan of balancing energy exports and climate action.

Forests

Brazil Directive Could Fuel Land Grabbing, Deforestation in Amazon

A new government directive will paralyze the creation of new indigenous reserves in Brazil and fuel land-grabbing and deforestation, especially in the Amazon rainforest, environmental and Indian rights groups say.

Import Policy

Brazil Postpones Decision on Imposing Tariffs on Imported Ethanol

Brazil postponed a decision on whether to impose tariffs on ethanol imports, with the country's Chamber of Foreign Trade (Camex) choosing to discuss the matter in 30 days, a spokeswoman at the Ministry of Development, Industry, and Foreign Trade told Bloomberg BNA July 25.

Oil & Gas

Fisheries Service Hears Pros, Cons on Atlantic Seismic Surveys

Five oil and gas service companies are awaiting decisions by the National Marine Fisheries Service on their proposals for Atlantic offshore seismic surveys that could harm whales and other marine life.

Renewable Energy

Bill to Speed Wind, Solar Licensing Clears House Committee

Wind and solar projects on public lands could get quicker federal approval under legislation approved by the House Natural Resources Committee July 26.

Renewable Energy

Israel Boosts Green Energy After Missing 2014 Targets

Israel hopes to boost its solar power industry after its parliament approved tax breaks for companies that manufacture photovoltaic panels and trimmed away bureaucratic hurdles.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
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Subject: June 26 -- Daily Environment Report



Daily Environment Report

June 26, 2017 - Number 121

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Leading the News

Chemicals
EPA Risk Rules Give Parties More Time to Submit Chemical Data
Two final chemical rules the EPA issued June 22 gave manufacturers and other parties more time to submit information to influence whether the agency reviews a chemical's risks and the conclusions it reaches.

Courts
Property Rights Curbed by Top U.S. Court in Development Case
The U.S. Supreme Court dealt a blow to property-rights advocates June 23, ruling that regulators didn't violate the U.S. Constitution when they refused to allow separate houses on adjoining riverfront lots owned by four siblings.

General Policy
Week Ahead: Alaska Senator Has Dual Clout on Environment, Energy
Sen. Lisa Murkowski (R-Alaska), who chairs the Energy and Natural Resources Committee, also has clout on environmental matters—and she'll make her influence felt at a Tuesday hearing that's one of numerous events in those areas during the week of June 26.

News

Chemical Security
Groups Seek Injunction to Halt Chemical Facility Rule Delay
Labor unions and environmental and public health organizations are asking a federal judge to issue an emergency injunction blocking an EPA move to delay new chemical facility safety regulations until 2019.

Chemicals

Better Coordination on Risk Review Tools Needed at EPA: Watchdog

The EPA's Office of Chemical Safety and Pollution Prevention needs better coordination with agency researchers on computer-based tools that are urgently needed to assess chemical risks, the Office of the Inspector General found.

Duty to Indemnify

ASARCO Can't Recoup for Lead Paint Cleanup at Superfund Site

ASARCO can't recover from its insurer any of its costs of cleaning up soil contaminated with lead under a Superfund settlement with the federal government, a New York appeals court ruled (ASARCO LLC v. Superintendent of Fin. Servs. of N.Y., 2017 BL 214178, N.Y. App. Div., 41294/864357N, 6/22/17).

Endangered Species

German Bill May Ease Construction on Land With Protected Species

The lower house of the German Parliament, the Bundestag, passed a bill late June 22 amending the country's Federal Act for the Protection of Nature, making it easier for construction projects to move forward even if they threaten protected species.

Energy

U.K. Told Nuke Plant Subsidies May Spiral Past $38 Billion

Britain's first new nuclear plant in a generation may cost consumers 30 billion pounds ($38 billion) or more in higher electricity costs, five times more than ministers had expected, the government's auditor warned.

Enforcement

Ohio Refiner to Pay $13 Million for Air Pollution Violations

An Ohio petroleum refinery will pay $1 million in penalties and spend nearly $12 million on pollution controls and environmental projects for alleged violations of the Clean Air Act.

Enforcement

Plea Bargains Top Agenda of Brazil's New Antitrust Regulator

Ensuring legal security to plea bargain deals signed with companies is the top priority for Brazil's antitrust regulator, its new boss told Bloomberg.

Forests

Norway Slashes Contribution to Anti-Deforestation Amazon Fund

Norway, which has donated more than $1 billion in the past decade to the Amazon Fund to fight deforestation, will significantly scale back its contribution this year, arguing that Brazil's commitment to environmental protection "might be in retreat."

Mergers and Acquisitions

EnergySolutions, Waste Control Specialists Won't Appeal Merger Block

Valhi Inc., the owner of Waste Control Specialists LLC, said in a statement June 23 that it won't appeal a federal trial court judge's decision to block its merger with rival radioactive waste disposal firm EnergySolutions Inc.

Motor Vehicles

Deal Ending Ford Explorer Exhaust Suit Gets Final OK

Ford Motor Co's nationwide class settlement with owners of 2011-15 Ford Explorers with exhaust problems received final court approval (Knutson v. Ford Motor Co., S.D. Fla., No. 0:14-cv-61344-WPD, 6/20/17).

Pesticides

Arkansas Board Passes Dicamba Ban

The Arkansas State Plant Board voted June 23 to pass a proposed emergency rule to ban the use of in-crop dicamba, with an exemption for pastureland, and to expedite the rule increasing civil penalties for misuse of the common pesticide.

Pesticides

Monsanto Says Roundup False Label Suit Meritless

Monsanto Co. said June 23 it will zealously defend a proposed class suit alleging it falsely advertises Roundup by saying the weed killer's active ingredient, glyphosate, doesn't affect humans or pets (Blitz v. Monsanto Co., W.D. Wis., No. 17-00473, complaint filed 6/20/17).

Renewable Energy

Tembo Power Proposes New Hydro Solution for Congo Copper Mines

Africa-focused energy company Tembo Power Ltd. is proposing a new approach to address the electricity shortfall in the Democratic Republic of Congo.

Renewable Energy

World's Biggest Wind Turbine Maker Sets Sights on New Markets

The chief executive officer of Vestas Wind Systems A/S says the world's biggest wind turbine maker wants to expand in the Middle East and the Asia Pacific region as it taps into growing demand for renewable energy in new markets.

Water Pollution

Pennsylvania Lawmakers Target Water Commission Over Fees

An interstate agency overseeing Susquehanna River water quality is under fire by a group of Pennsylvania State House Republicans who accuse it of regulatory overreach and have vowed to reduce its power and funding.

White House

Tech in One Hand, Overhaul in Other, Trump Tackles Government

President Donald Trump's plans to use new technology to modernize the federal government—claiming $1 trillion in savings and better services—may outstrip his proposal to overhaul agencies to make them more effective.

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Daily Environment Report for EPA

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From: POLITICO
Sent: Sun 7/16/2017 2:26:54 AM
Subject: BREAKING NEWS: McConnell: Senate to 'defer' on Obamacare repeal vote

The Senate will "defer" consideration of its attempt to repeal and replace Obamacare, said Senate Majority Leader Mitch McConnell on Saturday night. The announcement follows Sen. John McCain's surgery that will keep him away from Washington next week. The bill has two GOP senators in opposition already and likely would have failed to advance with McCain's absence.

Read more: http://www.politico.com/story/2017/07/15/mcconnell-senate-to-defer-obamacare-repeal-vote-240596

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Subject: Latest News: Nations Mull Trade Response To Expected Trump Move To Leave Paris Deal

June 1, 2017

Latest News

Nations Mull Trade Response To Expected Trump Move To Leave Paris Deal

Other countries are starting to mull their response to an expected United States decision to withdraw from the Paris climate change agreement, including potential trade penalties on U.S. goods or other measures to respond both politically and economically, according to observers.

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From: POLITICO Pro Energy
Sent: Wed 5/24/2017 9:45:37 AM
Subject: Morning Energy, presented by POET: Will climate change pop up as Trump, Pope meet? — Fiat sued in latest emissions cheating scandal — Trump taps another for DOE role

By Anthony Adragna | 05/24/2017 05:42 AM EDT

With help from Anca Gurzu and Esther Whieldon

ON THE ROAD TO ... ST. PETER'S: All eyes turn to Vatican City this morning where Pope Francis and President Donald Trump are meeting for the first time. Of course, the two hold starkly different views is climate change — Francis wrote an entire encyclical urging action to confront the problem while Trump has dismissed it as a Chinese hoax — and many observers expect the issue to come up in their discussions as U.S. weighs whether to pull out of the Paris agreement. Archbishop Marcelo Sánchez Sorondo, chancellor of the Pontifical Academy of Sciences, told an Italian news agency last week he thought the pope might be able to influence Trump on the issue. "This president has already changed about several things, so perhaps on this as well," he said. The pope, for his part, said he didn't have a strategy to sway Trump on any political issue: "We'll talk, each of us will say what he thinks. Each of us will listen to the other," Francis said on May 13, according to Bloomberg.

ME FIRST — Democrats urge Trump to stick with Paris: Forty Senate Democrats, led by Senate Minority Leader Chuck Schumer, are sending a letter to Trump this morning urging him not to abandon the 2015 Paris agreement on climate change. "Backing out of the Paris Agreement now, after the years of painstaking negotiations and strong U.S. leadership it took to get the world to this point, would be a self-inflicted injury to America's credibility and influence on the world stage," they wrote. Schumer, as well as Democratic Sens. Tom Carper, Maria Cantwell, Ben Cardin, Sheldon Whitehouse, Brian Schatz, and Ed Markey, will hold a press conference in the Capitol at 10 a.m.

Meanwhile, the European Union, China and Canada have agreed to co-host a global ministerial gathering in September to move the Paris agreement foward, Climate Action and Energy Commissioner Miguel Arias Cañete tweeted Tuesday evening. "The three parties agree on the need for urgent climate action and are ready to lead the way," he said in a statement. "No one should be left behind but our message today is very clear: we are moving ahead."

U.S. allies are frustrated by Trump's vague stances on climate change and trade in the days preceding the G-7 summit in Taormina, Italy on Friday and Saturday this week, POLITICO's Tara Palmeri reports. The lack of clarity on those matters is holding up the crafting of the formal statement usually released at the end of the conferences. "Trade and climate are holding up the communique," a senior French official said.

BUDGET URGES EVEN CHEAPER ENERGY: Don't expect many oil, natural gas and power producers to jump aboard the Trump budget's calls for even lower energy costs as they continue to struggle with the soft prices for their products and as the U.S. energy burden for most households is at its lowest level in decades, Pro's Ben Lefebvre and Darius Dixon report .

Tuesday's document explicitly makes the call "for strengthening our national security, lowering the price of electricity and transportation fuels, and driving down the cost of consumer goods so that every American individual and business has more money to save and invest."

But oil producers are just regaining their footing after prices rebounded from lows in the mid-$20s per barrel early last year. "Closing your eyes and keeping your fingers crossed that the market will always move in one direction with fossil fuels — which, in essence, is what the Trump administration proposes with this budget — is not what any smart business person or political leader would pin their future economic hopes to," Josh Freed, Third Way's vice president for clean energy, said. Not to mention that if oil price do sink, sustained low prices could stall the deployment of new technologies, such as electric cars, potentially putting the U.S. at risk of falling behind the rest of the world.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and the Nuclear Energy Institute's Robert Powers was first to identify Rep. Darrell Issa as the wealthiest current member of Congress. For today: Just two U.S. vice presidents have ever resigned. Who are they? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

NON VA BENE: Fiat Chrysler faces potentially billions of dollars in fines after DOJ accused the company of selling almost 104,000 diesel vehicles equipped with software designed to cheat on emissions testing, Pro's Alex Guillén reports. Fiat Chrysler faces fines of $37,500 to $45,268 per vehicle sold, along with further penalties for each undisclosed software device and reporting violations.

The automaker flatly denied the accusations. "The company intends to defend itself with strength especially against the accusations that it has deliberately planned to install manipulative technology to apply to U.S. emission tests," Fiat said in a statement. As POLITICO Europe's Joshua Posaner reports, Fiat said it has cooperated with an ongoing investigation by EPA and the California Air Resources Board.

TRUMP TAPS ANOTHER FOR DOE POST: David Jonas, a partner at the Virginia law firm Fluet, Huber and Hoang since 2016, has been tapped by the Trump administration to be general counsel at DOE, Pro's Alex Guillén reports . He was previously general counsel for the National Nuclear Security Administration, DOE's nuclear security arm, from 2001 to 2010, and then general counsel for the Defense Nuclear Facilities Safety Board, an independent agency that advises DOE on nuclear defense facilities, from 2012 to 2014. Expect a confirmation hearing in the Senate Energy and Natural Resources Committee sometime after the Memorial Day recess.

** **A message from POET - one of the world's largest ethanol producers:** With scientists and engineers, POET operates 30 biofuel facilities & America's first cellulosic biofuel plant. We produce a cleaner fuel for millions of drivers, every day. We're POET and we're driving innovation, from the ground up. Learn more here. **

PRUITT SPEAKS: Look for EPA Administrator Scott Pruitt to deliver keynote remarks today at noon during an energy symposium hosted by Faegre Baker Daniels Consulting. Also worth

flagging: Pruitt's expected No. 2 EPA pick, Andrew Wheeler, is slated to deliver closing remarks at 3 p.m., after FERC Commissioner Tony Clark speaks on a panel entitled "The Future of the Electric Grid" at 2 p.m.

This is weird: Pruitt tweeted he met with Rep. Fred Upton, chairman of the Energy and Commerce Energy Subcommittee, about "the importance of protecting the Great Lakes" during a Wednesday meeting. That came after Trump's budget zeroed out the $300 million program cleaning up the Great Lakes. In addition to Upton, Pruitt also mentioned meetings with California Democrat Rep. Jim Costa and the Congressional Western Caucus.

TOP DEMOCRAT PUSHES FOR ETHICS WAIVERS: Schumer said on Tuesday he pressed OMB Director Mick Mulvaney to releases copies of waivers the Trump administration granted to former lobbyists to get around their ethics pledge. That came after the White House sent a letter to Walter Shaub Jr., the head of the Office of Government Ethics, asking him to withdraw a request for those waivers. "There is absolutely no excuse for the Administration to keep these waivers from the OGE or the American people," Schumer said in a statement. "[Mulvaney] assured me that he would take my concerns under consideration — I hope they make this change for the good of our country."

PESTICIDES BILL ON THE FLOOR: Expect House floor action today on legislation — the Reducing Regulatory Burdens Act (H.R. 953) — that would exempt pesticide applicators from needing a Clean Water Act permit for spraying over water. It's broadly opposed by most Democrats as well as the environmental and public health communities. Similar legislation cleared the House in May 2016.

ZINKE TEES UP INTERIOR REORG: Look for proposals in the next couple of months aimed at reorganizing the Interior Department, Secretary Ryan Zinke said Tuesday. As Pro's Esther Whieldon and Annie Snider report, he hopes to increase coordination on issues like wildlife corridors, watersheds and trail systems that span multiple federal agencies, as well as state and local ones. "I view this as a century reorganization to look at how best to manage, protect, use our public lands in the next 100 years given that we have a number of challenges," Zinke said during a conference call.

ANOTHER PUBLIC KEYSTONE MEETING SCHEDULED: The Nebraska Public Service Commission announced Tuesday it would hold an additional public meeting on June 7 on the Keystone pipeline's proposed route through the state. That meeting will be held in O'Neill, Neb., from 1 to 8 p.m. "We recognize the emotion and conviction surrounding this application," Jeff Pursley, executive director of the commission, said in a statement. The notice said even more meetings are possible and a public hearing on the application will be held sometime during the week of Aug. 7-11 at the Lincoln Marriott Cornhusker Hotel.

TAKING AIM AT SUE AND SETTLE: Two House Oversight subcommittees today receive testimony on "sue and settle" agreements, in which federal agencies agree to regulatory actions as part of settlement deals with outside groups. Republicans have long contended that Democrats and greens engaged in the practice, which they say imposes significant economic burdens on regulated industries without giving them an opportunity to participate in the process. The hearing

gavels in today at 2 p.m. in Rayburn 2154.

PANEL EXAMINES NATURAL RESOURCES LAWS: The House Natural Resources Subcommittee on Oversight and Investigations holds a hearing this morning on the implementation of the Indian Reorganization Act of 1934, the Wilderness Act of 1964, and the Federal Land Policy and Management Act, paying special attention to "instances where federal agencies' application of these three federal laws has strayed beyond their original purposes and intent." Chairman Raul Labrador kicks things off today at 9 a.m. in Longworth 1324.

SOLAR PANEL TRADE PROBE LAUNCHED: The U.S. International Trade Commission announced Tuesday it would take the first step in investigating U.S.-based solar cell manufacturer Suniva's request for trade tariffs to protect the manufacturing sector, Pro's Esther Whieldon reports . Suniva argues a flood of cheap solar panel modules and cells, mainly from Chinese companies, are severely harming its business. In a statement, the Solar Energy Industries Association pledged to "remain at the forefront of the opposition to Suniva's requested remedies."

INTERIOR REVIEWING PAST MOUs: The Interior Department late Monday ordered assistant secretaries to have their agencies report by June 2 on any memorandum of understanding or memorandum of agreement they signed last year and until Trump's January inauguration that "are high level and national or regional and represent a commitment of resources or memorialize policy direction," according to a copy of the email obtained by ME. Zinke has ordered a full review of the agency's actions under the last administration. Among those that could be targeted are Interior's MOU with Mexico on resource management, its MOU with California to coordinate on renewables and a multi-agency MOU creating a wildland fire leadership council.

FERC LOOKS FOR MORE INPUT ON MARKET DESIGN: FERC staff is asking for additional comments following up on an early May technical conference on how the agency should design long-term solutions to problems facing the three Eastern power markets. FERC will be accepting comments for 30 days.

LAWSUIT SEEKS CLIMATE CENSORSHIP RECORDS: The Center for Biological Diversity filed another lawsuit against the Trump administration Tuesday seeking public records showing federal employees at DOE, EPA, Interior and State have been barred from using climate change-related terms in official communications. "Just as censorship won't change climate science, foot-dragging and cover-ups won't be tolerated under the public records law," CBD's Taylor McKinnon said in a statement.

MAIL CALL! SENATORS URGE CAREFUL MONUMENT REVIEW: Twenty-three Republican senators urged Zinke to "keep all remedies on the table as you consider how to correct past abuses of the Antiquities Act" and ensure a "more measured approach" is taking moving forward with monument designations. Meanwhile, Sen. Cory Gardner and Rep. Scott Tipton urged Zinke in their own letter not to make any changes to the designation of the Canyons of the Ancients National Monument in Southwest Colorado.

RELEASE THE FUNDS: Fifty-eight Democratic congressmen, led by Don Beyer, Paul Tonko and Anna Eshoo, sent a letter to Energy Secretary Rick Perry Wednesday seeking the immediate release of funds for previously approved ARPA-E projects and more information on existing procedures for approving and funding grants. "Agencies may not thwart the intent of Congress by withholding or impounding funds directed for a specific purpose," they wrote.

REPORT: GOVERNMENT GIVING BILLIONS IN DRILLING SUBSIDIES: A collection of environmental groups led by Oil Change International today released a report finding the government provides at least $7 billion per year in subsidies to support fossil fuel production on federally held lands and offshore waters. It argues the fossil fuel leasing program on public lands should be phased out, among other recommendations.

REPORT: CLIMATE LITIGATION ON THE RISE: The number of countries with active litigation over climate change has tripled since 2014 and there are three times as many cases involving the issue in the U.S. than the rest of the world combined, according to a report out Tuesday from the United Nations Environment Programme and Columbia Law School's Sabin Center for Climate Change Law. "Judicial decisions around the world show that many courts have the authority, and the willingness, to hold governments to account for climate change," Michael Burger, executive director of the Sabin Center, said in a statement.

MOVER, SHAKER: Andrew Malcolm has become a manager of public advocacy at Exelon; he was previously with Rep. Greg Walden for seven years.

SEEN AROUND TOWN: At the Hall of States for the Large Public Power Council's 30th Anniversary reception Monday: Sen. Cory Gardner (R-Colo.); acting FERC Chairman Cheryl LaFleur; former Sen. Mary Landrieu (D-La.); former Rep. Norm Dicks (D-Wash.); Tom Kuhn, president of Edison Electric Institute; Sue Kelly; president and CEO of the American Public Power Association; and John Di Stasio, president of the LPPC (h/t POLITICO Influence).

QUICK HITS

— Trump's Interior Secretary Took Time To Discuss The Border Wall With A Far-Right Troll. Huffington Post.

— State appeals court rules Exxon must give records to NY prosecutor. Reuters.

— The Rise of the Amateur Oil Sleuths. Wall Street Journal.

— FERC Will Not Delay Pipeline At Senators' Urging. New England Public Broadcasting.

— Hit Hard by Coal's Decline, Eastern Kentucky Turns to Drones, Tomatoes, Solar Energy. Wall Street Journal.

— While wrangling over undoing Bears Ears continues, treasures go unprotected. Salt Lake Tribune.

— Tackling climate change will boost economic growth, OECD says. CNBC.

HAPPENING TODAY

9:00 a.m. — House Natural Resources subcommittee hearing on federal natural resource laws, 1324 Longworth

9:15 a.m. — Report release on the state of American cities, National League of Cities Office, City-County Leadership Center, 660 North Capitol St. NW

10:30 a.m. — House Energy and Water Subcommittee Appropriations hearing on the FY2018 budget request, 2362-B Rayburn

10:30 a.m. — "Energy & Environmental Symposium: What Can We Expect From the New Administration and Congress?" Faegre Baker Daniels, The City Club of Washington, 555 13th Street NW

10:30 a.m. — "Corps of Engineers (Civil Works) and the Bureau of Reclamation FY 2018 Budget Requests," House Appropriations Energy and Water Subcommittee, 2362-B Rayburn

1:00 p.m. — "The Kremlin's Gas Games in Europe: Implications for Policy Makers," The Atlantic Council, 106 Dirksen

2:00 p.m. — "High Risk American Indian and Alaska Native Programs (Education, Healthcare, Energy)," House Appropriations Committee's Interior, Environment, and Related Agencies Subcommittee, 2007 Rayburn

2:00 p.m. — "Examining 'Sue and Settle' Agreements: Part 1," House Oversight and Government Reform subcommittees, 2154 Rayburn

2:30 p.m. — "Department of Energy Atomic Energy Defense Activities and Programs," Senate Armed Services Committee's Strategic Forces Subcommittee, G50 Dirksen

3:00 p.m. — Deutch, Curbelo Host Climate Solutions Caucus Meeting on Coastal Issues, 2020 Rayburn

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** **A message from POET - one of the world's largest ethanol producers:** With scientists and engineers, POET is a biofuels company built from innovation. POET operates 30 biofuel facilities across eight states & America's first cellulosic biofuel plant. Across the country, we support 40,000 renewable energy jobs producing a cleaner fuel for millions of drivers, every day. We are securing a cleaner future for all of us. We're POET and we're driving innovation, from the ground up. Learn more here. **

To view online:

https://www.politicopro.com/tipsheets/morning-energy/2017/05/will-climate-change-pop-up-as-trump-pope-meet-022979

Stories from POLITICO Pro

Trump's budget calls for even cheaper energy Back

By Ben Lefebvre and Darius Dixon | 05/23/2017 06:47 PM EDT

President Donald Trump's budget proposal released Tuesday says lowering energy costs must be a national priority to benefit U.S. households — but that call's likely to fall flat with many oil, natural gas and power producers that have been struggling with the weak prices for their products in recent years.

And the call to lower energy prices, which follows Trump's campaign promises to boost U.S. oil and gas output, seems to overlook data that shows the energy burden for most households is at its lowest level in at least 25 years.

Since taking office, the Trump administration has moved to open up new lands and offshore areas for drilling, approved the Keystone XL and Dakota Access pipelines and removed Obama-era rules that the industry has complained stood in the way of its growth.

And Tuesday's budget calls for increasing energy production explicitly "for strengthening our national security, lowering the price of electricity and transportation fuels, and driving down the cost of consumer goods so that every American individual and business has more money to save and invest."

But U.S. oil producers have been breathing a sigh of relief since oil prices rebounded from lows in the mid-$20s per barrel early last year. That selloff triggered a wave of bankruptcies and tens of thousands of layoffs in the industry. Now, with oil prices hovering near $50, oil producers have resumed drilling new wells, raising expectations that production could reach record levels next year — even as retail gasoline prices hover near $2.36 a gallon.

"When oil prices were high and U.S. economy was weak — at $100 a barrel and 10 percent unemployment — upstream jobs made a big difference," said Kevin Book, an analyst at ClearView Energy Partners. "Now that oil prices are low and the economy is stronger — $50 a barrel and 5 percent unemployment — policy emphasis appears to have returned to its usual focus: end-users."

The White House is also seeking to sell much of the nation's Strategic Petroleum Reserves. Trump's budget would put 270 million barrels of oil on the market, a move the White House says could shave $16.6 billion off the federal deficit over the coming decade by selling half the inventory the Energy Department holds for emergencies. However, in this case, the budget takes a bullish stance for oil prices: To reach the deficit reduction goal, DOE would have to sell the oil at more than $61 a barrel, 20 percent higher than the current price.

In the power sector, retail electricity prices in the U.S. have been rising steadily over the past two decades — but they have lagged inflation, shrinking their hold on household budgets.

In fact, Americans in 2015 spent the smallest share of their income on energy since the Energy Information Administration started tracking the number in 1992. U.S. consumers are spending less than 6 percent of U.S. GDP to buy electricity, gasoline, natural gas and other fuels, according to EIA statistics, down from nearly 10 percent in 2008.

Many power producers have struggled as demand growth for electricity flattened out in recent years, and as cheap wind and solar power — as well as plentiful natural gas — cut deeply into the profits of nuclear and coal-fired power over the past decade. In the West, solar power has made electricity in California so inexpensive that it's even thrown the economics of some gas-fired power plants there into question and the state has resorted to shipping excess electricity across state lines.

Meanwhile, several states across the Midwest to the East Coast have seen power prices fall to their lower point since the decade began, fueled in large part by the rising flow of natural gas. The prices are so low that some utilities and power companies with large "baseload" facilities have pressed states and federal regulators to craft new market rules the industry hopes will provide more cash for those big plants.

The American Petroleum Institute, American Fuel and Petrochemical Manufacturers and the Edison Electric Institute declined to comment on the Trump budget call for lower prices.

While voters and lawmakers alike lament spikes in gasoline prices, sustained low prices can also stall the deployment of new technologies, such as electric cars, potentially putting the U.S. at risk of falling behind the rest of the world and missing a big trade opportunity.

"There's an enormous emerging market in China for electric vehicles. Do we want to be exporting to China?" said Josh Freed, Third Way's vice president for clean energy. "It wouldn't appear so from this budget."

Trump's budget also leans too heavily on cost factors while ignoring the need to sustain a mix of energy sources on the electric grid that are also clean, Freed said.

"Leaving it to one or two cheapest-at-the-moment commodities is a very, very risky bet for the future of the American economy, our ability to create jobs and American security," he said. "Closing your eyes and keeping your fingers crossed that the market will always move in one direction with fossil fuels — which, in essence, is what the Trump administration proposes with this budget — is not what any smart business person or political leader would pin their future economic hopes to."

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EPA sues Fiat Chrysler over emissions cheating allegations Back

By Alex Guillén | 05/23/2017 03:49 PM EDT

The Justice Department and EPA today sued Fiat Chrysler, contending the automaker sold almost 104,000 diesel vehicles equipped with software designed to cheat on emissions testing, threatening the Italian-owned company with billions of dollars in fines.

The agencies first went public with their allegations in January, when Obama-era officials demanded Fiat Chrysler explain whether its "auxiliary emission control devices" were acting as defeat devices on Ram 1500 and Jeep Grand Cherokee models.

Those defeat devices, consisting of at least eight software features that were undisclosed to EPA during the company's certification process, boost performance under real-world driving conditions by increasing nitrogen oxide emissions, according to DOJ.

Fiat Chrysler faces fines of $37,500 to $45,268 per vehicle sold, along with further penalties for each undisclosed software device and for reporting violations, which could add up to billions of dollars.

Fiat last week said it was in talks with the DOJ to settle the allegations, though today's filing does not indicate the parties have reached a deal. DOJ said in a release the talks continued but that timing was unclear.

Fiat on Friday announced it has taken a first step toward getting its 2017 model year diesel vehicles approved by EPA and the California Air Resources Board, and will install updated emissions software in 2014-2016 vehicles.

The Fiat allegations come after Volkswagen settled its own emissions cheating scandal for a record $4.3 billion.

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Trump to tap nonproliferation expert as DOE's top lawyer Back

By Alex Guillén | 05/23/2017 05:55 PM EDT

President Donald Trump plans to nominate David Jonas to be the Energy Department's general counsel, the White House announced today.

Jonas, a partner at the Virginia law firm Fluet, Huber and Hoang since 2016, was also a DOE landing team member and is an expert on nuclear nonproliferation.

He previously served as the general counsel for the National Nuclear Security Administration, DOE's nuclear security arm, from 2001 to 2010, according to his LinkedIn page. From 2012 to 2014, Jonas was general counsel for the Defense Nuclear Facilities Safety Board, an independent agency that advises DOE on nuclear defense facilities.

Jonas's resume also includes a year as DOE's director of legal strategy and analysis and a year as a vice president at the Pentagon Federal Credit Union. He holds advanced law degrees in military law and international law.

Jonas's wife, Tina Jonas, served as chief financial officer for the FBI under Robert Mueller and later as CFO and under secretary of Defense from 2004 to 2008.

WHAT'S NEXT: The Senate Energy and Natural Resources Committee likely will schedule a hearing on his nomination for sometime after Congress returns from its Memorial Day recess in early June.

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Sources: Trump expected to tap Wheeler as EPA deputy Back

By Andrew Restuccia, Alex Guillén and Anthony Adragna | 03/16/2017 08:00 PM EDT

President Donald Trump is expected to tap Andrew Wheeler, a coal lobbyist and former aide to Sen. Jim Inhofe, to be deputy administrator of the Environmental Protection Agency, sources familiar with the hiring process told POLITICO.

Sources cautioned that the decision has not yet been finalized, but they said Wheeler is expected to get the job. It's unclear when Trump will make the announcement, but one source said it could be weeks before Wheeler is officially tapped.

Wheeler worked as an EPA staffer earlier in his career. He later joined Inhofe's Senate office and then spent more than a decade as a Republican staffer on the Senate Environment and Public Works Committee, where he worked on several major pieces of legislation, including the 2005 and 2007 energy bills.

He has worked at the law firm Faegre Baker Daniels since 2009. He now co-leads the firm's energy and natural resources practice.

Wheeler is a registered lobbyist for Murray Energy, the nation's largest privately owned coal company, which regularly filed lawsuits against the Obama administration over its environmental regulations.

As a lobbyist, Wheeler may need to obtain a waiver to serve at the EPA.

Trump signed an executive order in January that bars registered lobbyists from participating in "any particular matter" on which they lobbied in the past two years. Those lobbying restrictions last for two years from the time the person joins the administration.

But the executive order says the administration can grant "any person a waiver of any restrictions" in its ethics and lobbyist requirements. Unlike an order signed by former President Barack Obama in 2009, Trump's executive order doesn't require public disclosure of the waivers.

Aside from Murray, Wheeler also lobbies on unspecified energy and energy efficiency issues for Underwriters Laboratories, an Illinois-based lab company, and on agricultural issues for cheese maker Sargento. His former clients include Xcel Energy and Bear Head LNG, as well as a cooking oil-recycling company, an auto auctioner and a medical isotope coalition.

Wheeler won't be the only energy lobbyist to join the Trump administration. Mike Catanzaro, a lobbyist at the firm CGCN Group whose clients included several fossil fuel companies, took a job at the White House last month as an energy and environmental adviser at the National Economic Council. Catanzaro is a former EPW staffer to Inhofe.

Meanwhile, EPA Administrator Scott Pruitt, a fellow Oklahoman, has also brought former Inhofe aide Ryan Jackson on as chief of staff. Byron Brown, a former Inhofe aide, is EPA's deputy chief of staff and Mandy Gunasekara, a former EPW counsel, is now a senior policy adviser to Pruitt.

More aides with ties to Inhofe are expected to join the EPA in the coming weeks. Susan Bodine and Brittany Bolen, two EPA staffers, are widely expected to be offered jobs at EPA.

Wheeler, a White House spokeswoman and an EPA spokesman did not immediately respond to a request for comment.

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Zinke to unveil Interior 'century' reorganization plan Back

By Esther Whieldon and Annie Snider | 05/23/2017 03:00 PM EDT

Interior Secretary Ryan Zinke said today he will begin releasing proposals in the next couple of months to reorganize the agency.

"I view this as a century reorganization to look at how best to manage, protect, use our public lands in the next 100 years given that we have a number of challenges," Zinke said in a conference call about the fiscal 2018 budget proposal.

Zinke said the reorganization will be aimed at coordinating on issues like wildlife corridors, watersheds and trail systems that span multiple federal agencies, as well as state and local ones.

He said his staff has already begun exploring ways of applying military models, he said, and for natural resources, the concept could be based around different watersheds to push more authority down to the "front lines."

Zinke has met with White House officials and interest groups including from the energy industry and environmental sectors about a reorganization options. And he met with Agriculture Secretary Sonny Perdue to discuss fighting forest fires. POLITICO in January reported Zinke was mulling proposing congress move USDA's Forest Service to the Interior.

WHAT'S NEXT: With a few exceptions, Zinke will need congressional approval for any major reorganization of the Interior's nine bureaus or for bringing over bureaus from other agencies.

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U.S. trade commission launches investigation into Suniva solar trade complaint Back

By Esther Whieldon | 05/23/2017 06:10 PM EDT

The U.S. International Trade Commission has initiated an investigation into the request by U.S.-based solar cell manufacturer Suniva that the Trump administration create temporary trade tariffs to protect the manufacturing sector.

The move, announced today, clears the first first hurdle in the process.

In April, Suniva filed a petition with the USITC asking the agency to recommend Trump grant for temporary relief under Section 201 of the Trade Act of 1974 and to impose trade restrictions for four years on imported solar cells and modules. Suniva is going through a bankruptcy proceeding and agreed to file the Section 201 petition in exchange for an additional line of credit.

The company contends that an influx of cheaper solar panel modules and cells largely from China are putting it out of business.

WHAT'S NEXT: The commission said it will accept pre-hearing briefs on the case through Aug. 8. It hopes to determine the extent to which the cheaper solar panels are causing injury by Sept. 22 and to send recommendations to Trump by Nov. 13.

Doug Palmer contributed this report.

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From: Morning Score
Sent: Tue 6/27/2017 2:06:18 PM
Subject: POLITICO's Morning Score: Senate Obamacare repeal on brink of defeat — Koch network donors eye Trump and Congress warily on health care, taxes — POLITICO Pro Q&A with CO-07 Democrat Andy Kerr

By Elena Schneider | 06/27/2017 10:00 AM EDT

With Maggie Severns and Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

ON THE HILL - "Senate Obamacare repeal on brink of defeat," by POLITICO's Burgess Everett and Jennifer Haberkorn: "Senate Republicans' Obamacare repeal effort is on track to blow up before it even gets started. The GOP is well short of the votes needed to bring its bill to the floor, and party leaders and President Donald Trump are kicking into overdrive to save their imperiled health care overhaul. At least four Republican senators, Susan Collins of Maine, Rand Paul of Kentucky, Dean Heller of Nevada and Ron Johnson of Wisconsin, have signaled they could oppose a key procedural vote that will occur either Tuesday afternoon or Wednesday. A number of other senators, like Shelley Moore Capito of West Virginia and Marco Rubio of Florida, are undecided. Senate Majority Leader Mitch McConnell (R-Ky.) and his team are working furiously to round up 50 of the caucus's 52 senators to even bring the bill to the floor, let alone pass it by week's end." **Full story.**

- "CBO: 22 million more uninsured under Senate health bill," by POLITICO's Adam Cancryn. Read the full story **here.**

MONEY MEN - "Koch network donors eye Trump and Congress warily on health care, taxes," by Campaign Pro's Kevin Robillard in Colorado Springs: "Conservative donors see a major opportunity this year to achieve years-old Republican goals of reforming the tax code and passing a new health care law. But they are also consumed with worry that the GOP will somehow blow the chance it has been waiting for - whether because of an unfocused President Donald Trump or fretful congressional Republicans. That combination of hope and concern infused the summer seminar meeting of the Koch brothers' network of conservative groups. Before a gathering of over 400 donors at the luxury Broadmoor Resort, Koch officials spoke of an enticing but narrow window to pass major tax and health care legislation, even though Republicans control the presidency and both chambers of Congress." **Full story.**

WHEN POLITICS AND POLICY ATTACK - "Heller's hesitance on Obamacare repeal opens Dem divide," by POLITICO's Kyle Cheney and Elana Schor: "Dean Heller's harsh critique of the Republican effort to kill Obamacare has broken open a Democratic divide - between those who want to unseat him and those who prefer to lock in his 'no' vote first to save the health law. The Nevada Republican senator gave Democrats a gift on Friday when he issued

a stinging analysis of the Senate's GOP health plan and signaled he may vote against it. His reward: vicious reviews from Democrats who sense a chance to defeat him in 2018." **Full story.**

ONE ON ONE - "POLITICO Pro Q&A: CO-07 Democrat Andy Kerr," by Campaign Pro's Elena Schneider: "State Sen. Andy Kerr is on the front lines of Democratic primary politics. The Democratic Party is trying to figure out what it wants to be, and next year's primaries will be a major opportunity for primary voters to have their say before the 2020 presidential race. In front of that backdrop, Kerr is squaring off against a Democratic statehouse colleague, EMILY's List-backed state Rep. Brittany Pettersen, in the race to replace Rep. Ed Perlmutter , who's running in his own competitive primary for governor.Republicans are already eyeing Colorado's open 7th District, but while the seat isn't the bluest in the country, it has trended to the left since Perlmutter first won it. That could next year's Democratic primary especially interesting. Kerr weighed in on family fights in primaries, his relationship with Perlmutter and whether he supports a single-payer health care system." **Full story.**

Days until the 2017 election: 133.

Days until the 2018 election: 497.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

WATCH LIST - "Democrats' Best Chance to Retake the House? 8 Types of G.O.P. Districts to Watch," by The New York Times' Nate Cohn: "Democrats have debated extensively over whether their path to power goes through the white-working-class Rust Belt states or the diverse, well-educated Sun Belt. In 2018, this debate is moot. The Democrats don't have the luxury of choosing where to compete in House races. They'll have to target all of these areas. The problem for Democrats is simple: There just aren't many great opportunities for them to pick up seats in Democratic-leaning areas. Instead, they'll have to compete in a lot of districts where they're competitive but not favored." **Full story.**

- POST MORTEM - "Lessons for Democrats from the Georgia election," by Jon Ossoff in The Washington Post: He's still not mentioning Trump by name, but, "On Nov. 9, Americans awakened to a startling reality: In the absence of broad, enduring citizen engagement, the door is left open for darkness to creep in and gain a foothold in our democracy. Amid that awakening, I launched my improbable campaign for Georgia's 6th Congressional District. It grew into something bigger than I could have imagined." Ossoff credits the "right wing's national apparatus fully mobilized to defend the status quo in Washington" for his loss. But he also puts out a warning for Democrats, "intraparty disputes that dominate national commentary on Democratic politics were nowhere to be found in the 6th District." **Full story.**

MONEY UPDATE - CLF raised over $1.5M in first two weeks of June: "Congressional Leadership Fund, the Republican super PAC aligned with House leadership, has spent more than

$10 million so far this year, according to a new FEC report. The group reported raising over $1.5 million and spending over $797,000 during the first two weeks of June." **Full story.**

- Priorities USA Action reports little fundraising in 2017: "Priorities USA Action, the Democratic super PAC that raised close to $200 million during the 2016 election cycle to support Hillary Clinton for president, has raised little money from donors so far in 2017, according to a new FEC filing . Priorities USA Action brought in $1.6 million and spent $2.1 million between Jan. 1 and Jun. 14, the filing shows. But the bulk of the receipts came from $1.6 million in refunds from two vendors, Targeted Platform Media and Precision Network. The super PAC had nearly $1.3 million in the bank on Jun. 14. ... Priorities also has increasingly active 501(c)(3) and 501(c)(4) nonprofit groups." **Full story.**

2018 WATCH - Ted Kennedy Jr. passes on Connecticut gubernatorial run: "Ted Kennedy Jr., a Connecticut state senator and the son of the late senator from Massachusetts, has decided not to run for governor of Connecticut in 2018. ...Kennedy likely would've been the Democratic front-runner to succeed Gov. Dan Malloy, who has low approval ratings and opted not to run for reelection. Middletown Mayor Dan Drew, Lt. Gov. Nancy Wyman and Comptroller Kevin Lembo are among a slew of candidates considering bids on the Democratic side of the aisle." **Full story.**

- "Wagle weighing run for either governor or Congress," by The Wichita Eagle's Jonathan Shorman: "Senate President Susan Wagle is weighing a run for governor along with a run for Congress, her office said Monday. Wagle, a Wichita Republican, had already been considering a primary challenge of U.S. Rep. Ron Estes. But she is also thinking of a bid for governor, according to spokeswoman Morgan Said." **Full story.**

- Daily Kos endorsed IL-03 Democrat Marie Newman, who is challenging longtime Democratic Rep. Dan Lipinski in 2018.

NEW FIRM - Kevin Collins, formerly of the Analyst Institute, announced his new firm ChangePoint Analytics on Monday. He's focused on spreading a methodology for creating good online panels "for smaller constituencies such as congressional districts and state primary electorates," according to the announcement in his newsletter.

INTERNET STAR - GQ profiles Randy Bryce, the ironworker "America met and fell in love" with: Bryce, on his opponent House Speaker Paul Ryan, "People here are working harder and getting less as a result. But he's not even around. It's been over 600 days since he's held a local town hall. It's just horrible. He's not doing his job. We need somebody who cares." **Full story.**

ETHICS WATCH - "Conyers and Lujan face Ethics Committee scrutiny," by POLITICO's John Bresnahan and Rachael Bade: "Democratic Reps. John Conyers of Michigan and Ben Ray Lujan of New Mexico are under scrutiny by the House Ethics Committee for alleged violations, although both men strongly deny any wrongdoing. The allegation against Lujan is tied to the Democratic "sit-in" on the House floor in June 2016. Conyers has come under review for his interaction with a former top aide who pleaded guilty to receiving stolen

property." **Full story.**

ADMINISTRATION SPEED READ - "FBI has questioned Trump campaign adviser Carter Page at length in Russia probe," by The Washington Post's Devlin Barrett: "FBI agents have repeatedly questioned former Trump campaign adviser Carter Page about his contacts with Russians and his interactions with the Trump campaign, according to people familiar with the investigation. Over a series of five meetings in March, totaling about 10 hours of questioning, Page repeatedly denied wrongdoing when asked about allegations that he may have acted as a kind of go-between for Russia and the Trump campaign, according to a person familiar with Page's account. The interviews with the FBI are the most extensive known questioning of a potential suspect in the probe of possible Russian connections to associates of President Trump." **Full story.**

CODA - QUOTE OF THE DAY: "Battulga campaigned on a 'Mongolia First' policy, borrowing the language of President Donald Trump." - The Associated Press, reporting on Mongolia's runoff-bound presidential election.

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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EPA Regulatory Review Floodgates Open, Leaving Pruitt to Mop Up

Posted May 30, 2017, 7:01 A.M. ET

By Andrew Childers

When asked which EPA regulations stifle economic growth and should be reconsidered or rescinded, industry groups responded, "All of them."

High-profile Obama-era regulations limiting carbon dioxide from power plants or establishing the reach of the Clean Water Act, which Environmental Protection Agency Administrator Scott Pruitt had opposed, will certainly be targeted. However, businesses are left wondering whether the agency, which so far lacks political appointees to run the EPA's water, chemicals and air pollution offices, will have bandwidth to tackle a host of other, less splashy regulatory fixes that could reduce costs or ease burdens.

"We're in new territory. It's a process that has no clear precedent within the federal system," Randall Lutter, a professor of public policy at the University of Virginia and a former senior economist at White House Office of Management and Budget under President Barack Obama, told Bloomberg BNA.

Open the Floodgates

The EPA has received a barrage of requests from regulated industries to open and reconsider regulations from every sector the agency touches. The requests range from drastic changes to the way the agency regulates air pollution—Ameren suggested replacing the agency's ambient air standards with pollution trading programs—to the more targeted—the American Water Works Association recommended that the EPA streamline its application process for loans to improve drinking water systems.

While a host of industries are looking ease their regulatory burdens, chemical manufacturer Chemours Co. actually went to bat for Obama-era rules that approved new chemicals to replace ozone depleting substances and clamped down on leaks from refrigeration equipment. The chemical company recommended that Pruitt retain those rules.

Environmental and public health groups, of course, vow to fight any attempt to weaken EPA protections, with Earthjustice, the Sierra Club, and Clean Air Task Force calling the regulatory review process "an illegal and arbitrary sham."

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P.Bloomberg BNA is an affiliate of Bloomberg L.P.

The Waterkeeper Alliance also dismissed the process as rushed and opaque, calling on the EPA to provide more details about how it will manage the review process and decide which regulations will be reevaluated.

Who's Driving the Process?

Every new administration takes office vowing to streamline the regulatory process, but Trump has taken that further than ever before, requiring agencies to repeal two regulations for every new directive issued and capping costs that can be imposed on industries. It's an ambitious plan to transform the regulatory state, but seeing that process through will require coordination and planning. Right now the EPA is short of the political appointees necessary to make those decisions.

"In any one of these big rulemakings, there are dozens of intermediate decisions made along the way," Jeffrey Holmstead, a partner at Bracewell LLP in Washington, D.C., who previously served as the EPA's assistant administrator for air pollution in the George W. Bush administration, told Bloomberg BNA. "If you have the administrator sign off on every one, you can only do two or three."

Trump lags behind his predecessors in staffing the EPA, according to data provided by the Center for Presidential Transition. So far only Pruitt has been confirmed, and Susan Parker Bodine, Trump's pick for the agency's enforcement office, is awaiting confirmation. The Trump EPA lacks nominees to head the water, air and chemicals offices who will be central to the regulatory review process.

Unlike past administrations, though, Trump has made easing burdens on businesses central to his domestic priorities.

"The biggest single difference is that Trump has appointed someone to be EPA administrator whose primary focus is on reducing the regulatory burden," Holmstead said.

When President George W. Bush took office, his EPA preferred legislative rather than regulatory approaches, Holmstead said. But when bills such as the Clear Skies Act faltered in Congress, that's when the Bush administration attempted to regulate pollutants such as mercury emissions from power plants.

"In the air office, we were not as ambitious as the Trump administration when it comes to regulatory reform," Holmstead said.

What's unknown is how the EPA will make decisions on which regulations it will target and when that process will get started. An EPA spokesman could not be reached for comment.

Without assistant administrators to guide the process, Pruitt has appointed a regulatory reform task force of Ryan Jackson, the chief of staff; Byron Brown, the deputy chief of staff for policy; and

Brittany Bolen, deputy associate administrator of the Office of Policy, to oversee the effort. All three previously served on the Senate Environment and Public Works Committee with past Chairman James Inhofe (R-Okla.), who was a vocal critic of the Obama EPA's regulations.

"They are certainly knowledgeable enough to be looking for more regulations to be going after," Inhofe told Bloomberg BNA. "And they are doing the job pretty well."

While agencies are tasked with implementing the regulatory reform efforts, the White House will still play a significant role in reducing compliance costs through the Office of Information and Regulatory Affairs, which reviews regulations, said Tracy Mehan, executive director of the American Water Works Association's government affairs office.

"No doubt in a Republican administration, OIRA is very much empowered—not that they were pushovers in the Obama administration, but it's fair to say they're going to be more empowered," Mehan, who previously served as the EPA assistant administrator for water under President George W. Bush, told Bloomberg BNA.

However, Neomi Rao, Trump's pick to head that office, also hasn't been confirmed.

Smaller Fixes Have Big Benefits

While rolling back the Clean Power Plan and replacing the Waters of the U.S. rule are top priorities for Pruitt, more modest updates to the EPA's various regulations could provide the biggest long-term boons for businesses. Many industry groups in their comments are targeting smaller adjustments to existing regulations that they say can be quickly updated to reduce costs and make them more efficient.

For example, the Class of '85 Regulatory Response Group, a coalition of 30 utility companies, suggested the agency eliminate unnecessary air pollution monitoring requirements. The Association of Air Pollution Control Agencies recommended streamlining a variety of air pollution permitting provisions to ease burdens on both businesses and state permitting officials.

"Those [smaller fixes] would be valuable investments of time," Megan Berge, a partner at Baker Botts LLP who represents utilities and other industries, told Bloomberg BNA. "Those are the investments that have the possibility of having a lasting good in terms of making these programs efficient."

Taking on the EPA's largest regulations will spark an inevitable battle with environmental groups, which could bog down the entire effort. But tackling some of the smaller changes sought by businesses could be a way for the Trump administration to claim some quick victories.

"The good news is that, at least from EPA and the administration's perspective, these slight deregulatory acts are somewhat quicker than the big rules," Sam Batkins, director of regulatory policy at the American Action Forum, which has argued many EPA regulations have costs that exceed benefits, told Bloomberg BNA. "Maybe to some extent they can prioritize the small, minor tweaks to the rules and generate some savings."

—With assistance from Dean Scott in Washington.

Trump Decides Next Week If He'll Quit Paris Climate Accord

Posted May 27, 2017, 03:06 P.M. ET

By Joe Ryan and Josh Wingrove

Donald Trump continued to distance himself from fellow world leaders over climate change at the G-7 summit, and said he'll determine next week whether to pull the U.S. out of the landmark Paris climate accord.

"I will make my final decision on the Paris Accord next week!" the president told his almost 31 million Twitter followers on Saturday.

Trump, who for months has delayed a decision on the climate agreement, made his announcement at the conclusion of the Group of Seven summit in the resort town of Taormina, Italy.

In an unprecedented step, the U.S. broke from the other six nations in a joint statement issued at the summit's conclusion, saying America is reviewing its climate policies while the G-7 members others remain committed to the Paris Agreement.

Climate was among the most disputed issues separating Trump from other leaders at the two-day meeting on the Sicilian coast. A top White House adviser said the president's views were evolving on the issue, but Trump wasn't immediately swayed by arguments from Chancellor Angela Merkel of Germany, France's President Emmanuel Macron and others to honor the Paris Agreement, brokered in 2015 by almost 200 nations to slash fossil fuel emissions and boost funding to ease impacts of global warming.

"The whole discussion about climate has been difficult, or rather very unsatisfactory," Merkel told reporters after the summit. "Here we have the situation that six members, or even seven if you want to add the EU, stand against one."

'Stark Isolation'

Diplomats spent days trying to hammer out language for the G-7 joint statement. Past communiques, which are painstakingly crafted to reflect common goals and values of all seven nations, have dedicated lengthy sections to climate change. At one point this week, the words "Paris Agreement" were nearly excluded from the statement, underscoring how contentious the issue became in Taormina, said a Canadian government official who spoke on the condition on anonymity to discuss private deliberations.

Trump, who once said the concept of global warming "was created by and for the Chinese in order to make U.S. manufacturing non-competitive," repeatedly vowed to pull out of the Paris deal during his election campaign, but has sidestepped the issue since taking office.

Delaying a decision about the accord provided opportunity for G-7 leaders and Pope Francis to press Trump to honor U.S. environmental commitments. Now the president heads back to Washington, where much of his party is pushing him to do the opposite.

Issue Deadlock

Last week, 22 Republican senators, including Majority Leader Mitch McConnell, sent a letter to Trump urging him to exit the Paris accord. Members of his administration, meanwhile, are deadlocked on the issue. Environmental chief Scott Pruitt and top strategist Steve Bannon are pushing for a pullout. Secretary of State Rex Tillerson, White House adviser Jared Kushner and

Ivanka Trump, the president's son-in-law and daughter respectively, have urged the president to stay in the deal.

John Kirton, director of the University of Toronto's G8 Research Group, said Trump's trip home may not bode well for those in favor of Paris. "If you let him go back to the civil war within the White House, Pruitt might win," he said.

Trump has criticized efforts to cut emissions, saying they limit U.S. economic competitiveness. The president's views on the Paris accord, however, are evolving, White House National Economic Council director Gary Cohn told reporters Friday in Italy. Trump may be willing to stay in the agreement, Cohn said, if the U.S. can scale back commitments made by former President Barack Obama.

"His views are evolving, and he came here to learn," Cohn said. "His basis for decision is ultimately going to be what's best for the United States."

The Paris Agreement is broader than any previous climate accord. It calls for reducing pollution in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the industrial revolution.

Hundreds of corporations and investors have endorsed the pact, including oil majors Royal Dutch Shell Plc, BP Plc and Exxon Mobil Corp., which was previously led by Tillerson. Alden Meyer, who's followed climate talks for two decades as director of policy at the Union of Concerned Scientists, said Trump's reluctance to support it puts him at odds with much of the world.

"He stands in stark isolation," Meyer said. "The leaders from Europe, Canada, and Japan have made it crystal clear that they intend to fully implement their national commitments under the Paris Agreement."

—With assistance from Jennifer A. Dlouhy.

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Climate `Danger Zone' Seen If Trump Pulls U.S. Out of Paris Deal

Posted May 30, 2017, 02:53 P.M. ET

By Jessica Shankleman

Donald Trump wasn't exaggerating when he said during his election campaign that the U.S. could "cancel" the Paris Accord on climate change.

A decision due from the president this week on whether to pull the U.S. out of the deal involving almost 200 nations could have a domino effect on the participation of other countries in limiting fossil-fuel pollution, making it almost impossible and extremely expensive to stop catastrophic climate change.

That's the conclusion of researchers and scientists evaluating the impact of Trump on the health of the climate. While forecasting the state of the environment more than 80 years into the future is a notoriously inexact exercise, academics gathered by the the United Nations at the Intergovernmental Panel on Climate Change are concerned the world is headed for "extensive"

species extinctions, serious crop damage and irreversible increases in sea levels even before Trump started to unpick the fight against global warming.

"Four years of the Trump administration may have only modest consequences, but eight years of bad policy would probably wreck the world's chances of keeping warming below the international target of 2 degrees Celsius," Michael Oppenheimer, professor of geosciences and international affairs at Princeton University, said by email. "The odds of our avoiding the climate-danger zone would fade to zero."

While a 2-degree shift wouldn't be noticeable during the course of a day, it would represent a historic change for the Earth as a whole that's faster than any change in the climate since the last ice age ended some 10,000 years ago. The scenarios that scientists are looking at depend on measurements of air and water temperatures taken at hundreds of sites around the world, as well as complex models about how trends will evolve in the coming decades.

Trump's move would clearly make the outlook worse, according to Climate Interactive, a team of modelers backed by institutions such as MIT Sloan School of Management and the Rockefeller Brothers Fund. They estimate that the world would warm by 3.6 degrees Celsius (6.4 degrees Fahrenheit) by 2100 when compared with pre-industrial levels if Trump quits Paris, more than the 3.3-degree baseline scenario.

As the world's second-biggest polluter after China, a move by the U.S. to scrap the accord involving almost 200 nations would pour hundreds of billions of tons of carbon dioxide into the atmosphere and speed up the warming trend already taking place. It also would threaten a $100 billion-a-year stream of funds that industrial nations have pledged to persuade developing nations to cut back their own emissions, endangering the political foundations of the global fight against climate change.

"The loss of U.S. finance would be the biggest headache, and of course the symbolism is not good," said Michael Grubb, a professor at University College London who has advised the European Union on climate policy.

The Paris Agreement sealed in 2015 brought together the U.S. and European Union with big developing nations from China to India to Brazil in pledging limits on fossil-fuel pollution and funds to help poorer countries adapt to climate change.

Longer term, the impact of a U.S. withdrawl depends on how other countries and investors respond. Trump, who for months has delayed a decision on the climate agreement, told his almost 31 million Twitter followers to expect his verdict this week, and the signs are pointing toward a withdrawal.

G-7 Statement

In an unprecedented step, the U.S. broke from the other six nations May 27 in a joint statement issued at the Group of 7 summit, saying America is reviewing its policy. The political news website Axios reported that he'd told confidants he plans to pull the U.S. out of the deal.

"The big question is whether a U.S. withdrawal would lead to U.S. investors and utilities actually starting to build new plants that commit to high future emissions," Myles Allen, professor of geosystem science at the University of Oxford's Environmental Change Institute, said by phone.

So far, no other country, not even China or India, has said they'd follow the U.S. in pulling out of Paris. Instead, it's catalyzed support for the deal.

The key variables are what policies Trump enacts and how long they remain in force. The targets agreed on global warming through the UN are for 2100, and shifts in the energy industry take decades to play out. U.S. inaction on greenhouse gases may eventually discourage other countries from continuing their own efforts to cut back, said Oppenheimer at Princeton.

The Paris agreement was designed in such a way that legally, no other country's action would be impacted by a withdrawal. Paris effectively sets up the reporting framework and the temperature goals, but each country's individual target is voluntary.

In reality, an eight-year delay on climate action would be accompanied by cuts to renewable energy research that could, in turn, harm emissions reductions rates. Those policies may encourage the use of polluting fuels such as coal.

All told, each of these changes could add a total of 350 billion to 450 billion tons of CO2 into the atmosphere, if the rest of the world followed Trump, according to climate modelers, Ben Sanderson of the National Center for Atmospheric Research in Boulder, Colorado, and Reto Knutti of ETH, Zurich. The chances of meeting the UN target of staying well below 2 degrees of warming would drop to about 10 percent, from two-thirds now, they say.

"Delay is the worst enemy for any climate target and can only be made worse by cutting research and energy technologies that would be crucial to get back on track again for target," they wrote in the journal Nature earlier this year.

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EU Parliament, Nations at Odds Over Vehicle Emissions Testing

Posted May 30, 2017, 02:01 P.M. ET

By Stephen Gardner

The European Parliament and European Union national governments are at odds ahead of talks to finalize a reform of the 28-nation bloc's system for testing air pollution emissions from passenger vehicles.

The Council of the EU, which represents the bloc's national governments, would leave national authorities much of the responsibility for ensuring no repeat occurs of Volkswagen's rampant cheating on emissions tests for its diesel vehicles, according to position reached May 29. That's in contrast to the European Parliament, which backed a more centralized system in which the European Commission, the EU's executive arm, would have more power to fine automakers that violate the standards and to intervene in the compliance programs of EU countries.

Following the adoption of their respective positions, the council and parliament must negotiate over the final form of the regulation before an agreed text is put to ratifying votes.

Enforcement Among Differences

Among the chief differences to be worked out is whether individual countries or the broader European Commission should take the lead on enforcement.

The council's favored approach would let national authorities fine automakers up to to 30,000 euros

($33,500) per vehicle for violations. The commission would be able to step in and organize tests of vehicles if EU national authorities were seen to be failing in their market surveillance duties, but would not be able to impose fines in cases in which a national fine had already been levied. The European Parliament's proposal would give the EU's regulatory arm a more central role in enforcement.

Consumer advocates said the council's approach would water down the enforcement powers favored by the European Parliament.

"The commission will be prevented from issuing a penalty when a member state has already acted, even if the member state issues a completely insignificant penalty," the European Consumer Organization said in a May 29 statement.

While both the council and European Parliament agree that manufacturers should fund the emissions testing program, details of the payment system will need to be negotiated. The parliament advocated a system in which national authorities levy fees on manufacturers to cover testing costs and distribute the fees to test centers. That would avoid manufacturers directly paying the testing centers to ward off the appearance of impropriety. The council said instead that EU countries should be able to choose how they organize the financing of their market surveillance systems. European Consumer Organization Director General Monique Goyens said the council's position was "a package of half-baked measures that risk turning the entire reform into a paper tiger."

The council agreed that EU countries should check the emissions of at least one in every 50,000 new vehicles they register each year, and that checks should verify that the emissions of vehicles in everyday driving conditions comply with legal standards. Currently, EU vehicle emissions tests take place in laboratories, producing levels of emissions that are often significantly exceeded in real driving conditions. About 14 million new vehicles were registered in the EU in 2015.

Progress Welcomed

The European Commission, however, welcomed the council's agreed-on position and said a strengthened system for checking compliance of vehicles with emissions norms would complement changes to the way cars are tested in the EU. Tests that more accurately gauge emissions from cars in real driving conditions are being introduced.

EU Internal Market Commissioner Elzbieta Bienkowska said May 29 that the council's position was "a huge step in the right direction to the final legislation." The EU needed to act because nearly two years after the exposure of Volkswagen's emissions cheating in the U.S., "we continue to hear of new allegations, revelations and investigations," Bienkowska said.

Chris Cardona, economy minister of Malta, which presently chairs the Council of the EU, said the reform of the vehicle surveillance system would improve health and air quality. Once the new system is in place, "emission irregularities that occurred in the past will not happen again," he said.

No date has yet been agreed for the start of talks between council and parliament negotiators to finalize the market surveillance regulation.

EU Panel Seeks Deeper Cuts For Non-Emissions Trading Sectors

Posted May 30, 2017, 12:49 P.M. ET

By Stephen Gardner

A panel of European Parliament lawmakers May 30 backed changes to proposed binding greenhouse gas emissions cuts through 2030 for parts of the European Union economy not covered by the bloc's emissions trading system (ETS).

The lawmakers backed a proposal for sectors such as construction, waste management, agriculture and transportation to cut their emissions by 30 percent by 2030 compared to 2005, but said the starting point for the linear reduction of emissions should move forward from 2021 to 2018, resulting in a significant emissions saving over the whole 2018 to 2030 period.

Gerben-Jan Gerbrandy, a Dutch liberal lawmaker who proposed the changes, said that by adjusting the starting point of the linear reduction, the EU would emit 300 million metric tons less carbon dioxide through 2030, with the highest levels of avoid emissions in the early 2020s.

Gerbrandy added that the savings would increase to 390 million tons by limiting the use of carbon credits from forestry and other carbon sinks to offset emissions. An overall 390 million-ton emissions reduction compared to the original proposal would be equal to the annual emissions of 80 coal-fired power plants, he said.

The changes were made to a draft regulation, published in July 2016 by the European Commission, that specifies the non-ETS emissions cuts to be achieved through 2030 by each EU country. The 30 percent emission cut from non-ETS sectors would contribute to an overall EU reduction of 40 percent by 2030 compared to 1990.

Hurdles Ahead

The European Parliament environment committee approved Gerbrandy's proposed changes in a 42-4 vote with 20 abstentions. The large number of abstentions was caused by the center-right European People's Party European Parliament group not agreeing internally on the details of the proposed legislation.

The environment committee's position on the draft regulation must be approved by the full European Parliament, and a final version of the regulation must then be negotiated with representatives of EU member countries.

Caroline Westblom, climate policy coordinator with campaign group the Climate Action Network Europe, told Bloomberg BNA May 30 that bringing forward the starting point for linear emissions reductions from non-ETS sectors was possible because most EU countries have overachieved against the emission reductions they are required to reach by 2020. The bloc has an overall reduction goal for 2020 of 20 percent compared to 1990.

If the start of the linear reduction is not brought forward, the EU would be "rewarding the ones that have not met their targets," Westblom said.

However, it is unclear if EU countries will accept the change when it comes to final negotiations on the draft regulation, she added. "Many countries do not like this," she said.

The governments of EU countries, which meet in the Council of the EU, have not yet adopted a position on the non-ETS cuts. EU environment ministers will meet June 19 and could approve their position then.

Only Place in America Where Coal Demand Has Risen Is Nebraska

Posted May 30, 2017, 9:21 A.M. ET

By Tim Loh

Looking for a rare bright spot in U.S. coal?

Consider Nebraska, the only state producing more electricity from the fossil fuel than it did a decade ago, according to a Bloomberg analysis of U.S. government data.

While America's slashed its coal-fired electricity generation by more than a third between 2006 and 2016—creating havoc for the coal sector, which once dominated the country's utility space—Nebraska raised its coal-fired power output by 6 percent, according to data from the U.S. Energy Information Administration.

Nebraska's better known for corn. But it's home, too, to some of America's newest coal-fired power plants. In 2009, the Omaha Public Power District opened the almost 700-megawatt Nebraska City Station Unit II coal-fired facility. In 2011, the 220-megawatt Whelan Energy Center Unit 2 plant came online. Meanwhile, the Fort Calhoun nuclear power plant shut down for good last year.

"That will bump up our reliance on coal a little bit," said David Bracht, director of the Nebraska Energy Office, in a phone interview.

While Nebraska doesn't mine its own coal, it's located conveniently close to Wyoming, which is home to the Powder River Basin, America's largest and cheapest coal-producing region. Nebraska is also unique in that all of its utilities are publicly owned—a result of Great Depression-era legislation—which may have slowed its buildout of alternative energy sources, according to Bracht.

That said, Nebraska's love affair with coal may have peaked in 2013, when it generated more than 26,000 gigawatt-hours of electricity from coal, according to the EIA. In 2016, it only generated about 22,000 gigawatt-hours from the mineral. Meanwhile, the state's roughly doubled the electricity it's generating from wind.

"We have significant wind resources to be developed," Bracht said. "We expect that to be increased as well."

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EPA Appeals Deadlines for Toxic Air Pollution Reviews

Posted May 30, 2017, 03:34 P.M. ET

By Andrew Childers

The Environmental Protection Agency wants more time to evaluate 13 air pollution standards that are overdue for review and is appealing the deadlines set by a federal judge (Blue Ridge Envtl. Def. League v. Pruitt, D.C. Cir., No. 17-5124, 5/30/17).

The EPA faces a Dec. 31, 2018, deadline to complete the review for seven standards for hazardous air pollutants with the remainder to be completed by June 30, 2020. The Clean Air Act requires the

agency to periodically review its toxic air pollution standards to determine whether any residual risks remain that must be addressed, but the agency missed the deadlines for those evaluations, drawing lawsuits from environmental groups.

The deadlines set by the U.S. District Court for the District of Columbia in March did not allow the EPA enough time to complete the required reviews, the agency had said, citing inadequate staffing. The EPA is now appealing the case in which the deadlines were set to the U.S. Court of Appeals for the District of Columbia Circuit.

Exelon to Close Three Mile Island Nuclear Plant in 2019

Posted May 30, 2017, 10:00 A.M. ET

By Jim Polson

Exelon Corp.'s Three Mile Island atomic power plant, site of the worst U.S. commercial nuclear accident in 1979, will close in 2019 after losing money for five years.

The Pennsylvania plant, with one reactor still in operation, has lost revenue as power prices fell, Chicago-based Exelon said May 30 in a filing. For the third consecutive year, the plant failed to win generating capacity payments last week in an auction held by PJM Interconnection LLC, the largest U.S. power market. Meanwhile, the generator has failed to win government subsidies or market reforms to enhance its viability, Exelon said.

The announcement underscores challenges facing U.S. nuclear power generators from plants burning cheap natural gas and rising output of wind and solar power. At least five nuclear power plants have retired in the past five years including Fort Calhoun in Nebraska, which closed in October. Entergy Corp. in December announced plans to close its Palisades plant in Michigan.

Pennsylvania "has an opportunity to take a leadership role by implementing a policy solution to preserve its nuclear energy facilities," Exelon Chief Executive Officer Christopher Crane said in a statement. "We are committed to working with all stakeholders to secure Pennsylvania's energy future, and will do all we can to support the community, the employees and their families during this difficult period."

Three Mile Island, about 90 miles (145 kilometers) west of downtown Philadelphia, was at risk of early retirement after failing to win capacity payments in this year's auction, Exelon said on May 24. The plant will close on or about Sept. 30, 2019. With the sector reeling from lower power prices and flat demand, plants have become more dependent on capacity payments for revenue to cover their costs.

Exelon will record one-time costs of as much as $110 million in the second quarter to retire the plant before its license expires in 2034, according to the filing. Charges of as much as $25 million a year may be recorded in 2018 and 2019. Cash costs related to the closing may reach $70 million, mostly for employee-related expenses. The plant employs about 675 people, the company said in a separate statement.

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Exxon Squares Off with Shareholders in Annual Climate Showdown

Posted May 30, 2017, 9:14 A.M. ET

By Joe Carroll

This week will be a public trial by fire for new Exxon Mobil Corp. CEO Darren Woods.

Presiding over his first annual meeting since predecessor Rex Tillerson left to become U.S. secretary of state, Woods will be tested May 31 on everything from climate change to his own paycheck. Analysts and investors will be watching to see if he proves as adept as his mentor in striking a welcoming tone with restive activists while gently disagreeing with just about everything they say.

So far, Woods has been a stabilizing presence.

"He represents a continuation of what Mr. Tillerson was doing and so far we've seen no strategic shift," said Brian Youngberg, an analyst at Edward Jones & Co. In St. Louis with a "hold" rating on Exxon's stock. That's comforting "for long-term holders who own Exxon for the dividend and not much else."

Woods faces a vote on a resolution requiring Exxon to provide a detailed analysis of whether the energy giant can prosper under strict greenhouse-gas limits. Backers of the measure, which are as diverse as the California Public Employees' Retirement System and the Church of England's investment fund, are striving to improve upon the 38 percent support a similar proposal received from shareholders last year. Exxon opposes the resolution because it says it already discloses enough data.

For Exxon, the shareholder-centered event it stages every May in a Dallas symphony hall has become a donnybrook over the environment and corporate governance. Activist groups have shifted in recent years from rowdy bullhorn protests on the sidewalks outside to delivering measured shareholder appeals inside the meeting hall arguing for more prudent financial stewardship.

Woods, an electrical engineer by training who's spent his entire career at Exxon, will be confronted by investors demanding that Exxon cut new spending on oil fields and hand the cash over to shareholders in dividends instead. And less than five months after his promotion to the jobs of chairman and chief executive officer, Woods and the board he leads will face rising opposition to his $16.8 million pay package and the way it was calculated.

Activist shareholders are hitting Exxon, which produces about 2 percent of the world's crude oil, with a version of the climate change accounting proposal for a second straight year. Despite the company's steadfast opposition, the measure attracted more investor support than any of the four other environmental proposals put to a vote last year. This year there are almost 90 Exxon investors planning to support the measure, according to data compiled by investor advocacy group Ceres.

"Exxon's business is extremely vulnerable to changes in climate regulation and consumer demand," said New York State Comptroller Thomas P. DiNapoli, a lead sponsor of the climate impact resolution. The company "puts itself and its long-term investors at risk by failing to acknowledge this reality."

Disclosures Sufficient

Exxon says its current disclosures, which include forecasts of how caps on carbon emissions will affect long-term petroleum demand, are sufficient.

Even with the strictest scenarios envisioned under the 2015 Paris Agreement, global population growth and economic expansion will need vast quantities of oil and natural gas to fuel power plants, vehicles and industrial society, Exxon said in a May 19 letter to shareholders. The Paris accord calls on nations to prevent worldwide temperatures from rising more than 2 degrees Celsius (3.6 Fahrenheit) from pre-industrial levels by slashing fossil-fuel pollution.

"The world will continue to require significant quantities of hydrocarbons for which Exxon Mobil is well-situated to compete," according to the letter. "Substantial upstream oil and gas investment will be required through 2040, even assuming a 2-degree Celsius scenario."

Thus far, this annual-meeting season has been bruising for oil producers seeking to beat back activists on the climate and compensation fronts.

Occidental Surprise

A majority of investors in Occidental Petroleum Corp. broke with company leaders and approved a climate impact proposal on May 12 that was almost-identical to the Exxon resolution. Calpers, representing California state retirees, and other backers persuaded fellow investors to validate the resolution by a 58 percent margin, compared to a 40 percent "yes" vote in 2016.

Such shareholder votes are advisory, and aren't binding on the company.

In a significant change, the proposal was supported by Occidental's largest shareholder, BlackRock Inc. The $5.4 trillion asset manager voted in favor of a climate-change resolution for the first time ever after Occidental exhibited a "lack of response" on the issue after last year's vote, BlackRock said in a statement on its website.

Occidental's result was historic because it was the first time a proposal of this type succeeded despite company opposition, according to Gregory Elders, a Bloomberg Intelligence analyst.

BlackRock hasn't yet made a decision on its Exxon vote, Zach Oleksiuk, head of Americas for BlackRock Investment Stewardship, said in an email May 25. Vanguard Group is considering voting for the proposal, Glenn Booraem, the firm's investment stewardship officer, said in an email May 25.

Executive Pay

At ConocoPhillips, the world's largest independent crude explorer, a majority of shareholders rejected CEO Ryan Lance's pay package, even after his total 2016 compensation was cut almost 10 percent to $19.2 million. It was the first time Conoco investors said 'no' on executive pay.

Sixty-eight percent of shareholders participating in the Houston-based company's annual meeting either abstained or voted against the executive pay resolution.

Exxon holders have been urged to follow the lead of Conoco investors and turn thumbs down on executive pay. Proxy adviser Institutional Shareholder Services Inc. cited a mismatch between pay and performance as reasons to vote against the package. Exxon's long-standing compensation system has remained unchanged even as "investors' expectations around executive compensation" have evolved, ISS wrote in a May 18 report to clients.

"Our compensation program ensures that executives focus on the long-term performance of the

business and is aligned with shareholder interests," Scott Silvestri, an Exxon spokesman, said in a May 19 email. "Exxon continues to demonstrate strong business performance relative to industry peers."

—With assistance from Emily Chasan, Anders Melin and Alex Nussbaum.

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Daimler Said to Seek U.S. Lawyers for Executives in Diesel Probe

Posted May 30, 2017, 9:46 A.M. ET

By Tom Schoenberg and Elisabeth Behrmann

Daimler AG is conducting a search for U.S. criminal defense lawyers to represent company executives who may be swept up in the Justice Department's investigation of possible diesel-emissions cheating, according to people familiar with the matter.

The outreach suggests that prosecutors have identified people at the company they plan to interview as they examine whether the Stuttgart, Germany-based automaker installed devices in its Mercedes-Benz diesel models in an attempt to evade U.S. environmental laws, said two people, who spoke on the condition of anonymity. It's unclear whether the executives seeking counsel are based in the U.S. or Germany.

The developments at Daimler are part of a widening diesel-cheating scandal that has shaken the auto industry and cost Volkswagen AG more than $24 billion in government penalties and owner restitution. Last week, truck owners filed a lawsuit against General Motors Co. and the Justice Department sued Fiat Chrysler Automobiles NV over similar allegations. Also last week, police and prosecutors in Germany raided nearly a dozen Daimler facilities as part of an emissions-rigging investigation that began in March.

Daimler spokeswoman Ute Wuest von Vellberg in Stuttgart, Germany, said the company wouldn't comment on a pending investigation. Justice Department spokesman Wyn Hornbuckle declined to comment.

VW Admission

U.S. regulators have put greater scrutiny on diesel models after Volkswagen admitted in 2015 to using software that turned on emissions controls to pass tests but then turned them off during driving. The Clean Air Act requires carmakers to obtain certification from the EPA that a vehicle meets federal emission standards before selling it. Those applications require that automakers list all emission controls on the vehicle and guarantee that they don't contain any so-called defeat devices, which are prohibited.

Daimler hinted in a filing last month that the U.S. investigation might be gaining traction. "It is possible that further civil and criminal investigative and enforcement actions and measures relating to Daimler and/or its employees will be taken," Daimler said in the filing, in which it noted that subpoenas and other information requests could be forthcoming.

In another sign of an intensifying U.S. criminal investigation of Daimler, the Justice Department last month sought to intervene in a private lawsuit in New Jersey that alleges fraud involving Daimler's BlueTEC diesel technology. Prosecutors sometimes ask judges to hit the pause button in a civil

matter if it might interfere with a criminal investigation.

Daimler Probes

Daimler disclosed in April 2016 that federal and state authorities in Europe and the U.S., including the Justice Department, the Environmental Protection Agency, the California Air Resources Board and the Securities and Exchange Commission, were investigating test results and emissions-control systems used in Mercedes-Benz diesel models.

The company hired investigators from Deloitte Touche Tohmatsu to help gather documents and emails on its diesel-engine emissions after the Justice Department asked it to conduct an internal investigation.

Daimler's Mercedes-Benz unit this month gave up an attempt to get U.S. approval for some 2017 diesel models. It cited an arduous certification process and said there wasn't enough demand for the vehicles to justify the certification effort.

In addition to the carmakers, Germany's Robert Bosch GmbH, which supplied software for Daimler's diesel engines, is also under investigation by the Justice Department for its role in the emissions rigging scandal, people familiar with the matter have said. Bosch, which has said it's cooperating with authorities, supplies Volkswagen and Fiat Chrysler, among other carmakers. The truck owners who sued General Motors last week over its emissions claims also named Bosch.

—With assistance from Karin Matussek.

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World Carbon Price Seen Needing to Increase Sevenfold by 2020

Posted May 30, 2017, 8:51 A.M. ET

By Mathew Carr

Carbon prices need to jump sevenfold by 2020 from current rates in the world's biggest market to meet climate goals cost-effectively, according to a commission of economists and scientists.

A price of about $40 a ton along with adoption of other policies that encourage emission cuts would achieve targets in the 2015 climate deal agreed in Paris, according to a report published May 29 by a commission of economists and scientists. Under the Paris agreement, almost 200 countries will try to limit the global temperature increase to "well below" 2 degrees Celsius (3.6 Fahrenheit) above pre industrial levels.

Costs from the higher carbon prices would not hurt ordinary consumers much, said Joseph Stiglitz from Columbia University, who led the High-Level Commission on Carbon Prices with fellow economist Nicholas Stern.

"Businesses are already using prices in the range that we're talking about," Stiglitz said on a call with reporters.

New carbon prices in seven jurisdictions including China and South Africa will take the portion of global emissions covered to more than 20 percent in 2017, the World Bank said last week in a

separate report. In Europe, which has the world's biggest greenhouse-gas market, lawmakers are meeting May 30 to deal with an accumulated glut that's driven down prices by more than four-fifths in the past decade.

The commission concluded that a $40 to $80 a ton range in 2020, rising to $50 to $100 a ton by 2030, would be consistent with the Paris target.

EU carbon settled Friday at 5.19 euros ($5.80) a ton on ICE Futures Europe in London.

From the report:

"Carbon pricing makes sense in all countries, but low-income countries, which may be more challenged to protect the people vulnerable to the initial economic impacts, may decide to start pricing carbon at a lower level and gradually increase over time": commission member Harald Winkler of the University of Cape Town, South Africa

Commission analyzed national emissions and development pathways, technological road maps and global economic models to reach its conclusions

Eliminating fossil-fuel subsidies would mean lower carbon prices are needed

"A well-designed carbon price is an indispensable part of a strategy for efficiently reducing greenhouse gas emissions while also fostering growth."

Report was put together starting last year by The Carbon Pricing Leadership Coalition, a voluntary partnership of national and sub-national governments, businesses, and civil society organizations that agree to advance carbon pricing through the global economy. It's housed in the Washington-based World Bank Group.

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Brazil Green Bond Sales Seen Reaching Record $5 Billion in 2017

Posted May 30, 2017, 8:49 A.M. ET

By Vanessa Dezem and Gerson Freitas Jr.

Brazil is set to sell a record $5 billion of green bonds this year, even as the country's markets reel from growing political turmoil, according to the Climate Bonds Initiative.

The sales will raise funds mainly for sustainable agriculture and infrastructure projects, said Sean Kidney, chief executive officer of the Climate Bonds Initiative, a U.K.-based organization that seeks to mobilize capital market toward financing low-carbon solutions.

"We have talked to pension and investments funds and they're interested in green bonds," Kidney said in an interview in Sao Paulo. "There's a lot of distractions in Brazil, such as corruption and political problems, but the country will soon have its momentum."

Brazilian sustainable projects have raised $1.76 billion through green bonds so far this year, led by a $1 billion sale of seven-year debt by the country's development bank. Globally, the green-bond market is expected to almost double this year, reaching $150 billion, according to estimates from the

Climate Bonds Initiative.

Brazilian stocks, bonds and currency slumped this month after Prosecutor General Rodrigo Janot said President Michel Temer helped obstruct the ongoing Carwash corruption probe.

"There's not enough capital in Brazil now to reach its transition to a green economy, and green bonds are an opportunity to attract money for it," Kidney said.

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Russia Starts Largest Renewable Energy Auction in Bid for Jobs

Posted May 30, 2017, 8:24 A.M. ET

By Anna Hirtenstein and Stephen Bierman

Russia is pressing ahead with its biggest-ever auction for renewable energy, seeking to award contracts to purchase 1.9 gigawatts of clean electricity as well as attracting foreign investment to support jobs at home.

The government tender, which started May 29, has attracted the interest of Fortum Oyj, Finland's largest energy company, which is prequalified to participate in the auction. Enel SpA of Italy may also participate.

"Russia has had a long history of leadership in the energy sector and now has the opportunity to extend that leadership into renewable energy," said Adnan Amin, director-general of the International Renewable Energy Agency. Developing the country's renewable resources, he said, "can significantly contribute to the country's economic objectives such as economic growth and employment."

The Russian government enacted strict local-content rules in 2012 and 2014 in a bid to stimulate job creation. Clean energy plants aren't allowed to be installed unless a certain percent of the equipment is made locally, and that portion rises every year. Since no company makes wind turbines in Russia, this has hampered the industry. In 2017, the portion is fixed at 40 percent.

The auction is from May 29 to June 9, in two stages, according to Victoria Cuming, head of policy analysis in Europe, the Middle East and Africa at Bloomberg New Energy Finance. Participants will begin to submit their bids on Monday, with the decision from the government expected for a later date.

"You bid to build a project of a certain capacity in a given year," said Cuming. "This year it's for 2018 to 2021. It takes time to build manufacturing capacity so even with a 2021 project, you'd be hoping that someone makes a move into Russia very soon."

State-owned nuclear company Rosatom Corp. recently said it will retool existing factories to make turbines, marking a turning point for the industry. It sought to establish partnerships with some of the leading European manufacturers. Siemens AG, General Electric Co. and Vestas Wind Systems A/S have also shown interest, according to Rosatom. It made an agreement in February with Lagerwey Wind BV, a smaller Dutch manufacturer. Vestas declined to comment. Siemens and GE did not reply to requests for comment.

Oil Producers

Other oil-producing nations such as Saudi Arabia and the United Arab Emirates are also making moves into renewable energy. Both countries burn vast amounts of their oil and natural gas domestically for power generation, with Saudi Arabia consuming about 1 million barrels a day to keep its lights and air conditioners on.

Russia's environment is more conducive to wind and hydro than solar, although some small-scale projects are being built in rural areas. Its appeal as a renewable energy market lies in the electricity prices it might pay, according to Fortum. It has previously signed a power purchase agreement with a fixed price significantly higher than in other markets, according to Fortum's Chief Financial Officer Markus Rauramo.

The Finnish energy company is building a 35-megawatt wind project in Ulyanovsk, east of Moscow. It received the right to build the project in 2015, when the local content rules were less stringent. It's using Chinese-made turbines from Dongfang Electric Corp.

"For our project in Ulyanovsk, the price was very considerable," Rauramo said. "It depends on what the ruble-euro exchange rate it is, but it was more than 150 euros per megawatt hour."

That's about 70 percent higher than the comparable average cost of onshore wind across Europe, data from Bloomberg New Energy Finance showed.

Fortum recently entered into a joint venture with Rusnano OAO, a state-owned Russian investment firm. The Finnish company said its long-term plan is to build approximately 500 megawatts of wind in the country. Fortum is in talks with European turbine makers on how to "match the local content requirements," Rauramo said.

Rosatom has applied to build 610 megawatts by the end of 2020.

—With assistance from Brian Parkin.

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Modi Signals India Will Hold to Paris Climate Deal If U.S. Quits

Posted May 30, 2017, 9:18 A.M. ET

By Arne Delfs

Indian Prime Minister Narendra Modi signaled that he'll stick to agreements made under the Paris climate accord even if the U.S. pulls out.

Asked in Berlin May 30 what he'll do if the U.S. decides to abandon the Paris Agreement, Modi stressed the importance of the fight against global warming, including Indian efforts to build out solar power. Politicians have "absolutely no right" to put in jeopardy the environment for future generations, he said.

"It becomes a morally criminal act on our part," he told reporters alongside German Chancellor Angela Merkel. "We have to accept this philosophy. And unless we do that, we won't be able to understand the climate issue."

—With assistance from Patrick Donahue.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Thur 6/15/2017 2:04:57 PM
Subject: POLITICO's Morning Energy: Judge hands tribes major Dakota Access victory — Pruitt returns to Hill today — Uphill challenge seen for E15 bill

By Anthony Adragna | 06/15/2017 10:00 AM EDT

With help from Esther Whieldon, Darius Dixon, Eric Wolff and Alex Guillén

THIRD TIME'S THE CHARM! Opponents of the Dakota Access pipeline received a major legal victory late Wednesday as a federal judge ruled the government's environmental review of the project was inadequate and that the U.S. Army Corps of Engineers must redo its analysis under the National Environmental Policy Act. In his 91-page ruling, U.S. District Court Judge James Boasberg said the government "did not adequately consider the impacts of an oil spill on fishing rights, hunting rights, or environmental justice, or the degree to which the pipeline's effects are likely to be highly controversial."

But he stopped short of immediately ceasing the pipeline's operation, calling that a "separate question" subject to additional briefing to be discussed at a status conference next week. Tribal opponents of the pipeline, which began operating this month, had failed twice before in legal challenges seeking to block its completion. But they hailed Wednesday's decision: "We applaud the courts for protecting our laws and regulations from undue political influence, and will ask the Court to shut down pipeline operations immediately," Standing Rock Sioux Chairman Dave Archambault II said in a statement.

In a statement, the Grow America's Infrastructure Now coalition said the outstanding claims in the case "do nothing to impact the ongoing operation of the pipeline" and expressed confidence the Corps would allay the judge's concerns. "While we have little doubt that the Corps will ultimately be successful in satisfying the Court's concerns, tonight's decision continues the public saga of the project and jeopardizes ongoing infrastructure investment," Craig Stevens, a spokesman for the group, said.

PRUITT RETURNS TO THE HILL: Capitol Hill is still reeling after Wednesday's shocking shooting of House Majority Whip Steve Scalise and four others at a congressional baseball practice, but House appropriators plan to move forward as scheduled and hear testimony from EPA Administrator Scott Pruitt on President Donald Trump's fiscal 2018 budget request for the agency. That request sought a 31 percent cut for the agency, from $8.2 billion to $5.6 billion, though even fellow GOP lawmakers have bristled at such steep proposals. Look for lawmakers from both parties to press Pruitt - offering his first congressional testimony since being confirmed - on cuts to their pet programs but for Democrats to also press him on ongoing efforts to roll back a number of Obama-era regulations.

One key issue to watch: Whether Pruitt gives a full-throated defense of the budget that not only slashes climate change spending but does not spare his favored programs - including Superfund and brownfields. If he does, he's chaining himself to Trump's proposal and signaling even his own priorities are at risk. If not, he may double-cross the boss. On the other hand, Pruitt is

talented at sidestepping thorny issues and returning to his comfort zone, a high-wire act he could pull off once more.

Ahead of his appearance, Pruitt's critics will hold a "resistance rally" outside the Independence Avenue entrance to Rayburn at 10 a.m. Participating groups include Hip Hop Caucus, Green for All, Sierra Club, Environment America, Moms Clean Air Force, WE ACT for Environmental Justice, Sojourners, Green Latinos, Climate Action Campaign, the Union of Concerned Scientists and Franciscan Action Network, among others.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and NRDC's Edwin Chen was first to name President Gerald Ford as the last sitting chief executive to testify before Congress. For today (and in honor of the awesome Congressional Baseball Game): What congressman hit the first known grand slam during the game back in 1957? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

ARIZONA REGULATOR JOINS EPA: Henry Darwin, Arizona's former environmental chief, has been named EPA's assistant deputy administrator, where he will help manage day-to-day operations. He's been the state's chief operating officer since 2015 but before that served five years as director of the Arizona Department of Environmental Quality, Pro's Alex Guillén reports . Darwin "will deploy the same Lean Management System that he successfully deployed" in Arizona, EPA spokesperson Liz Bowman said. "He will focus the Agency on providing value to taxpayers by helping us measure performance, improve our processes and solve the issues that matter to Americans."

In 2014, Darwin testified before Congress that he did not believe EPA had the legal authority to regulate carbon emissions as it did with the Clean Power Plan. Darwin's position at EPA does not require Senate confirmation.

NUCLEAR ENERGY CREDIT BILL GETS A VOTE: The House Ways and Means Committee is set to vote today on legislation extending the nuclear energy production tax credit program that Southern Co. and SCANA need to keep their nuclear projects on sound financial footing. The credits - worth billions of dollars to the companies - currently require new reactors be in service by the end of 2020 to qualify, a timeline made just about impossible given the bankruptcy of contractor Westinghouse. The bill would open the credits to projects that power up after 2020. The markup is scheduled for 10 a.m. in Longworth 1100.

YUCCA, OZONE, BROWNFIELDS BILLS ON THE MOVE: House Energy and Commerce Environment Subcommittee members are expected today to advance their first three major environmental measures of this Congress. Chairman John Shimkus gets a vote on his draft bill rewriting the nation's nuclear waste policy. The measure contains language on interim storage sites, but seeks to advance Shimkus' long-held priority of completing Yucca's licensing process. Also on the docket is the Ozone Standards Implementation Act (H.R. 806), which would delay implementation of the 2015 ozone standard through 2025 and stretch the regular air quality standard review period from five years to 10. And the panel will consider a draft bill reauthorizing and tweaking the brownfields program to raise the cap on federal grant amounts

for individual sites. Similar versions of all three bills have been considered in prior Congresses, though none have come close to passage. The markup kicks off at 10 a.m. in Rayburn 2123.

NRC CHAIRWOMAN GETS PANEL VOTE: Moving quickly just two days after her confirmation hearing, NRC Chairwoman Kristine Svinicki gets a vote this morning at 10 a.m. at Senate EPW. Time is of the essence because her term expires June 30, and Svinicki would have to step down, at least temporarily, if the Senate fails to confirm her by then. Her biggest hurdle may be securing time on the Senate's floor schedule, with ranking member Tom Carper telling reporters after the hearing Tuesday that she'd have little trouble clearing the Senate.

LONG WAY TO GO FOR E15: Sen. Deb Fischer got her promised hearing Wednesday on a bill to promote sales of 15 percent ethanol gasoline, but she's going to need a lot of help to get the legislation out of the Senate Environment and Public Works Committee. Five cosponsors of the bill, S. 517, sit on the panel, but no other EPW members have declared their support, leaving it six votes short of a committee majority.

As Pro's Eric Wolff reports, Chairman John Barrasso, top Democrat Tom Carper, and Republican former chairman Jim Inhofe all opposed the bill or would require significant changes to win their support. GOP Sens. John Boozman and Richard Shelby told ME they oppose the E15 bill, and Republicans Roger Wicker and Shelley Moore Capito have sponsored anti-ethanol legislation in the past. The last Republican on the committee, Alaska Sen. Dan Sullivan , appears to have no public position on the RFS. Among EPW Democrats, Illinois Sen. Tammy Duckworth is the bill's only cosponsor. ME caught up with Sen. Ed Markey, who said he hadn't made up his mind, and Sen. Cory Booker told Eric he has "negotiations underway."

Markup? Two ethanol sources who have had conversations with Senate staff said they expect a committee vote on Fischer's bill in July, but everyone agreed that the timing was in flux.

X MARKS THE MOX: Top lawmakers on the Senate energy appropriations panel seem more prepared than ever to defund the controversial MOX nuclear project after years of holding back their frustrations. The Obama administration spent years urging Congress to put the project, which was designed to dilute weapons-grade plutonium into reactor fuel, into cold standby before it eventually called for killing MOX outright in favor of a "dilute and dispose" program last year. Interestingly, Trump's budget last month agreed. "I think the fact that successive administrations have come to the same conclusion is very important," Sen. Lamar Alexander, the energy spending chief, said of MOX at a hearing Wednesday afternoon, after noting that a special "red team" said the dilution effort would be faster and cheaper. "I think we have a formula," said Sen. Dianne Feinstein, the top Democrat on the energy spending panel. Last year, Alexander, faced with opposition from South Carolina Sen. Lindsey Graham, extended MOX's life so other committees could discuss it.

WAITING FOR REG REFORM: Sen. Rob Portman told ME the regulatory overhaul he and Sen. Heidi Heitkamp sponsored will get to the floor, "Soon now, I hope!" The bill advanced out of committee last month, but Heitkamp was the only Democratic backer. Sen. Claire McCaskill , a centrist Democrat whose support Portman and Heitkamp probably need, promised her own bill that day with the hopes she'd have it out by Memorial Day. Wednesday she told ME she said

reviewed a draft last week, but that it still needed work. She hopes she'll release it before the July 4 break.

Appreciate the scene: Portman gave his answer to ME while sitting on a Senate subway after a gaggle of reporters bombarded him with questions on the upper chamber's secretive healthcare bill. He called out his response on reg reform, a topic he would much rather discuss, as the train pulled away from the platform, almost as if the moment had been shot for a movie. ME would like to be played by Chris Pratt, thanks for asking.

ANOTHER KEYSTONE MEETING SCHEDULED: The Nebraska Public Service Commission has added a third public meeting on TransCanada's application for the controversial Keystone XL pipeline route through the state on June 28, Pro's Ben Lefebvre reports. Comments during the meeting at the Divots Conference Center in Norfolk will be on a first-come, first-served basis. The commission expects to make a final decision before the end of the year.

PAST EPA CHIEFS PAN TRUMP: Former EPA administrators Carol Browner and Gina McCarthy got off a few jabs at President Trump during appearances at Wednesday night's League of Conservation Voters dinner. McCarthy said Trump's solar wall idea makes him "the definition of 'desperado,'" adding: "It's an interesting tactic, trying to pass a terrible idea by linking it with a good one. What's next? A wind-powered oil derrick?" Browner, meanwhile, joked that Trump's "covfefe" tweet "sounds like something EPA would regulate."

MAINE MONUMENT STILL IN SPOTLIGHT: Interior Secretary Ryan Zinke swings through Maine for a second day and again will focus on the controversial Katahdin Woods and Waters National Monument. Zinke today meets with tribal leaders, Gov. Paul LePage and other local elected and business representatives of varying opinions about the monument, according to the agency.

GRIJALVA QUESTIONS METHANE PULLBACK: House Natural Resources Ranking Member Raul Grijalva sent a letter to Zinke Wednesday questioning whether Interior violated the Administrative Procedures Act by suspending key parts of the methane waste rule. "Extending those compliance dates without another notice-and-comment period, and with only a cursory rationalization that is in large part based on written requests from oil and gas industry groups, is arbitrary and capricious," he wrote.

RECORDS SOUGHT OVER DOE GRID STUDY: The Center for Biological Diversity filed a FOIA request Wednesday seeking records of DOE communications with energy companies and other outside entities related to its ongoing electric grid reliability study. "We hope our request will shed light on the administration's communications with the dirty companies that would benefit most from hampering wind and solar," Howard Crystal, a senior attorney with the group, said in a statement.

PRO-WIND GROUP LAUNCHES CAMPAIGN IN D.C.: American Wind Action launched a multimillion-dollar digital, TV and radio advertising issue advocacy campaign Wednesday in Washington that features workers at an Iowa wind turbine manufacturing facility who say the industry "powers American jobs."

REPORT: CLEAN ENERGY MOMENTUM CONTINUES: A report released Wednesday by Deloitte finds renewable energy sources are competitive with conventional energy and 63 percent of residential consumers said they're very concerned about climate change and their carbon footprints. "Green energy no longer solely means environmental concerns, 'green energy' also means the dollars that can be saved by investing in wind, solar and other clean energy sources," Deloitte's Marlene Motyka said in a statement.

CLIMATE CAUCUS GROWS AGAIN: There are now 42 members of the bipartisan Climate Solutions Caucus with the addition of four more lawmakers: Reps. Jimmy Panetta (D-Calif.), Scott Taylor (R-Va.) and Barbara Comstock (R-Va.), as well as Del. Stacey Plaskett (D-V.I.).

MOVER, SHAKER: James Schindler, a member of the Trump administration's Interior beachhead team and prior legislative aide to former Sen. David Vitter, took an official job as special assistant in the Bureau of Ocean Energy Management effective May 28, according to a Public Financial Disclosure Report obtained by ME.

YOU'RE HIRED: Akin Gump has signed four new clients, including Gulfport Energy Corporation and Otis Eastern Service (h/t POLITICO Influence).

QUICK HITS

- Scott Pruitt used two government email addresses in his last job. He told Congress he used one. Washington Post.

- Even China-Backed Development Bank Won't Touch Coal Projects. Foreign Policy.

- Iowa regulator recuses himself from Dakota Access Pipeline case. Des Moines Register.

- Oil Tumbles to Lowest Since November as Gasoline Supplies Surge. Bloomberg.

- Morgan Stanley CEO says Saudi Arabia could be 'major opportunity'. Reuters.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Wed 11/15/2017 10:20:52 PM
Subject: EPA started hiring process for Dourson ahead of hearing, document shows

By Alex Guillén

11/15/2017 05:18 PM EDT

EPA began laying the groundwork to get Michael Dourson onto the agency payroll without waiting for him to be confirmed — even before his nomination hearing occurred, according to documents obtained by POLITICO via a Freedom of Information Act request.

Dourson joined EPA as a senior adviser to Administrator Scott Pruitt sometime last month. On Sept. 20, Pruitt and EPA chief of staff Ryan Jackson signed Dourson's "position description coversheet," outlining his duties advising Pruitt on legislative and regulatory issues related to chemicals and pesticides. That was two weeks before Dourson's Oct. 4 hearing before the Senate Environment and Public Works Committee, though President Donald Trump nominated him in July as the assistant administrator for toxic substances. (In an apparent error, the document does not include Dourson's name, but was identified by EPA as Dourson's paperwork.)

The committee approved his nomination along party lines Oct. 25, but a Senate floor vote has not yet been scheduled. Dourson has drawn criticism over his past toxicology work for various companies, and some Republicans have indicated they have reservations.

EPA last month pointed out that previous administrations had hired nominees to begin working before their confirmation. The agency did not immediately respond to a request for a comment today.

Susan Bodine, who is awaiting a confirmation vote to become EPA's enforcement chief, also has already started at EPA. Pruitt and Jackson signed off on her job description July 12, according to a copy of the document obtained by POLITICO.

WHAT'S NEXT: It is unclear when Dourson may receive a final floor vote in the Senate.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/epa-started-hiring-process-for-dourson-ahead-of-hearing-document-shows-095750

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 7/11/2017 7:50:15 PM
Subject: Trump EPA moves closer to reversing Pebble Mine proposed veto

By Alex Guillén

07/11/2017 03:46 PM EDT

The Trump administration is moving forward with a plan that could let the developers of the planned Pebble Mine in Alaska reapply for permits in the Bristol Bay region.

EPA is taking the first formal step toward reversing the Obama administration's effort to preemptively veto Clean Water Act permits for the mine. The agency will take public comment for 90 days on its proposal to withdraw the previously proposed veto and accompanying analysis, according to a pre-publication notice posted today on the agency's website.

The announcement is part of a court-approved deal EPA reached in May with the company behind the proposed gold, copper and molybdenum mine. Pebble's developers had alleged EPA's prior work on the matter, which halted in 2014, violated an open government law.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) last month asked EPA Administrator Scott Pruitt to accept comments for at least 90 days because of the current commercial fishing season in Bristol Bay, which she said would limit the ability of local fishers to comment.

EPA's withdrawal is the first step of carrying out the settlement agreement struck with Pebble's developers. The agency has agreed not to study related water quality issues for at least four years or until the Army Corps of Engineers finishes its own environmental study. Pebble has until late 2019 to apply for a permit.

WHAT'S NEXT: The 90-day comment period will commence once the notice is published in the Federal Register.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/trump-epa-moves-closer-to-reversing-pebble-mine-proposed-veto-090303

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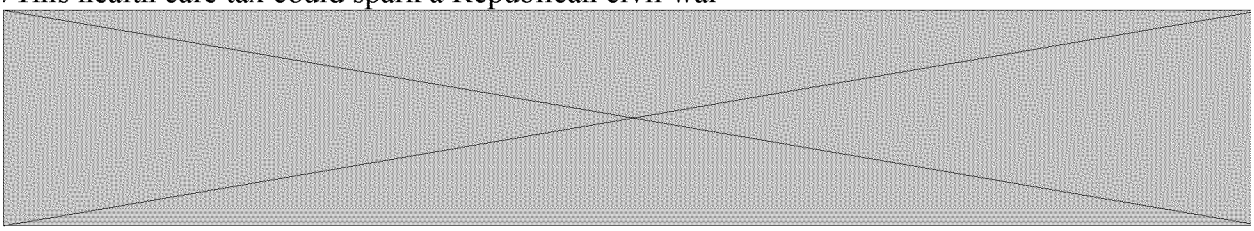
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Fri 7/14/2017 10:12:24 AM
Subject: AEI Today: This health care tax could spark a Republican civil war

. This health care tax could spark a Republican civil war



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

This health care tax could spark a Republican civil war

James Pethokoukis | The Week

The spark that could explode a political powder keg is a little-known investment tax. This tax has long divided the two parties — but now it's dividing Republicans, too. Many conservatives, especially "supply-siders," have long made axing this tax a top priority. They view it as anti-growth and one big cause for the lethargic economic recovery. But GOP Senate leaders, struggling to marshal 50 "yes" votes, are fighting to keep it.

Reuters

The president's defense of the West is not alt-right

Marc A. Thiessen | The Washington Post

The president praised Poland as a country "at the center of European civilization." He warned that the West is threatened by "totalitarian forces in the world." He called on the West to defend "great civilized ideas: individual liberty, representative government, and the rule of law under God." The president in question was not Donald Trump, whose Warsaw speech has drawn irrational criticism. It was Ronald Reagan.

Reuters

Testimony: Al Qaeda strengthens in the shadows

Katherine Zimmerman | Statement before the House Subcommittee on Counterterrorism and Intelligence

American strategy is setting the stage for al Qaeda to lead the Salafi-jihadi movement again at a time when that movement is the strongest it has ever been globally. The rise of the Islamic State has galvanized Salafi jihadism globally. Despite this development, US strategy in this area has remained relatively unchanged since 2001.

Twenty20

President Trump throws a lifeline to former prisoners

Gerard Robinson | US News & World Report

"My first introduction to Donald Trump occurred in 1987 when a college roommate showed me his copy of 'The Art of the Deal,'" writes Gerard Robinson. In the opening lines of chapter one,

Trump states, "I don't do it for the money. I've got enough, much more than I'll ever need." Most Americans will never have all the money they'll ever need, but President Trump's recent order may help many of them get closer than they are now.

More from AEI

Populist, blue-collar Reaganism puts the 'social' back in social safety net
James Pethokoukis | AEIdeas

1 in 3 college grads work in jobs that don't require a degree, yet we keep trying to push more people into school

Preston Cooper | Forbes

The 3 big myths surrounding Puerto Rico's debt crisis

Desmond Lachman | The Hill

Testimony: A federal strategy for early childhood education must start with state leadership

Katharine B. Stevens | Statement before the House Subcommittee on Early Childhood, Elementary, and Secondary Education

Anti-Trump overreach could backfire for Democrats

Michael Barone | Washington Examiner

Why does South Africa embrace piracy and reward terror?

Michael Rubin | AEIdeas

The standard economist's answer to automation and job loss is far too flippant

James Pethokoukis | AEIdeas

Watch live this morning: Medicare in the Trump era as the Trustees

release their 2017 report
Joseph Antos | AEI event today at 9:15 AM ET

Last week's Warsaw speech could have been delivered nearly word-for-word by Truman, JFK, or Bill Clinton
Marc A. Thiessen | AEIdeas

Podcast: Leon Aron on everything you need to know about Russia, from hacking to Syria
Spencer Moore and Cecilia Gallogly

Watch live this morning: The coup in Turkey, one year later
Michael Rubin and Steven A. Cook | AEI Facebook Live

Words missing from the White House's 'MAGAnomics' agenda: Innovation, entrepreneurship, and debt
James Pethokoukis | AEIdeas

Around the web: A blueprint for coexistence with artificial intelligence
Matt Winesett | AEIdeas

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Energy and Climate Report

June 23, 2017 - Number 121

News

Courts

Property Rights Curbed by Top U.S. Court in Development Case

The U.S. Supreme Court dealt a blow to property-rights advocates June 23, ruling that regulators didn't violate the U.S. Constitution when they refused to allow separate houses on adjoining riverfront lots owned by four siblings.

Energy

U.K. Told Nuke Plant Subsidies May Spiral Past $38 Billion

Britain's first new nuclear plant in a generation may cost consumers 30 billion pounds ($38 billion) or more in higher electricity costs, five times more than ministers had expected, the government's auditor warned.

Enforcement

Ohio Refiner to Pay $13 Million for Air Pollution Violations

An Ohio petroleum refinery will pay $1 million in penalties and spend nearly $12 million on pollution controls and environmental projects for alleged violations of the Clean Air Act.

Mergers and Acquisitions

EnergySolutions, Waste Control Specialists Won't Appeal Merger Block

Valhi Inc., the owner of Waste Control Specialists LLC, said in a statement June 23 that it won't appeal a federal trial court judge's decision to block its merger with rival radioactive waste disposal firm EnergySolutions Inc.

Renewable Energy

Tembo Power Proposes New Hydro Solution for Congo Copper Mines

Africa-focused energy company Tembo Power Ltd. is proposing a new approach to address the electricity shortfall in the Democratic Republic of Congo.

Renewable Energy

World's Biggest Wind Turbine Maker Sets Sights on New Markets

The chief executive officer of Vestas Wind Systems A/S says the world's biggest wind turbine maker wants to expand in the Middle East and the Asia Pacific region as it taps into growing demand for renewable energy in new markets.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Thur 6/1/2017 2:06:28 PM
Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: Gas tax whiplash continues — Tolling door cracked open? — Shuster to talk FAA with Trump

By Tanya Snyder and Lauren Gardner | 06/01/2017 10:00 AM EDT

With help from Brianna Gurciullo

GAS TAX WHIPLASH CONTINUES: There's a new chapter in the Trump administration's ongoing gas tax saga - White House infrastructure adviser Richard LeFrak saying Wednesday that he's in favor of raising the gas tax. Though, he argued it wouldn't really be a raise since "you'd be leveling it to where it would have been had they adjusted it for inflation in 1993." He said the 18.4-cent gas tax is worth far less now than it was when it was imposed, and improved fuel economy has also eaten away at revenues.

This again? Last month, all on the same day, Treasury Secretary Steve Mnuchin threw cold water on the idea of including anything for infrastructure - like, for example, a gas tax - in the administration's tax overhaul plan; President Donald Trump said a gas tax increase was "something that I would certainly consider," noting that truckers are in favor of raising the gas tax "if we earmarked money toward the highways;" and press secretary Sean Spicer insisted that Trump "did not express support for it." LeFrak waded in that day too, praising Trump for his "political courage" in raising the issue.

The permitting 'horror': LeFrak also echoed the administration's favorite infrastructure talking point, noting that the red tape around project permitting has "morphed into a horror over the last 30 years." He said states provide the lion's share of infrastructure funding in the country, and the federal government provides a small contribution but a lot of "interference" in terms of "the morass" of permitting and requirements a project is subject to when it uses federal dollars. LeFrak said the administration is considering making agencies use "simultaneous review" - an idea he acknowledged got its start "a little bit" during the Obama administration.

Don't know when: LeFrak said he thought more would be coming from the administration soon on the infrastructure plan but that he's "not involved in how and when they're going to trot it out."

IT'S THURSDAY (AND IT'S JUNE!): Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Hold up - Lauren's back in the saddle for a little while. Send us tips, feedback and lyrics to tsnyder@politico.com or @TSnyderDC and lgardner@politico.com or @Gardner_LM.

"I'm a female rebel, can't you see? / Riding 'round your backyard, who could it be? / Pulling out the steering wheel right from the seat / Pumping his brakes to the sound of the beat."

Want to keep up with MT's song picks? Follow our Spotify playlist.

TOLLING DOOR CRACKED?: In an interview with the Herald-Mail, House Transportation Committee Chairman Bill Shuster (R-Pa.), who has previously said expanding tolling on existing Interstates is a political nonstarter, appeared to nudge the door open a bit, saying there "may be some targeted tolling happening around the country in really congested areas" and suggesting those areas won't get fixed unless we "let them toll, at least temporarily, let them build out and do what they have to do."

FAA chat at 1600 Penn next week: Shuster also said he may meet with Trump Monday to talk overhauling the FAA. Additionally, he told the Herald-Mail that Trump might "want to travel to see proposed infrastructure projects in the coming weeks."

FOR YOUR RADAR: Transportation Secretary Elaine Chao will be testifying Wednesday morning at a Senate Commerce Committee hearing on the FAA reauthorization. It will be senators' best chance to date to quiz her on the administration's position on separating air traffic control from the FAA - a plan still encountering substantial trepidation among senators on the Commerce Committee.

SHOW ME THE MONEY: FRA and FTA announced nearly $200 million in long-awaited grant money Wednesday for commuter railroads aiming to implement positive train control by the Dec. 31, 2018 deadline, Lauren reports. The money is being spread out over 17 projects in 13 states, and recipients range from those that are nearly done implementing the technology - like Metrolink in Southern California and Philadelphia's SEPTA - and others that are lagging behind, like Boston's Massachusetts Bay Transit Authority.

SOME FUNDING FOR THOSE 'THIRD WORLD' AIRPORTS: Hundreds of airports will receive grants totaling almost $528 million to upgrade their infrastructure, DOT said Wednesday. Some of the airports will receive discretionary funding totaling more than $213 million, which will come on top of the money they receive through entitlement funding. The Airport Improvement Program discretionary grants include a total of $60 million for Chicago O'Hare International Airport and $20 million for Fort Lauderdale-Hollywood International Airport, which both have planned or completed runway projects. (Those grants were announced May 19, according to DOT.) Trump's fiscal 2018 budget asked for $3.35 billion for AIP - a status quo request.

YA, YOU BETCHA: Transportation Secretary Elaine Chao was in Fargo, N.D., Wednesday, proclaiming May 31 the first-ever National Autonomous Vehicles Day at the Drone Focus Conference. In a speech, she plugged the administration's proposal to split air traffic control operations from FAA into a "non-profit cooperative." "A key goal is to increase the capacity of our national airspace with the latest technology, so it can accommodate the expected increase in traffic as well as new entrants like drones," she said.

CRAM IT ALL IN: Sens. Ed Markey (D-Mass.) and Richard Blumenthal (D-Conn.) sent a letter to Homeland Security Secretary John Kelly Wednesday asking for more information about how checked-bag fees impact aviation security. The letter follows on comments Kelly made on "Fox News Sunday" this weekend, where he indicated that people trying to avoid checked-bag fees are stuffing carry-ons so full that TSA agents "can't tell what's in the bags anymore."

** **A message from Delta Air Lines:** Our daily briefing: At Delta we're constantly innovating to make your travel smoother. We tapped RFID technology to keep your bags in check at all times. Giving you more peace of mind from check-in to baggage claim. Learn more: delta.com/dca **

WAIVE THE SWAMP: Chris Liddell, a former General Motors executive who Trump appointed to be his assistant and director of strategic initiatives, was one of more than a dozen the White House quietly released last night as having received an ethics waiver to allow him to participate in policy matters he once lobbied on. The waiver was temporary pending "disposition of certain trust assets," and no longer is in effect. (Reminder: In March CREW accused Liddell of having broken ethics laws by participating in meetings with Trump and executives from businesses in which he had a financial interest.)

LOST AT SEA: Recreational boating fatalities rose to 701 last year, the highest number since 2011 and a 12 percent increase over the year before, according to Coast Guard statistics . A top Coast Guard safety officer stressed the importance of boating safety education and vessel safety checks and reminded boaters that wearing a life jacket "is the single greatest factor in preventing death from drowning." Alcohol was the leading known contributing factor in fatal boating accidents, the Coast Guard said, having factored in to 15 percent of deaths. Operator inattention and inexperience, excessive speed and machinery failure were other factors.

WILL HE STAY OR WILL HE GO?: Tesla CEO Elon Musk drew a "line in the sand" in front of Trump Wednesday, warning the president via Twitter that he'll abandon advisory councils he's participated on for the White House if Trump pulls out of the Paris climate change deal, Pro Technology's Nancy Scola reports. "Musk's threatened break with Trump comes as the White House is trying to bring tech CEOs and other executives to Washington for a summit next month on modernizing government technology, cybersecurity, immigration and other topics," she writes.

EYE SCANNING AND VOICE RECOGNITION MUST BE NEXT: Delta Air Lines is testing a "biometric boarding pass" at Ronald Reagan Washington National Airport, allowing a select group of passengers to use their fingerprints as proof of identity without having to produce a boarding pass or photo ID. The airline is currently using the system at the entrance to its Sky Club lounge, exclusively for SkyMiles members enrolled in the CLEAR airport security program. In the next phase of testing, those passengers will be able to check a bag and board a flight the same way.

AUDIT BEGINS: After nearly a decade of attention to the problem of sexual assault and harassment at the United States Merchant Marine Academy, the DOT's inspector general has initiated an audit to determine how much progress has been made. Various policies and action plans have been only partially implemented and the Academy's attempts at "culture change" so far appear to have fallen flat, the IG suggested. The IG's office was required by statute to take up this audit, which should be completed by March 31, 2018.

SHIFTING GEARS: Four lobbyists who oversee the drone practice at Akin Gump are reportedly moving over to McGuireWoods Consulting. They include Michael E. Drobac, a

senior policy adviser and executive director of the Small UAV Coalition; Gregory Walden, a lobbyist and senior counsel at Akin Gump who specializes in aviation and government ethics; Amanda Armistead, a policy adviser at Akin Gump for nearly two years; and Casey Duggan, a public policy specialist and former House staffer.

A MAP OF THE MAZE: A new white paper from the Signal Group, a lobbying and PR firm, maps out the difficult path to passage of an infrastructure plan in Congress. "The House must wrangle with the 40-member strong Freedom Caucus," the report notes, while Democrats want to see more direct public investment and are "wary of giving Republicans and the Trump administration a significant legislative victory" ahead of the midterms. Still, lawmakers whose districts would benefit from such a plan could likely be swayed, the group said.

GROUP SEEKS REVIEW OF HARLEY SETTLEMENT: The free-market Cause of Action Institute is taking aim at a settlement the Obama administration reached with Harley-Davidson over after-market "super tuner" devices the company sold to boost motorcycles' performance that allegedly led to Clean Air Act Violations. The August 2016 settlement with EPA required the motorcycle manufacturer to fund a program to replace or retrofit wood-burning stoves with cleaner appliances. But Cause of Action says that approach violates the agency's own guidance, and the group says EPA Administrator Scott Pruitt ought to take another look at the settlement. "EPA is overstepping its authority by requiring Harley-Davidison to implement an emissions mitigation project that lacks such a sufficient nexus to the underlying violation," the group wrote today in a letter to Pruitt, along with a FOIA request for documents related to the settlement negotiations.

THE AUTOBAHN:

- "JetBlue will test facial recognition for boarding." CNN Money.

- "'Money out of your pocket': New Yorkers tell of subway delay woes." The New York Times.

- "Amazon's delivery drone system is getting parachutes for your packages." Mashable.

- "Amtrak sues Union Station over Delta Air Lines ads." NBC Washington.

- "Maryland suspends some pre-construction work on purple line, pending appeal." WAMU.

- "Trump targets German trade, and the South grimaces." The New York Times.

- "Trump considers rolling back Obama's opening with Cuba." The New York Times.

- "Boeing finds an Ex-Im Bank alternative." Wall Street Journal.

- Peep the Stratolaunch, a twin-fuselage airplane with six engines, 28 wheels and a payload capacity of half a million pounds. It's also the world's largest plane. CNN.

THE COUNTDOWN: DOT appropriations run out in 122 days. The FAA reauthorization

expires in 122 days. Highway and transit policy is up for renewal in 1,218 days.

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Today's PLAYBOOK presented by Samsung
06/11/2017 10:55 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

FIRST IN PLAYBOOK -- WE HEAR ... There is a chance Congress will stay in session for part of August. There has been political pressure from some members of the House and Senate to stay in town and try to get some things done instead of take a five-week recess. The pressure will only increase if the Obamacare repeal and replace isn't done in the next few weeks. Congress has just 27 days in session until the summer break. Maybe it's a blessing in disguise: many lawmakers have had to face angry constituents on trips home.

STATEMENTS FROM PRESIDENT DONALD TRUMP from Trump National Golf Club in Bedminster, New Jersey -- **at 8:22 a.m.:** "The #FakeNews MSM doesn't report the great economic news since Election Day. #DOW up 16%. #NASDAQ up 19.5%. Drilling & energy sector.....way up. Regulations way down. 600,000+ new jobs added. Unemployment down to 4.3%. Business and economic enthusiasm way up- record levels!" ... **at 8:29 a.m.:** "I believe the James Comey leaks will be far more prevalent than anyone ever thought possible. Totally illegal? Very 'cowardly!'" ... **at 8:49 a.m.:** "The Democrats have no message, not on economics, not on taxes, not on jobs, not on failing #Obamacare. They are only OBSTRUCTIONISTS!"

-- TWO QUICK THINGS : Many Democrats will privately agree with Trump that they oftentimes lack a coherent message. But Trump's presidency has unified Democrats for the first time in a long time ... Trump has majorities in the House and Senate, and he's blaming Democrats for obstructing him.

BREAKING OVERSEAS -- TRUMP PUTS OFF U.K. VISIT -- THE GUARDIAN: "Donald Trump's state visit to Britain put on hold: U.S. president told Theresa May he did not want trip to go ahead if there were large-scale public protests": "Donald

Trump has told Theresa May in a phone call he does not want to go ahead with a state visit to Britain until the British public supports him coming. The U.S. president said he did not want to come if there were large-scale protests and his remarks in effect put the visit on hold for some time. The call was made in recent weeks, according to a Downing Street adviser who was in the room. The statement surprised May, according to those present." http://bit.ly/2reskVQ

Good Sunday morning. Jake will be on Steve Hilton's new Fox News show "The Next Revolution" live from Los Angeles tonight at 9 p.m. East Coast time.

TRUMP stopped by a wedding at his country club in New Jersey last night. http://bit.ly/2t98Uhy

YOU'LL HEAR THIS QUOTE A LOT -- Donald Trump Jr. on Fox News, via the Washington Post: "'When he tells you to do something, guess what? There's no ambiguity in it, there's no, 'Hey, I'm hoping," Trump said. 'You and I are friends: 'Hey, I hope this happens, but you've got to do your job.' That's what he told Comey. And for this guy as a politician to then go back and write a memo: 'Oh, I felt threatened.' He felt so threatened -- but he didn't do anything.' Trump also said that Comey's testimony 'vindicated' the president and that everything in it was 'basically ridiculous.'" http://wapo.st/2t9eJf5

ALEX ISENSTADT in **DEER VALLEY, UTAH -- "Romney stokes speculation he's weighing another political run** : The 2012 GOP nominee is plotting how to help Republicans in the midterms, and he's being coy about his own political future": "Mitt Romney is once again testing his political power - critiquing President Donald Trump, raising money and campaigning for fellow Republicans, and not ruling out another run for office for himself. The 2012 GOP nominee is returning to the spotlight, six months after Trump -- the man Romney once savaged as unfit for the presidency -- nearly picked him to be secretary of state. ...

"Spencer Zwick, a longtime Romney adviser and political gatekeeper, said he'd been inundated with appeals from Republican candidates asking the former GOP nominee to help them. Last week, Romney held his first fundraiser for a 2018 hopeful, an event benefiting Arizona Sen. Jeff Flake, a Republican who has been fiercely critical of the president. Over the coming days, Romney is also expected to release a robo-call boosting Georgia Republican Karen Handel, who has been losing ground in a high-stakes June 20 special House election she had once been favored to win.

"'All I can tell you is that the number of requests that Mitt has gotten in the last month to come to a district or to come to a state for a sitting senator - it's like he's a presidential candidate again, which I was surprised by,' said Zwick, who doubles as a top political aide to House Speaker Paul Ryan. 'There are only so many people in the party that can headline these things.'" http://politi.co/2rZkZ9X

-- THERE IS A BIG DIFFERENCE between Republicans wanting to take advantage of

Romney's fundraising prowess, and his running for office and garnering the support he needs to win.

SUNDAY BEST -- JOHN DICKERSON speaks with **SEN. JAMES LANKFORD (R-OKLA.)** on **CBS'S "FACE THE NATION" -- DICKERSON:** "On the question of influencing the investigation, again, thinking about the scale, on the one hand the president might have done something that was a little bit crossing a line but he's a new guy to the job all the way to this question of obstruction of justice. Where do you put, knowing what you know about the president's behavior, where do you put what he did on that scale?" **LANKFORD:** "I would say it's very inappropriate. As Jim Comey said, it's awkward to be able to have the president of the United States sitting down with someone in the F.B.I., the leadership of the F.B.I., to be able to have direct questions. And for the issue to come up about the Michael Flynn investigations, inappropriate. But the way that it was handled, with no follow-up, with no other press, with no other return to that topic, it looks like what I called a pretty light touch. If this is trying to interfere in a process of any investigation, it doesn't seem like it was number one, very effective, and number two, came up more than once in a conversation. So this looks more like an inappropriate conversation than obstruction."

-- SEN. JACK REED (D-R.I.) tells **CHRIS WALLACE** on **"FOX NEWS SUNDAY"** that Trump needs to be deposed on all Russia-related questions -- "[T]he deposition is not just about his conversations with Mr. Comey. There are issues with respect to his conversation with director of national intelligence Dan Coats, Admiral Rogers, the NSA director, his relationships with Manafort. By the time the special prosecutor Mr. Mueller is ready to depose or ask the president to speak under oath, there are a myriad of questions. So what I don't want to see is simply, we'll I just said I talk about Comey, I'm not talking about anything else. To resolve this situation he has to be prepared to speak on all these matters."

-- PREET BHARARA speaks to **GEORGE STEPHANOPOULOS** on **ABC'S "THIS WEEK" -- STEPHANOPOULOS:** "The president's defenders, like Alan Dershowitz, say there's no grounds for obstruction. You talked about that. And he, in fact, says that presidents have the constitutional right to fire FBI directors and investigations as much as they want. One of the president's attorneys, Jay Sekulow, is coming up next. He says there's no there there, no basis for obstruction. You're a former prosecutor. Are -- is there evidence there ... to begin a case for obstruction?" **BHARARA** : "I think there's absolutely evidence to begin a case. I think it's very important for all sorts of armchair speculators in the law to be clear that no one knows right now whether there is a provable case of obstruction. It's also true I think from based on what I see as a third party and out of government that there's no basis to say there's no obstruction."

-- SEN. SUSAN COLLINS (R-Maine) talks to **BRIANNA KEILAR** on **CNN's "STATE OF THE UNION" -- KEILAR:** "I want to ask you about something the president has been cagey about, and that is these tapes, of course. So, I wonder if you would support issuing a subpoena to the White House. Right now, it's just a request coming from Congress. Would you support issuing a subpoena for the recordings or any documents

that might come from that?" **COLLINS:** "This is an issue that the president should have cleared up in his press conference. He should give a straight yes or no to the answer -- to the question of whether or not the tapes exist. And he should voluntarily turn them over not only to the Senate Intelligence Committee, but to the special counsel. So, I don't think a subpoena should be necessary. And I don't understand why the president just doesn't clear this matter up once and for all."

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THE NEXT MAIN EVENT -- "Sessions will testify before Senate in Russia investigation," by Kyle Cheney and John Bresnahan: "In a letter to his former colleagues in the House and Senate, Sessions canceled a planned appearance before Congress' appropriations committees. Sessions said he instead plans to appear on Tuesday before the Intelligence panel to respond to questions stemming from FBI director James Comey's bombshell testimony last Thursday. ...

"If this is an open session ... Sessions will likely face a barrage of questions over his role in Comey's dismissal, his independence from President Donald Trump, and allegations of additional unreported meetings with Russian Ambassador Sergey Kislyak. Sessions has already recused himself from the Russia probe after failing to tell the Senate Judiciary Committee during his confirmation of two meetings with Kislyak, and there have been reports of additional sessions." http://politi.co/2rOVc5P

-- SEN. DIANNE FEINSTEIN (D-CALIF.) told Brianna Keilar on "State of the Union" that she didn't know if the hearing will be open.

INQUIRING MINDS WANT TO KNOW -- "What's next for Comey? Maybe law, corporate work, politics," by AP's Eric Tucker: "So what's next for James Comey? The former FBI director boldly challenged the president who fired him, accused the Trump administration of lying and supplied material that could be used to build a case against President Donald Trump. But after stepping away from the Capitol Hill spotlight, where he's always seemed comfortable, the 56-year-old veteran lawman now confronts the same question long faced by Washington officials after their government service.

"His dry quip at a riveting Senate hearing that he was 'between opportunities' vastly understates the career prospects now available to him - not to mention potential benefits from the public's fascination with a man who has commanded respect while drawing outrage from both political parties." http://apne.ws/2sQlkMb

EYE-POPPING NUMBERS FROM WAPO'S KAREN TUMULTY in **SANDY SPRINGS, GEORGIA -- "Trump looms over Georgia special election, a proxy battle for 2018":** "It is an arms race of money and organization. The latest fundraising report, filed

Thursday, showed Ossoff raising an additional $15 million in the past two months, nearly quadruple what Handel brought in. With outside groups weighing in, the race has thus far cost more than $40 million -- far outpacing the previous record for a congressional race of nearly $30 million for a Florida contest in 2012.

"Polls indicate there are few voters still undecided. 'The next 10 days are about turning out the base. There are more of us than them in the district. The more people who vote, the better,' said Corry Bliss, who heads the Congressional Leadership Fund, a super PAC affiliated with House Speaker Paul D. Ryan (R-Wis.). That organization alone plans to spend about $7 million in the race." http://wapo.st/2rjhPM4

FASCINATING READ -- "Palantir goes from Pentagon outsider to Mattis' inner circle," by Jacqueline Klimas and Bryan Bender: "The Trump era has brought a change of fortune for a Silicon Valley software company founded by presidential adviser Peter Thiel - turning it from a Pentagon outcast to a player with three allies in Defense Secretary Jim Mattis' inner circle. At least three Pentagon officials close to Mattis, including his deputy chief of staff and a longtime confidante, either worked, lobbied or consulted for Palantir Technologies, according to ethics disclosures obtained by POLITICO. That's an unusually high number of people from one company to have such daily contact with the Pentagon leader, some analysts say.

"It also represents a sharp rise in prominence for the company, which just months ago could barely get a meeting in the Pentagon. Last year, Palantir even had to go to court to force its way into a competition for a lucrative Army contract. Thiel was one of the only Silicon Valley titans to openly support Trump during the campaign, a role that gave him a prime speaking slot at last summer's Republican convention. He has since acted as a key adviser arranging meetings among the president and other tech executives. While there's no evidence he had a direct hand in these specific Pentagon hires, analysts say they absolutely show his growing influence in the administration, where he holds no formal role." http://politi.co/2sqMdbS

DEMOCRATS' NEW PLAYBOOK -- "Democrats bet on Trump in Virginia governor's race," by Kevin Robillard: "Virginia's Democratic primary on Tuesday is shaping up to be the first real test of liberalism in the Trump era, with both candidates lurching for increasingly leftward policies to position themselves in contrast with President Donald Trump. ...

"Virginia's gubernatorial elections often develop into contrasts with a new president, but there's a stark difference between now and how Republican candidate Bob McDonnell handled then-President Barack Obama in 2009. While critical of the Obama's economic record, the future governor also regularly praised Obama for supporting school choice, straddling the partisan divide. The Democrats have felt no need to do the same with the less popular Trump, whose approval rating was at 36 percent in a recent Washington Post-George Mason University poll of Virginia." http://politi.co/2rjHzYJ

THE LATEST ON HEALTH CARE -- "Fate of Planned Parenthood funding tied to

Senate moderates," by Jen Haberkorn: "Two female Senate Republicans could stop the anti-abortion movement from achieving its most significant win against Planned Parenthood in decades. Most Republicans want to eliminate the group's $555 million in federal funding as part of their bill to repeal Obamacare. But as Majority Leader Mitch McConnell tries to solve the legislative Rubik's Cube of finding 50 votes for repeal, he may have to drop the Planned Parenthood cut to win the support of the two Republican moderates, Sens. Susan Collins of Maine and Lisa Murkowski of Alaska." http://politi.co/2sbbpTf

WHAT SILICON VALLEY IS READING -- "Uber Board to Discuss CEO Travis Kalanick's Possible Leave of Absence: Board also set to vote on recommendations from a report of an investigation into workplace issues," by WSJ's Greg Bensinger: "Uber Technologies Inc. Chief Executive Travis Kalanick will discuss taking a possible leave of absence when the board of directors of the embattled ride-hailing company meets Sunday morning, according to a person familiar with the matter.

"Also on the agenda when the seven-person board convenes is a vote on a series of recommendations from a report prepared by former U.S. Attorney General Eric Holder regarding its workplace. It was uncertain whether Mr. Kalanick would ultimately take the leave or whether the board would approve of such a measure, which would require finding a temporary replacement in short order." http://on.wsj.com/2r7Ram8

THE JUICE ...

-- SPOTTED at Mitt Romney's E2 Summit in Deer Valley, Utah: New Hampshire Gov. Chris Sununu, Spencer Zwick, Matt Waldrip, Corry Bliss, Speaker Paul Ryan, Sen. John McCain (R-Ariz.), Sen. Lindsey Graham (R-S.C.), Kristen Soltis Anderson, Ron Kaufman, Rep. Jason Chaffetz (R-Utah), Anthony Scaramucci, Bianna Golodryga, Will Ritter, Mary Bono Mack, Lanhee Chen, Leah Malone and Andrew Liveris.

RIP -- @SecondLady: "Rest in peace Oreo. You touched a lot of hearts in your little life. Our family will miss you very much." http://bit.ly/2sgQOxR

Playbook Reads

'WORKFORCE DEVELOPMENT WEEK' AT THE WHITE HOUSE -- "Donald and Ivanka Trump head to Wisconsin for jobs push," by ABC News' Jordyn Phelps: "President Donald Trump and his daughter Ivanka Trump are set to travel to Wisconsin Tuesday to join Gov. Scott Walker to tour a technical college, as the administration puts a renewed focus on its goal of job creation. The trip is just one event in a week full of activities built around promoting technical skills training and apprenticeships. [They are d]ubbing it 'workforce development week' ...

"The president is expected to make what the administration is billing as a 'major policy

speech' at the Department of Labor on Wednesday, in which he'll lay out steps the administration will take to encourage workforce development and also call for Congressional action. Ivanka Trump will also lead a roundtable with some 15 CEOs. On Thursday, the president will also host a roundtable discussion, where he will welcome eight governors from states with successful workforce development programs to the White House." http://abcn.ws/2r7tOwT

THE NEW U.K. POLITICAL REALITY -- "For Britain, Political Stability Is a Quaint Relic," by NYT's Steven Erlanger in London: "In a little more than two years, Britain has had two general elections and a nationwide referendum. Each time, the politicians, pollsters, betting markets, political scientists and commentators have got it wrong.

"Once considered one of the most politically stable countries in the world, regularly turning out majority governments, Britain is increasingly confusing and unpredictable, both to its allies and itself. Far from settling the fierce divisions exposed by last year's referendum on Britain's exit from the European Union, or Brexit, the election on Thursday only made them worse." http://nyti.ms/2shhy1i

-- THE POLITICO EUROPE TICK TOCK: "How Theresa May lost it: A reluctance to delegate, hubris and campaigning ineptitude ruined British prime minister's grand plan to secure a mandate," by Tom McTague, Charlie Cooper and Annabelle Dickson in London: "Halfway through Britain's seven-week snap election campaign, some in Theresa May's team came to the conclusion that they had a problem - the candidate. At a gathering of senior staff in Conservative campaign headquarters in central London, one of May's top operatives told the sitting prime minister that she risked crashing and burning like Sarah Palin did in 2008. ... To the operative, May was overly controlling and her inexperience would tell during a short, intense campaign. May listened with good grace ... [but] changed nothing." http://politi.co/2t8VuSG

ACTUAL FAKE NEWS - NYT A22, "A Pro-Trump Conspiracy Theorist, a False Tweet and a Runaway Story," by Jeremy Peters: "A pro-Trump activist notorious for his amateur sleuthing into red herrings like the 'Pizzagate' hoax and a conspiracy theory involving the murder of a Democratic aide, Mr. Posobiec wrote on May 17 that Mr. Comey, the recently ousted F.B.I. director, had 'said under oath that Trump did not ask him to halt any investigation.' ...

"But as the journey of that one tweet shows, misinformed, distorted and false stories are gaining traction far beyond the fringes of the internet. Just 14 words from Mr. Posobiec's Twitter account would spread far enough to provide grist for a prime-time Fox News commentary and a Rush Limbaugh monologue that reached millions of listeners, forging an alternative first draft of history in corners of the conservative media where President Trump's troubles are often explained away as fabrications by his journalist enemies.

"In this fragmented media environment, the spread of false information is accelerated and amplified by a web of allied activist-journalists with large online

followings, a White House that grants them access and, occasionally, a president who validates their work. The right-wing media machine that President Bill Clinton's aides once referred to as 'conspiracy commerce' is now far more mature, extensive and, in the internet age, tough to counter." http://nyti.ms/2sbduPm

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years. Today, we employ more than 18,500 people across the country, covering nearly every state. Samsung Austin Semiconductor (SAS) hosts 6,000+ manufacturing and engineering jobs and has become a $17bn investment - making it one of the largest single FDI's in the U.S. We're also committed to building strong communities through citizenship and support of programs for children's health, STEAM education, veterans and military families. Visit Samsung.com/VisionForTomorrow for more. ******

DEEP DIVES -- NYT A1, "Opioid Dealers Embrace the Dark Web to Send Deadly Drugs by Mail: Anonymous online sales are surging, and people are dying. Despite dozens of arrests, new merchants - many based in Asia - quickly pop up," by Nathaniel Popper (print headline: "Drug Trade Rises in Dark Corners of the Internet"): "As the nation's opioid crisis worsens, the authorities are confronting a resurgent, unruly player in the illicit trade of the deadly drugs, one that threatens to be even more formidable than the cartels. The internet. In a growing number of arrests and overdoses, law enforcement officials say, the drugs are being bought online. Internet sales have allowed powerful synthetic opioids such as fentanyl - the fastest-growing cause of overdoses nationwide - to reach living rooms in nearly every region of the country, as they arrive in small packages in the mail." http://nyti.ms/2t91CdL

--"China's New Bridges: Rising High, but Buried in Debt: China has built hundreds of dazzling new bridges, including the longest and highest, but many have fostered debt and corruption," by NYT's Chris Buckley: "The eye-popping structures have slashed travel times in some areas, made business easier and generated a sizable slice of the country's economy, laying a foundation, in theory at least, for decades of future growth. But as the bridges and the expressways they span keep rising, critics say construction has become an end unto itself. Fueled by government-backed loans and urged on by the big construction companies and officials who profit from them, many of the projects are piling up debt and breeding corruption while producing questionable transportation benefits." http://nyti.ms/2t9er7l

BONUS GREAT WEEKEND READS, curated by Daniel Lippman:

--"Bob Dylan's Nobel Lecture": "Some of these same things have happened to you. You too have had drugs dropped into your wine. You too have shared a bed with the wrong woman. You too have been spellbound by sweet voices with strange melodies. You too have come so far and have been so far blown back." http://bit.ly/2rULMnO

--"How the D-Day Invasion Was Planned" - in the August 1944 issue of Popular Mechanics: "Every one of the thousands of men landed in France required about 10

ship tons of overall equipment, and an additional ship ton every 30 days. The number of separate items needed was about a million. Some of these million items had to be accumulated in millions, resulting in astronomical totals." http://bit.ly/2smaY97

--"Eternal Champions," by Sam Borden in ESPN: "Seven months ago, Brazilian underdogs Chapecoense boarded a plane to play in the game of their lives. Instead, their biggest moment turned into a tragedy no one can forget." http://es.pn/2r9Y3aB (h/t Longform.org)

--"Inside Trump's secretive immigration court: far from scrutiny and legal aid," by The Guardian's Oliver Laughland in Jena, Louisiana: "[T]he remote LaSalle detention facility is part of Trump's attempt to fast-track deportations. A visit reveals a hastily arranged setup beset by flaws." http://bit.ly/2scNvHQ

--"Rolling Stone at 50: How Hunter S. Thompson Became a Legend," by Patrick Doyle in Rolling Stone - per The Browser's description: "Sports Illustrated asked Hunter S. Thompson for 250 words about a Las Vegas motorbike race. He gave them 2,500 words - and when they spiked the piece he took it to Rolling Stone, which wanted more. The result was Fear And Loathing In Las Vegas, published in 1971. Thompson's coverage of the 1972 presidential campaign 'reshaped what it meant to write about politics'. But 'getting work out of him was becoming difficult". Editing him 'was a bit like being a cornerman for Ali.'" http://rol.st/2smiHEk

--"Weddings of the 0.01 Percent," by Julia Rubin in Racked: "Cristal! Caviar! Chris Martin! How the rich (and sometimes famous) get married." http://bit.ly/2smtvCz

--"The truth about tarot," by James McConnachie in Aeon Magazine: "Whether divining ancient wisdoms or elevating the art of cold reading, tarot is a form of therapy, much like psychoanalysis." http://bit.ly/2sL1XDY (h/t ALDaily.com)

--"The Worst Ever First Day on the Job -- Punching In: My Life as a Long Haul Trucker," by Finn Murphy in Literary Hub: "Moving companies perform four categories of moving work: local, commercial, long-distance, and international. Callahan's work was mostly local moving, loading up someone's house in the morning and then unloading in the afternoon at the new house. It takes the greatest toll on the body because you are handling stuff every working day. It's the local stuff that eventually kills you or drives you to drink; more commonly, both." http://bit.ly/2s4Nuoy

--"There Were Once Jews Here," by Lucette Lagnado, author of "The Man in the White Sharkskin Suit: A Jewish Family's Exodus from Old Cairo to the New World," in Tablet Magazine: "During the Six-Day War, some of the Arab countries at war with Israel -- Egypt, Tunisia, Libya -- treated their Jewish populations terribly, causing them to leave en masse." http://bit.ly/2t92OOk ... ***$10.01 on Amazon*** http://amzn.to/2sbmAeT

--"Dear Brazilian Government, Thanks for the Contracts," by Michael Smith, Sabrina Valle, and Blake Schmidt on the cover of Bloomberg Businessweek: "There's graft, and

then there's the graft machine perfected by Odebrecht, one of the world's biggest construction companies." https://bloom.bg/2rOEHqr ... ***The cover*** http://bit.ly/2rjKL6H

--"'Kill them, kill them, kill them': the volunteer army plotting to wipe out Britain's grey squirrels," by Patrick Barkham in The Guardian: "The red squirrel is under threat of extinction across Britain. Their supporters believe the only way to save them is to exterminate their enemy: the greys. But are they just prejudiced against non-native species?" http://bit.ly/2re8OE6

--"This County Switched From Backing Obama to Trump. Here's What Happened," by Josh Siegel in The Daily Signal: "In 1980, manufacturing jobs comprised 38 percent of all jobs in Coos [New Hampshire]. In 2014, only 7 percent of jobs in the county were in manufacturing. Payroll wages from manufacturing have dropped from 49 percent to 9 percent since the mid-1980s." http://bit.ly/2sL2A0v

Playbookers

SPOTTED: Secretary of Homeland Security John Kelly enjoying "DHS Night" Friday night at the Nats game along with members of DHS' workforce - ***pic*** http://bit.ly/2rjyfUM ... Anson Kaye, partner at GMMB, in New Orleans last night, accepting a Gold ADDY award (and also a Mosaic Award) for the ad "Mirrors" (http://bit.ly/2sbAIEM) he created for Hillary for America

SPOTTED at State Department senior White House adviser Matt Mowers' birthday party at Wet Dog Tavern last night (which coincidentally also hosted RNC alum Anna Epstein's birthday party at the same time): Cassie Spodak, Ryan Williams, Zeke Miller, Ben Sparks, Jill Barclay, Phil Elliott, Ethan Zorfas, Ben DeMarzo, Maren Kasper, Michael Kratsios, Kailani Koenig, Tom Dickens, Elise Dietsch Dickens, Eric Jones, Alan He, Andy Polesovsky, Corey Ershow, Kelly Klass, Britt Carter.

SHIELDS/WALSH ENGAGEMENT PARTY -- THE BRITISH EMBASSY hosted an engagement party last night for **Mike Shields,** former RNC chief of staff and founder and partner at Convergence Media and **Katie Walsh** , former WH deputy chief of staff and former RNC chief of staff who is now senior advisor at America First Policies. Amb. Kim Darroch toasted the pair and called them the "ultimate political couple" and told the crowd how the couple got engaged in the Cabinet Room at 10 Downing Street, where the prime minister has met with his or her cabinet every week for 250 years. He also needled Mike, who has a British mother and is a big soccer fan, for supporting Ipswich, who he cast as much inferior to Chelsea in the Premier League. The food at the party included: herb-crusted fillet of lamb, goat's cheese and beetroot, terrine of pork, and chili shrimp while desserts included mini Bakewell tart, strawberry tartlet and passion fruit mousse. ***Pics of the couple*** http://bit.ly/2sbk3Bp ... http://bit.ly/2saWbhk ... ***Reince Priebus taking a pic of the couple as they thanked friends for coming*** http://bit.ly/2rOGmfz ... ***The crowd*** http://bit.ly/2rOzjDs

SPOTTED: Reince and Sally Priebus, Sean and Rebecca Spicer, Steven Mnuchin and his chief of staff Eli Miller chatting on a walk around the gardens of the embassy, Sarah Huckabee Sanders, Rob and Cindy Simms, Cara Mason, Jessica Ditto, Sarah and Dave Armstrong, Tim Pataki, Richard Walters, Rob Jesmer chatting with Sean Cairncross (Sean and Rob have been friends since they were 5 years old growing up in Minnesota), Brian O. Walsh, Josh Pitcock, Mike's 15-year-old son Aidan Shields-Eads, Molly Donlin, Steven Law, Sam Feist, Mike Allen, Andrew Bremberg, Lew Eisenberg, Madeleine Westerhout, Johnny DeStefano, Renee Hudson, Michael Hoare, Lindsay Walters, Vanessa Morrone and Mike Ambrosini, Zach and Mallory Hunter.

ENGAGED -- Andrew Feldman, principal of the progressive communications firm Feldman Strategies, proposed to his longtime girlfriend **Megan Salzman** Saturday night during Country Music Fest in Nashville. Megan is a communications manager at the early education advocacy group The First Five Years Fund. "Andrew and Megan met on OKCupid nearly four and a half years ago. Andrew points out that the ring has extra significant because the center stone was Megan's mother's engagement stone and she is no longer with us." ***Pics*** http://bit.ly/2r7KrIZ ... http://bit.ly/2rOFJTb ... ***The ring*** http://bit.ly/2rjzLGh

-- Jessica Huff, social media director for McClatchy in Dallas and a Politico alum, and **Spenser Walters** , an area sales rep for Duvel USA, got engaged on Friday night in Austin, Texas. She emails us: "We met in college at UT-Austin after he came back from Afghanistan. He was serving in the Marines. We had the same group of friends but I hadn't met him yet since he was overseas. Once he was back, one of our first dates was at a restaurant in the hill country in Texas overlooking the lake, and so while visiting Austin he took me back there and proposed during sunset. It's a very special place to us so it was perfect!" ***Pics*** http://bit.ly/2shqCmX ... ***The ring*** http://bit.ly/2t9rnKO

WEEKEND WEDDINGS -- Travis Considine, communications manager at Uber Texas and a John McCain and Rick Perry alum, married **Morgan Smith,** a reporter with The Texas Tribune, on Saturday evening at the San Antonio Museum of Art. Guests enjoyed a bluegrass band and flawless weather at the outdoor ceremony and reception. ***Pic*** http://bit.ly/2t9jc1c ... ***Travis' speech*** http://bit.ly/2sQLqi2

SPOTTED: Tucker and Alexia Bounds, Brittany Bramell, Trevor Theunissen, Chris Miller, Allie Brandenburger and Ryan Mahoney, Kevin Benacci, Emily Ramshaw, Matt and Jen Hirsch, Evan Smith, Perrylanders Rob Johnson, Mark Miner, and Andy Hemming.

OBAMA ALUMNI - Meredith Carden, head of partnerships at Sidewire, got married this weekend to **Micah Fergenson,** law clerk at U.S. Court of Appeals for the Second Circuit, in a small ceremony at Four Follies Farm in Tiverton, Rhode Island. The couple first met in 2009 when they were working for President Obama. Micah worked in the WH Counsel's Office, and Meredith worked for FLOTUS in the East Wing. They lost touch, but were reintroduced by a mutual friend in 2015. ***Pic*** http://bit.ly/2sb3Plq

--"Lily Rothman, Elihu Dietz" - N.Y. Times: "Ms. Rothman, 31, is the history and archives editor at Time magazine, overseeing its history coverage, Life.com and the magazine's digital archive. She also wrote 'Everything You Need to Ace American History in One Big Fat Notebook.' She graduated magna cum laude from Yale and received a master's degree in journalism from the City University of New York. ... Mr. Dietz, 32, is a candidate for a master's degree in environmental management at the Nicholas School of the Environment at Duke, where he studies the integration of renewable energy into the grid. He graduated from St. John's College in Santa Fe, N.M. ... The groom is a great-great-grandson and a namesake of Elihu Root, who was President Theodore Roosevelt's secretary of state and the winner of the Nobel Peace Prize in 1912. He is also a direct descendant of President Ulysses S. Grant. The couple met on a blind date arranged by friends in Brooklyn in 2011." ***With pic*** http://nyti.ms/2rZpO2N

--"Alison Kenworthy, Michael Koenigs": "The bride and groom work at ABC News in New York, where they met. She is a news producer for 'Good Morning America.' He is a senior coordinating producer, creating content that is used on-air and on the website. He was also the host of 'Election Cycle,' a series in 2016 that featured him bicycling through swing states and interviewing voters along the way. The bride, 33, graduated from Rutgers. ... Mr. Koenigs, 30, graduated cum laude from Harvard." ***With pic*** http://nyti.ms/2t8GB2L

--"Julia Pudlin, David Wishnick": "Ms. Pudlin, 32, worked until earlier this year at the United States Treasury Department as a deputy executive secretary in the chief of staff's office and a senior adviser to the general counsel. On July 10 she is to begin working as the assistant deputy general counsel for government investigations at Comcast in Philadelphia. She graduated summa cum laude from Yale, and received a law degree magna cum laude from the University of Pennsylvania. ... Mr. Wishnick, also 32, was until recently an associate in the Washington office of Jenner & Block, a Chicago law firm. On July 12 he is to begin a fellowship, conducting research in contract law, at the University of Pennsylvania Law School. He graduated magna cum laude from Brown, and received a law degree from Yale. ... The couple met in April 2013 through the dating app Hinge." ***With pic*** http://nyti.ms/2rOZSIV

--"Victoria St. Martin, Richard G. Jones": "The bride, 36, is a general assignment reporter on the local desk of The Washington Post. She graduated from Rutgers and received a master's degree in journalism from American University. ... The groom, 46, is to become the director of the journalism program at Notre Dame. Until recently, he was an associate editor in news administration for The New York Times, as well as the director of the newspaper's Student Journalism Institute. He graduated from the University of Delaware and has a master's degree in journalism from Columbia. ... The couple were introduced in 2006 by a mutual friend in Yardley, Pa." ***With pic*** http://nyti.ms/2rOtYMA

BIRTHDAYS: Greta Van Susteren, the pride of Appleton, Wisconsin (hat tip: Tammy

Haddad) ... Tad Devine, the pride of Providence who lives on Block Island, is 62 ... Kim Oates of the House Radio/TV gallery ... Carrie Budoff Brown's older sister, Jennifer Budoff, budget director for the D.C. City Council ... former Rep. Charles Rangel (D-N.Y.) is 87 ... Lindsey Williams Drath ... Jennifer Rubin ... Michael Timmeny, SVP for government and community relations at Cisco ... Jeremy Ben-Ami, president at J Street (h/ts Jon Haber) ... POLITICO's Reid Pillifant, Emily Dobler and Juliette Medina ... South Dakota Gov. Dennis Daugaard is 64 ... Treasury alum David Cohen ... TJ Adams-Falconer, associate director of external affairs at Axios ... Rep. Mike Conaway (R-Tex.) is 69 ... Cesar Gonzalez, COS for Rep. Mario Diaz-Balart ... former Rep. Rick Renzi (R-Ariz.) is 59 ... DNC comms staffer and former HRC campaign media booker Lucas Acosta (h/t Crystal Carson) ...

... Will Rahn, managing editor for politics at CBS News digital, is 3-0 ... Jessica Franks, gov't affairs representative for Halliburton ... Politico Europe's Tanit Parada Tur ... Chris Campbell, Republican staff director at Senate Finance ... Kristina Edmunson ... Rachel Ruskin ... Obama alum Jonathan McBride, now a managing director at BlackRock ... Mike Schoenfeld, the Blue Devils' master of public affairs/Duke's other Mike ... Betsy Gotbaum, former NYC public advocate, is 79 ... Matt Chaban, policy director at Center for an Urban Future ... Mary Kate Cunningham ... Salesforce's Tom Gavin, an Obama WH OMB alum ... Michael Froehlich ... Caroline Barker ... Matthew Campbell ... Vanessa Chan, corporate comms. at Facebook ... Kelly Danielka Peirson ... Google's Ramya Raghavan ... Tom Alexander, COO at 1871 Chicago and a Rahm alum ... Jacque Vilmain, the pride of Eagle Grove, Iowa(h/t Teresa) ... animal rights activist Ingrid Newkirk is 68 ... Power Playbooker Dr. Oz is 57 ... actor Hugh Laurie is 58 ... Shia LaBeouf is 31 (h/ts AP)

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Biofuel Subsides Axed in New House Legislation

Posted July 25, 2017, 11:30 A.M. ET

By Brian Dabbs

Biofuel subsidy programs at the Agriculture Department would be axed in a bill set for introduction in the House.

Rep. Andy Biggs (R-Ariz.), an environment subcommittee chairman on the House Science, Space and Technology Committee, plans to introduce the legislation July 26, saying the programs disregard market demand at the expense of taxpayers.

"By continuing to force technologies into the market that are not competitive or in demand, we are doing the American people a disservice," Biggs told a July 25 hearing on advanced biofuels. "The federal government's biofuel policies have had an unintended adverse effect on food costs. The price of corn, soybeans, and related retail food products have all increased."

The programs, Bioenergy Program for Advanced Biofuels and Biomass Crop Assistance Program, aim to boost innovation. Advanced biofuels, which can supplant traditional fuels to provide energy, are made from a wide range of plants and plant waste.

Many lawmakers oppose traditional corn-based ethanol over concerns about corn supply and environmental impacts.

Appalachian States Look Past Coal, Ask Trump to Aid Natural Gas

Posted July 25, 2017, 8:55 A.M. ET

By Ari Natter

Having lost tens of thousands of coal mining jobs to the rise in natural gas, several states have decided if you can't beat them, join them.

A bipartisan group of lawmakers hopes to persuade President Donald Trump to spare a loan program he wants to kill and use it to help a $10 billion gas-storage project in the hard-hit Appalachian region of the eastern U.S. where coal had once dominated. Proponents say it would

help spur new chemical, refining and other manufacturing industries—and give out-of-work miners a new career path.

"We need a more diverse portfolio," said Brian Anderson, director of West Virginia University's Energy Institute, and a member of the project's coordinating committee. "If you have one industry that dominates your economy and that industry sees a decline then it really runs huge ripples through your entire economy." Coal and natural gas compete in the electricity markets and the proliferation of fracking in recent years led to cheaper gas that has displaced coal. Coal had once accounted for more than half of all U.S. electricity generation, but last year natural gas topped coal to become the largest source of power generation. The impact has been felt especially hard in the Appalachian region—which was once largely dependent on coal mining and steel production.

The Appalachian Storage Hub, estimated to cost as much as $10 billion, could encompass underground caverns in Pennsylvania, Ohio or West Virginia, although the final site has yet to be selected. It would have the capacity to hold as much as 100 million barrels of ethane, methane and other products produced in conjunction with natural gas. It would also include a 3,000-mile pipeline network to link up the storage sites with petrochemical plants.

A report by the American Chemistry Council found the project could create more than 100,000 jobs and nearly $36 billion in capital investment. The project would be similar, though smaller, to the Mont Belvieu natural gas liquids hub just outside Houston that has bolstered that area's chemical industry.

Supporters of the project say a lack of pipelines and storage infrastructure has depressed the price of gas produced from the Marcellus shale under Pennsylvania, Ohio and West Virginia. Natural gas prices there are only two-thirds that of the main market rate set in Louisiana.

Southwestern Energy Co., a gas exploration company with operations in the Marcellus, is a top proponent of the storage hub.

Bipartisan Group

A group of lawmakers led by Democrat Joe Manchin and Republican Shelley Moore Capito sent Trump a letter last week asking that he set up a blue ribbon commission to back the construction effort.

The two West Virginia senators also introduced legislation that would allow the Appalachian storage hub to qualify for Energy Department loan guarantees. Trump has proposed killing that program, and a spending bill the House of Representatives is debating this week would do just that.

Even without federal help, there are initial signs that investment is coming to the region. A $6 billion ethane cracker plant, which would make ethylene for plastics and other products, is being considered by PTT Global Chemical America for a site along the Ohio River where a former coal-fired power plant owned by FirstEnergy Corp. once stood. Royal Dutch Shell Plc also has a new chemical complex planned for western Pennsylvania.

Shell's project follows the first wave of North American plants being built along the Gulf of Mexico coast by companies such as Dow Chemical Co. and Chevron Phillips Chemical Co. The factories all use shale gas to gain a cost advantage over producers in Europe and Asia that rely on oil and coal feedstocks.

"We certainly had our struggles in this region," said Steven Hedrick, the president of the Mid-Atlantic

Technology, Research & Innovation Center in South Charleston, West Virginia. "This would be an opportunity for displaced miners to allow them to use the skills they've learned during a lifetime of engagement with coal."

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Petronas Drops Plan to Build $27 Billion Canada LNG Terminal

Posted July 25, 2017, 03:02 P.M. ET

By Natalie Obiko Pearson

Malaysia's Petroliam Nasional Bhd abandoned its long-stalled plans to build a $27 billion liquefied natural gas export terminal on Canada's west coast, citing changes in market conditions.

"Prolonged depressed prices and shifts in the energy industry have led us to this decision," Anuar Taib, chairman of the board of the Pacific Northwest LNG project, said in a statement.

Petronas, as the state-owned company is known, won Canadian federal government approval for the project in September following more than three years of regulatory reviews and strident opposition from environmentalists, scientists and indigenous communities. The project also faced economic headwinds, with 18 gas export proposals in the province in limbo amid a global glut and plunging prices.

The long-anticipated decision by Petronas delivers a major blow to plans pushed by the previous Liberal-led government of British Columbia to develop an LNG industry in the Pacific Coast province for export to Asia. It comes shortly after Premier John Horgan took office backed by his ally, Green Party Leader Andrew Weaver, who has mocked the LNG industry as "nonsense" and a "colossal failure."

Petronas and its partners remain committed to developing their natural gas assets in Canada and "will continue to explore all options as part of its long-term investment strategy," according to the statement.

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America's Biggest Oil Port Looks to Be Hub for Shale Exports

Posted July 25, 2017, 8:14 A.M. ET

By Hailey Waller and Sheela Tobben

The biggest U.S. oil-import hub wants to grab a piece of surging North American crude exports.

Louisiana Offshore Oil Port, the only terminal along the U.S. Gulf Coast able to handle a fully laden supertanker, is gauging interest from shippers in sending crude overseas on the world's biggest ships by early next year. The port would continue to take in foreign oil, LOOP LLC said in an emailed statement July 24.

Ports are competing to fill the needs of domestic oil producers looking for outlets for their growing supply. At the same time, the boom from U.S. shale fields and Canadian oil-sands mines has

reduced refiners' need for imported oil. LOOP's ability to handle tankers capable of carrying 2 million barrels in their holds would reduce shipping costs for companies looking to send crude to refiners in Asia.

"LOOP is the most obvious place for U.S. crude exports since as a deepwater port it makes it more manageable to load up a large ship such as a VLCC," Sandy Fielden, director of commodities and energy research at Morningstar Inc., said by phone from Austin, Texas. "It makes huge sense from a logistical perspective as it will allow for more efficient cargo shipments."

Currently, shippers have to load oil onto smaller tankers in ports such as Houston or Corpus Christi, Texas, that then transfer their cargoes onto Very Large Crude Carriers sitting offshore. That adds cost and time to the shipments. While Corpus Christi received its first VLCC at the end of May, the port's channel isn't deep enough for a ship that size to load a full cargo.

Nigerian and Saudi Arabian oil will continue being unloaded from massive supertankers at LOOP's marine terminal 17 miles offshore and pumped into storage caverns one-third of a mile under its Clovelly Hub in Louisiana, as it has for over 30 years. But LOOP is turning some of its operations around as exports surge after restrictions were lifted at the end of 2015.

"Today, customers are seeking the optionality to safely and efficiently load or offload, which is a natural request for a port," LOOP President Tom Shaw said in the statement. "This service offers our customers the scalability to fully load a VLCC."

LOOP will be competing with Corpus Christi, which in 2017 became the top oil-export hub for the U.S. Canadian producers are looking for more options for selling their crude to higher-priced markets around the world, lessening their dependence on U.S. refiners.

In recent years, shipping oil overseas has become more economical, thanks to low-cost drilling methods unlocking vast deposits in West Texas and other areas. U.S. production reached 9.6 million barrels a day in April 2015, according to the Energy Information Administration.

Rising Output

Daily U.S. output is hovering at more than 9 million barrels, much of which is lighter than what local refineries are configured to process. The excess is heading overseas, boosting American exports above those from OPEC members Qatar, Libya, Ecuador and Gabon. VLCC shipments to Asia are expected to jump 52-fold this year, shipping analysts at McQuilling Partners Inc. said in a note. That makes a port able to load the huge ships attractive to traders.

The additional capacity at LOOP could add another 300,000 barrels a day of U.S. exports, according to Fielden.

"Professional exporters will be drawn to this as they will want to export more regularly."

—With assistance from Laura Blewitt.

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House Poised to Add Russia Sanctions With Curbs on Trump's Power

Posted July 25, 2017, 9:18 A.M. ET

By Anna Edgerton

The U.S. House is poised to vote on a bill to strengthen sanctions against Russia and prevent President Donald Trump from unilaterally lifting penalties, after the measure was delayed by procedural concerns and objections from energy companies.

The measure, which was altered to ensure that oil companies can work on certain joint projects overseas, would also impose new sanctions on Iran and North Korea. House leaders expect bipartisan support for the bill in the vote July 25.

The White House has sent mixed messages about whether Trump would sign the legislation and has expressed concern over limiting the president's power to ease sanctions on his own. Trump supports sanctions against the three countries but wants to make sure the U.S. gets "good deals," White House spokeswoman Sarah Huckabee Sanders told reporters aboard Air Force One July 24.

Congressional Rebuke

The measure would then go back to the Senate, where members of both parties have spoken in favor of changes made to the legislation they passed last month, S. 722.

The Russia sanctions measure is a rare rebuke to Trump from congressional Republicans. They say they want to prevent the president from acting on his own to lift punishment from the previous administration for meddling in last year's U.S. election and for aggression in Ukraine. House and Senate committees and the Federal Bureau of Investigation are examining possible ties between the Trump campaign and Russia.

As a bitter fight over health care consumes much of Washington, the sanctions bill is one of the few major legislative efforts uniting members of the fractured Republican Party, along with their Democratic colleagues.

"A nearly united Congress is poised to send President Putin a clear message on behalf of the American people and our allies," said Ben Cardin of Maryland, the top Democrat on the Senate Foreign Relations Committee. "And we need President Trump to help us deliver that message."

Iran Sanctions

The original bill from the Senate Foreign Relations Committee included only sanctions on Iran, modeled on previous executive orders, designed to punish entities that support terrorism, sell weapons to Iran, or help that country's ballistic missile program. The bill would also authorize, but not require, sanctions on human-rights abusers.

The Russia sanctions were added in an amendment on the Senate floor. Sen. Lindsey Graham (R-S.C.) also introduced a provision to reaffirm U.S. commitment to Article 5 of the NATO agreement, which requires members to defend other nations in the alliance.

House leaders flagged procedural concerns with the Senate bill, saying the Constitution requires legislation raising revenue to originate in the lower chamber. In resolving this issue, Republicans also limited the minority party's power to introduce and fast-track a resolution to question administration action on Russia sanctions.

Meanwhile, energy companies stepped up their lobbying in opposition to a prohibition against working on international projects with even a small Russian stake. That rule was changed to apply only to ventures where sanctioned Russian entities have at least a 33 percent interest, which prevents Russian firms from buying into a fraction of a project to keep American competition away.

This new threshold allows ventures like the Shah Deniz project in Azerbaijan, where BP Plc is the main operator and Russia's Lukoil PJSC has a 10 percent stake in an ongoing expansion. The change also appears to give a green light to the Sakhalin 1 oil fields in Russia's far east, where Exxon Neftegas Limited, a subsidiary of Exxon Mobil Corp., is partnering with two Russian companies that have a combined interest of 20 percent.

Few Accomplishments

House Majority leader Kevin McCarthy of California also pushed for the inclusion of North Korea sanctions over its nuclear and ballistic-missile efforts. The House passed such sanctions 419 to 1 in May.

Minority leader Nancy Pelosi of California said in a statement over the weekend that while she supported that initiative, she was concerned that more major changes would result in further delays.

Timing of a new Senate vote is uncertain. The chamber is mired in debate over repealing and replacing Obamacare and plans to stay in Washington for the first two weeks of August. The House is set to begin its five-week recess at the end of this week.

Following through on the promise to be tough on Russia is one of the few accomplishments House members will have to show constituents during the summer break. Their health-care plan remains deeply unpopular, and GOP leaders are working through the main elements of their tax plan, including how to pay for it.

Trump continues to push back against the investigation of possible collusion between his campaign and Moscow. His son-in-law and senior adviser, Jared Kushner, was interviewed in private by the Senate Intelligence Committee July 24 and will appear July 25 before a House panel.

—With assistance from Toluse Olorunnipa, Jennifer A. Dlouhy and Catherine Traywick.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Tue 6/27/2017 2:06:11 PM
Subject: POLITICO's Morning Transportation, presented by Airlines for America: Let's get ready to rumble — Colgan crash families visit the Hill — Supreme Court to hear travel ban

By Lauren Gardner and Tanya Snyder | 06/27/2017 10:00 AM EDT

LET'S GET READY TO RUMBLE: The House Transportation Committee's FAA bill markup kicks off this morning at 10 a.m., and we're packing snacks like it's the last major long run of a marathon training period. Last year's markup clocked in at almost 10 hours, and though the political climate around an air traffic control overhaul has shifted some, we're expecting lots of amendments to be offered by members of both parties. The committee has a running list going here, which by midnight amounted to 81 filed amendments.

What to expect: Ranking Democrat Peter DeFazio will lead the charge to strip the air traffic control overhaul out of the bill, proposing to instead move the Airport and Airway Trust Fund off budget. Rep. Mike Capuano (D-Mass.) will home in on FAA's ability to manage noise complaints under the new ATC system. Democrats may also attempt to slip even more consumer-friendly provisions into the legislation. And Rep. Todd Rokita (R-Ind.), who opposed Chairman Bill Shuster's 2016 go-round on air traffic control, has filed a few amendments, including one to refine the bill's provision intended to protect general aviation's access to the proposed new system. No matter what, we'll probably be like this once it's all over.

A gentle reminder: Last year, Shuster's bill made it through the markup, but never surfaced on the House floor amid all the opposition stacked against it. The bill is likely to again make it through the committee, so the real action is yet to come - likely after the July recess.

Party lines: Not a single Democrat will vote for the bill, according to subcommittee ranking member Rick Larsen (D-Wash.) "We're unified in opposition in the committee," Larsen told Tanya Monday night. The bill was introduced with two Democratic co-sponsors, Reps. Colleen Hanabusa (D-Hawaii) and Kyrsten Sinema (D-Ariz.), but neither of them are on the committee.

Don't miss: While the focus - especially in the House - has been on the prospects of overhauling air traffic control, there are lots of other policy changes in both chambers' reauthorization bills. Your MT co-host breaks down the Senate bill here, and gets an assist from our Brianna Gurciullo on the House measure here.

IT'S TUESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Brianna will be pinch-hitting today as Tanya's MT co-author, so send your tips, feedback and lyrics to tsnyder@politico.com or @TSnyderDC and bgurciullo@politico.com or @brigurciullo.

"I'm the person / In charge of the aircraft / I'm the pilot / We're hit by a flash / When I tell you to/ Fasten the seat belts / Say a prayer / Cause we're going to crash / Calling air traffic control."

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get

listening, too!

THERE'S MORE TO THE BILL THAN CONTROL: Both the House and Senate version included significant changes to drone policy, including a clarification that says all drones need to be registered, despite the ruling of an appeals court last month that said that drones classified as "model aircraft" don't require registration. The House bill also seeks to jumpstart the creation of an air traffic control system for low-altitude airspace.

Study it some more: Neither the House nor the Senate was ready to make a call on federal preemption of state and local laws regulating the operation of drones, instead opting to call for studies of the issue. Industry wants to avoid a patchwork of regulations. Forty states have passed laws regulating drones and three have passed resolutions. State governments insist that they need to maintain the right to legislate the operation of drones, which are officially in "national airspace" and out of their jurisdiction once they're above the tips of the blades of grass.

What drone users really want ... : Is to be able to fly beyond the visual line of sight, at night, and over people. And those issues are all in the hands of the FAA already.

COLGAN FAMILIES STORM THE HILL: The families of passengers who died in a 2009 airline crash will urge lawmakers today to reject any attempts to relax more-stringent qualifications for co-pilots enacted in response to the tragedy - and this week specifically called out Sen. Roy Blunt (R-Mo.) for not personally meeting with one of the families who lives in his state. Gale Saltzgiver, whose daughter died in the Colgan Air crash, said he'd previously met with Blunt's staff and requested a meeting this year with him personally, but that never happened. "I am sure that Senator Blunt has taken many meetings and phone calls from a variety of entities and their lobbyists leading up to the drafting of" the bill, Saltzgiver said. Blunt's office didn't respond to a request for comment.

SIT BACK AND LEAVE THE DRIVING TO US: The House Energy and Commerce Committee meets today to discuss 14 draft bills that they hope will help speed the transition to self-driving vehicles. Alan Morrison, associate dean for public interest and public service law at George Washington University Law School, will recommend that regulators set clear standards by which exemptions from federal motor vehicle safety standards will be granted, if they plan to expand exemptions. He also warned that they need to think seriously about issues like cybersecurity and liability. And he found the provision related to federal preemption of state laws perplexing. "I know of no law in which Congress has attempted to preclude states from acting when neither it nor any federal agency has taken any action in that subject area," he will say, according to his written testimony.

Driving Ms. Latta: Rep. Bob Latta (R-Ohio), chairman of the Subcommittee on Digital Commerce and Consumer Protection, is gung-ho about the promise of self-driving cars to help people like his mom, who has had a visual impairment since 1972. However, when asked whether his 93-year-old mom would actually ride in a driverless car, he demurred.

Senate side: Senators are also "in the final stages of putting together their own legislation on driverless cars," Sen. Gary Peters (D-Mich.) told Tanya Monday night. He said not to expect a

rollout before the July Fourth recess. "If we could do it this summer, I'd be very happy," he said. Commerce Committee members have had "well over 100 meetings with stakeholders," Peters said.

** **A message from Airlines for America:** America invented aviation, yet our global leadership is at risk. Passing FAA reauthorization and modernizing our air traffic control system will bring us into the 21st century. We need reforms without increasing costs for travelers. Ask Congress to support ATC Reform and reject an unnecessary Airport Tax increase. - www.stopairtaxnow.com **

FROM THE SKIES TO THE RAILS: Former Delta CEO Richard Anderson will join Amtrak in July as its next lead executive, fully taking over the reins by the end of the year from Wick Moorman, POLITICO New York's Dana Rubinstein scoops . Moorman was always expected to be a short-term leader for the passenger railroad, a chief who could help the company overhaul its management structure while it searched for someone to take the helm for the long haul. Anderson's hire "is another affirmation of the importance of Amtrak and the fact that people that have been in the transportation business believe that it is important, believe that we can make it better, and believe it will play a more and more important part in the country's transportation processes," Moorman said.

A DATE WITH THE SUPREMES: The Supreme Court will allow aspects of President Donald Trump's travel ban executive order to take effect before the justices hear arguments on the policy in October. For now, POLITICO's Josh Gerstein reports, the court has "limited the directive's impact on foreigners with clear ties to individuals, businesses or organizations in the United States." As of now, it's unclear what the administration needs to do to begin enforcing what it can from the order. Josh delves more into five outstanding questions after the ruling here.

Hello, travelers: DHS said in a statement that it will implement the portions of the order that it can "professionally, with clear and sufficient public notice, particularly to potentially affected travelers, and in coordination with partners in the travel industry." The U.S. Travel Association continued its call for the administration "to draw a brighter line" between "tough talk" against terrorists and welcoming tourists and business travelers to the country.

ALL ROADS LEAD TO THE AIRPORT: The American Road and Transportation Builders Association wants more airport infrastructure funding ahead of this week's FAA bill markups in both chambers. On Monday it circulated an analysis showing that current Airport Improvement Program funding levels provide half the money needed to improve safety and congestion. The solution? Increasing AIP funding and boosting or eliminating the cap on PFCs, per the group.

THE AUTOBAHN:

- "Oscar Mayer Made a Drone to Rain Hot Dogs Down on Humanity." Gizmodo.

- "Alphabet Inks Deal for Avis to Manage Self-Driving Car Fleet." Bloomberg.

- "Judge rejects Maryland's plea to start Purple Line construction during appeal." The

Washington Post.

- Michigan-based company to purchase Takata assets. The Detroit News.

- "With 54 Million to Go, This Airbag Recall Is Never Going To End." The Wall Street Journal.

- "As Uber arrives in Alaska, towns without taxis have new transportation option." KTOO.

- "20-pound live lobster found in luggage at Boston airport." the Associated Press.

THE COUNTDOWN: DOT appropriations run out in 96 days. The FAA reauthorization expires in 96 days. Highway and transit policy is up for renewal in 1,192 days.

**** A message from Airlines for America:** Modernizing our nation's air traffic control system and bringing it into the 21st century is one of our most important infrastructure priorities. Congress now has the opportunity to enhance America's world-leading safety record while reducing flight delays and cancellations. And we must reform our air traffic control system and secure our position as the global leader in aviation without increasing, or uncapping, the Airport Tax. This would further burden consumers with unnecessary levies. Flyers today spend $63 in taxes on a typical $300 airline ticket. Isn't that enough? We can't have a system in which individual airports raise taxes on passengers whenever they want by however much they want. Airports enjoy a variety of funding sources for improvement projects, including nearly $7 billion that is sitting dormant in the airport trust fund. To tell your Members of Congress that we need ATC Reform without a tax hike on passengers, visit www.stopairtaxnow.com. **

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Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

EPA Regulatory Review Floodgates Open, Leaving Pruitt to Mop Up

Posted May 30, 2017, 7:01 A.M. ET

By Andrew Childers

When asked which EPA regulations stifle economic growth and should be reconsidered or rescinded, industry groups responded, "All of them."

High-profile Obama-era regulations limiting carbon dioxide from power plants or establishing the reach of the Clean Water Act, which Environmental Protection Agency Administrator Scott Pruitt had opposed, will certainly be targeted. However, businesses are left wondering whether the agency, which so far lacks political appointees to run the EPA's water, chemicals and air pollution offices, will have bandwidth to tackle a host of other, less splashy regulatory fixes that could reduce costs or ease burdens.

"We're in new territory. It's a process that has no clear precedent within the federal system," Randall Lutter, a professor of public policy at the University of Virginia and a former senior economist at White House Office of Management and Budget under President Barack Obama, told Bloomberg BNA.

Open the Floodgates

The EPA has received a barrage of requests from regulated industries to open and reconsider regulations from every sector the agency touches. The requests range from drastic changes to the way the agency regulates air pollution—Ameren suggested replacing the agency's ambient air standards with pollution trading programs—to the more targeted—the American Water Works Association recommended that the EPA streamline its application process for loans to improve drinking water systems.

While a host of industries are looking ease their regulatory burdens, chemical manufacturer Chemours Co. actually went to bat for Obama-era rules that approved new chemicals to replace ozone depleting substances and clamped down on leaks from refrigeration equipment. The chemical company recommended that Pruitt retain those rules.

Environmental and public health groups, of course, vow to fight any attempt to weaken EPA protections, with Earthjustice, the Sierra Club, and Clean Air Task Force calling the regulatory

review process "an illegal and arbitrary sham."

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P.Bloomberg BNA is an affiliate of Bloomberg L.P.

The Waterkeeper Alliance also dismissed the process as rushed and opaque, calling on the EPA to provide more details about how it will manage the review process and decide which regulations will be reevaluated.

Who's Driving the Process?

Every new administration takes office vowing to streamline the regulatory process, but Trump has taken that further than ever before, requiring agencies to repeal two regulations for every new directive issued and capping costs that can be imposed on industries. It's an ambitious plan to transform the regulatory state, but seeing that process through will require coordination and planning. Right now the EPA is short of the political appointees necessary to make those decisions.

"In any one of these big rulemakings, there are dozens of intermediate decisions made along the way," Jeffrey Holmstead, a partner at Bracewell LLP in Washington, D.C., who previously served as the EPA's assistant administrator for air pollution in the George W. Bush administration, told Bloomberg BNA. "If you have the administrator sign off on every one, you can only do two or three."

Trump lags behind his predecessors in staffing the EPA, according to data provided by the Center for Presidential Transition. So far only Pruitt has been confirmed, and Susan Parker Bodine, Trump's pick for the agency's enforcement office, is awaiting confirmation. The Trump EPA lacks nominees to head the water, air and chemicals offices who will be central to the regulatory review process.

Unlike past administrations, though, Trump has made easing burdens on businesses central to his domestic priorities.

"The biggest single difference is that Trump has appointed someone to be EPA administrator whose primary focus is on reducing the regulatory burden," Holmstead said.

When President George W. Bush took office, his EPA preferred legislative rather than regulatory approaches, Holmstead said. But when bills such as the Clear Skies Act faltered in Congress, that's when the Bush administration attempted to regulate pollutants such as mercury emissions from power plants.

"In the air office, we were not as ambitious as the Trump administration when it comes to regulatory reform," Holmstead said.

What's unknown is how the EPA will make decisions on which regulations it will target and when that process will get started. An EPA spokesman could not be reached for comment.

Without assistant administrators to guide the process, Pruitt has appointed a regulatory reform task force of Ryan Jackson, the chief of staff; Byron Brown, the deputy chief of staff for policy; and Brittany Bolen, deputy associate administrator of the Office of Policy, to oversee the effort. All three previously served on the Senate Environment and Public Works Committee with past Chairman James Inhofe (R-Okla.), who was a vocal critic of the Obama EPA's regulations.

"They are certainly knowledgeable enough to be looking for more regulations to be going after," Inhofe told Bloomberg BNA. "And they are doing the job pretty well."

While agencies are tasked with implementing the regulatory reform efforts, the White House will still play a significant role in reducing compliance costs through the Office of Information and Regulatory Affairs, which reviews regulations, said Tracy Mehan, executive director of the American Water Works Association's government affairs office.

"No doubt in a Republican administration, OIRA is very much empowered—not that they were pushovers in the Obama administration, but it's fair to say they're going to be more empowered," Mehan, who previously served as the EPA assistant administrator for water under President George W. Bush, told Bloomberg BNA.

However, Neomi Rao, Trump's pick to head that office, also hasn't been confirmed.

Smaller Fixes Have Big Benefits

While rolling back the Clean Power Plan and replacing the Waters of the U.S. rule are top priorities for Pruitt, more modest updates to the EPA's various regulations could provide the biggest long-term boons for businesses. Many industry groups in their comments are targeting smaller adjustments to existing regulations that they say can be quickly updated to reduce costs and make them more efficient.

For example, the Class of '85 Regulatory Response Group, a coalition of 30 utility companies, suggested the agency eliminate unnecessary air pollution monitoring requirements. The Association of Air Pollution Control Agencies recommended streamlining a variety of air pollution permitting provisions to ease burdens on both businesses and state permitting officials.

"Those [smaller fixes] would be valuable investments of time," Megan Berge, a partner at Baker Botts LLP who represents utilities and other industries, told Bloomberg BNA. "Those are the investments that have the possibility of having a lasting good in terms of making these programs efficient."

Taking on the EPA's largest regulations will spark an inevitable battle with environmental groups, which could bog down the entire effort. But tackling some of the smaller changes sought by businesses could be a way for the Trump administration to claim some quick victories.

"The good news is that, at least from EPA and the administration's perspective, these slight deregulatory acts are somewhat quicker than the big rules," Sam Batkins, director of regulatory policy at the American Action Forum, which has argued many EPA regulations have costs that exceed benefits, told Bloomberg BNA. "Maybe to some extent they can prioritize the small, minor tweaks to the rules and generate some savings."

—With assistance from Dean Scott in Washington.

Only Place in America Where Coal Demand Has Risen Is Nebraska

Posted May 30, 2017, 9:21 A.M. ET

By Tim Loh

Looking for a rare bright spot in U.S. coal?

Consider Nebraska, the only state producing more electricity from the fossil fuel than it did a decade ago, according to a Bloomberg analysis of U.S. government data.

While America's slashed its coal-fired electricity generation by more than a third between 2006 and 2016—creating havoc for the coal sector, which once dominated the country's utility space—Nebraska raised its coal-fired power output by 6 percent, according to data from the U.S. Energy Information Administration.

Nebraska's better known for corn. But it's home, too, to some of America's newest coal-fired power plants. In 2009, the Omaha Public Power District opened the almost 700-megawatt Nebraska City Station Unit II coal-fired facility. In 2011, the 220-megawatt Whelan Energy Center Unit 2 plant came online. Meanwhile, the Fort Calhoun nuclear power plant shut down for good last year.

"That will bump up our reliance on coal a little bit," said David Bracht, director of the Nebraska Energy Office, in a phone interview.

While Nebraska doesn't mine its own coal, it's located conveniently close to Wyoming, which is home to the Powder River Basin, America's largest and cheapest coal-producing region. Nebraska is also unique in that all of its utilities are publicly owned—a result of Great Depression-era legislation—which may have slowed its buildout of alternative energy sources, according to Bracht.

That said, Nebraska's love affair with coal may have peaked in 2013, when it generated more than 26,000 gigawatt-hours of electricity from coal, according to the EIA. In 2016, it only generated about 22,000 gigawatt-hours from the mineral. Meanwhile, the state's roughly doubled the electricity it's generating from wind.

"We have significant wind resources to be developed," Bracht said. "We expect that to be increased as well."

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World Carbon Price Seen Needing to Increase Sevenfold by 2020

Posted May 30, 2017, 8:51 A.M. ET

By Mathew Carr

Carbon prices need to jump sevenfold by 2020 from current rates in the world's biggest market to meet climate goals cost-effectively, according to a commission of economists and scientists.

A price of about $40 a ton along with adoption of other policies that encourage emission cuts would achieve targets in the 2015 climate deal agreed in Paris, according to a report published May 29 by a commission of economists and scientists. Under the Paris agreement, almost 200 countries will try to limit the global temperature increase to "well below" 2 degrees Celsius (3.6 Fahrenheit) above pre industrial levels.

Costs from the higher carbon prices would not hurt ordinary consumers much, said Joseph Stiglitz from Columbia University, who led the High-Level Commission on Carbon Prices with fellow

economist Nicholas Stern.

"Businesses are already using prices in the range that we're talking about," Stiglitz said on a call with reporters.

New carbon prices in seven jurisdictions including China and South Africa will take the portion of global emissions covered to more than 20 percent in 2017, the World Bank said last week in a separate report. In Europe, which has the world's biggest greenhouse-gas market, lawmakers are meeting May 30 to deal with an accumulated glut that's driven down prices by more than four-fifths in the past decade.

The commission concluded that a $40 to $80 a ton range in 2020, rising to $50 to $100 a ton by 2030, would be consistent with the Paris target.

EU carbon settled Friday at 5.19 euros ($5.80) a ton on ICE Futures Europe in London.

From the report:

"Carbon pricing makes sense in all countries, but low-income countries, which may be more challenged to protect the people vulnerable to the initial economic impacts, may decide to start pricing carbon at a lower level and gradually increase over time": commission member Harald Winkler of the University of Cape Town, South Africa

Commission analyzed national emissions and development pathways, technological road maps and global economic models to reach its conclusions

Eliminating fossil-fuel subsidies would mean lower carbon prices are needed

"A well-designed carbon price is an indispensable part of a strategy for efficiently reducing greenhouse gas emissions while also fostering growth."

Report was put together starting last year by The Carbon Pricing Leadership Coalition, a voluntary partnership of national and sub-national governments, businesses, and civil society organizations that agree to advance carbon pricing through the global economy. It's housed in the Washington-based World Bank Group.

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Trump Decides Next Week If He'll Quit Paris Climate Accord

Posted May 27, 2017, 03:06 P.M. ET

By Joe Ryan and Josh Wingrove

Donald Trump continued to distance himself from fellow world leaders over climate change at the G-7 summit, and said he'll determine next week whether to pull the U.S. out of the landmark Paris climate accord.

"I will make my final decision on the Paris Accord next week!" the president told his almost 31 million Twitter followers on Saturday.

Trump, who for months has delayed a decision on the climate agreement, made his announcement at the conclusion of the Group of Seven summit in the resort town of Taormina, Italy.

In an unprecedented step, the U.S. broke from the other six nations in a joint statement issued at the summit's conclusion, saying America is reviewing its climate policies while the G-7 members others remain committed to the Paris Agreement.

Climate was among the most disputed issues separating Trump from other leaders at the two-day meeting on the Sicilian coast. A top White House adviser said the president's views were evolving on the issue, but Trump wasn't immediately swayed by arguments from Chancellor Angela Merkel of Germany, France's President Emmanuel Macron and others to honor the Paris Agreement, brokered in 2015 by almost 200 nations to slash fossil fuel emissions and boost funding to ease impacts of global warming.

"The whole discussion about climate has been difficult, or rather very unsatisfactory," Merkel told reporters after the summit. "Here we have the situation that six members, or even seven if you want to add the EU, stand against one."

'Stark Isolation'

Diplomats spent days trying to hammer out language for the G-7 joint statement. Past communiques, which are painstakingly crafted to reflect common goals and values of all seven nations, have dedicated lengthy sections to climate change. At one point this week, the words "Paris Agreement" were nearly excluded from the statement, underscoring how contentious the issue became in Taormina, said a Canadian government official who spoke on the condition on anonymity to discuss private deliberations.

Trump, who once said the concept of global warming "was created by and for the Chinese in order to make U.S. manufacturing non-competitive," repeatedly vowed to pull out of the Paris deal during his election campaign, but has sidestepped the issue since taking office.

Delaying a decision about the accord provided opportunity for G-7 leaders and Pope Francis to press Trump to honor U.S. environmental commitments. Now the president heads back to Washington, where much of his party is pushing him to do the opposite.

Issue Deadlock

Last week, 22 Republican senators, including Majority Leader Mitch McConnell, sent a letter to Trump urging him to exit the Paris accord. Members of his administration, meanwhile, are deadlocked on the issue. Environmental chief Scott Pruitt and top strategist Steve Bannon are pushing for a pullout. Secretary of State Rex Tillerson, White House adviser Jared Kushner and Ivanka Trump, the president's son-in-law and daughter respectively, have urged the president to stay in the deal.

John Kirton, director of the University of Toronto's G8 Research Group, said Trump's trip home may not bode well for those in favor of Paris. "If you let him go back to the civil war within the White House, Pruitt might win," he said.

Trump has criticized efforts to cut emissions, saying they limit U.S. economic competitiveness. The president's views on the Paris accord, however, are evolving, White House National Economic Council director Gary Cohn told reporters Friday in Italy. Trump may be willing to stay in the agreement, Cohn said, if the U.S. can scale back commitments made by former President Barack

Obama.

"His views are evolving, and he came here to learn," Cohn said. "His basis for decision is ultimately going to be what's best for the United States."

The Paris Agreement is broader than any previous climate accord. It calls for reducing pollution in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the industrial revolution.

Hundreds of corporations and investors have endorsed the pact, including oil majors Royal Dutch Shell Plc, BP Plc and Exxon Mobil Corp., which was previously led by Tillerson. Alden Meyer, who's followed climate talks for two decades as director of policy at the Union of Concerned Scientists, said Trump's reluctance to support it puts him at odds with much of the world.

"He stands in stark isolation," Meyer said. "The leaders from Europe, Canada, and Japan have made it crystal clear that they intend to fully implement their national commitments under the Paris Agreement."

—With assistance from Jennifer A. Dlouhy.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/13/2017 10:30:55 PM
Subject: EPA proposes two-year delay of oil, gas methane rule

By Alex Guillén

06/13/2017 06:27 PM EDT

EPA today proposed a two-year pause on key methane leak detection and repair requirements for new oil and gas wells, saying it needs the time to reconsider the Obama-era rule.

The Trump administration last month issued a 90-day stay, but EPA has to go through a rulemaking process to finalize the two-year delay. The agency will take public comment for 30 days once the proposal is published in the Federal Register.

The delay also pushes back a provision on pneumatic pumps, as well as a requirement that professional engineers certify closed vent systems. EPA said last month that it also intends to review the rule more broadly than just those requirements.

Environmental groups last week sued over the initial 90-day stay and asked a court to lift it immediately. EPA's response to that request is due June 15.

WHAT'S NEXT: EPA will take public comment on its proposed two-year delay before issuing a final decision that is likely to be challenged in court.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-proposes-two-year-delay-of-oil-gas-methane-rule-089048

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Thur 6/15/2017 2:04:12 PM
Subject: POLITICO's Morning Transportation, presented by the Association of Equipment Manufacturers: DHS authorization heading to House floor — Self-driving car industry wish list — Metro safety oversight plan inches forward

By Tanya Snyder and Lauren Gardner | 06/15/2017 10:00 AM EDT

With help from Stephanie Beasley

DHS AUTHORIZATION HEADING TO HOUSE FLOOR: A bill to authorize the Department of Homeland Security is expected to reach the House floor by the end of this month, says Rep. Michael McCaul (R-Texas), the chairman of the House Homeland Security Committee. The committee approved a DHS reauthorization bill (H.R. 2825) Wednesday that will now head to the Rules Committee, where it will be consolidated with legislation from seven other committees with jurisdiction over the Department of Homeland who have signed off on the process.

'Unprecedented': It's the first time DHS has been authorized together with its component agencies, including TSA. "This has never been done before," McCaul said. "It's really kind of an unprecedented process." McCaul said that the plan moving forward is to reauthorize DHS on an annual basis. Senators have yet to indicate whether they will launch a similar process, but McCaul said that given the level of support from Homeland Security Secretary John Kelly, he expects Senate leadership will get on board with plans to authorize DHS this year.

Committee tries to shield TSA from Trump: During the markup Democrats doggedly attempted to block President Donald Trump's proposals to slash some TSA programs and were successful in pushing measures through that would ensure TSA continues to staff airport exit lanes, maintain at least 30 VIPR teams and reimburses airports that hire local law enforcement officers. However, an amendment from full committee ranking member Bennie Thompson (D-Miss.) that would allow TSA to keep revenue from passenger security fees currently being diverted to deficit reduction was tossed in the rejection pile.

IT'S THURSDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren and Tanya are sharing MT duties, so please send us tips, feedback and lyrics: tsnyder@politico.com or @TSnyderDC and lgardner@politico.com or @Gardner_LM.

"Take me on a trip / Kiss me on the lips / Love on a blue train, yeah / Locomotive rock me / Nothing's gonna stop me / Love blue train."

Want to keep up with MT's song picks? We only need a few more followers to hit 100 on our Spotify playlist - get listening!

A PERSONAL NOTE: Our thoughts are with House Majority Whip Steve Scalise (R-La.) and the others injured and affected by Wednesday's shooting in Alexandria. Our gratitude goes out to

the Capitol Police officers who put their lives on the line every day.

Off the roster: According to a quote from House Transportation Committee Chairman Bill Shuster's spokesman in the Daily American, Shuster (R-Pa.) "used to play every year in the charity game and would've been at practice, but isn't playing this year."

I'LL GRANT YOU THREE WISHES: At a Senate Commerce Committee hearing Wednesday on driverless cars, industry officials made it clear that they want more exemptions from federal motor vehicle safety standards so they can test and deploy cars without traditionally essential features such as steering wheels and brakes. There also was broad support for a federal framework governing vehicle safety to avoid a "patchwork" of state laws that people need to keep track of as they drive across state lines. And, manufacturers added that they want to be free to meet safety goals using whatever technology or practices they want.

Echo, echo: Those points are also included in a statement of legislative principles committee leaders released ahead of the hearing. They're hoping to introduce a bill in the next few weeks, according to an aide.

Safety groups want regulations: Jackie Gillan of Advocates for Highway and Auto Safety dismissed the idea that voluntary guidelines are faster and as effective as regulating, saying relying on the "good intentions" of manufacturers without imposing legally binding rules is "inadequate to ensure safety and protect the public." And Consumer Watchdog warned that "robot cars operating without mandatory safety, security, privacy and ethical standards will pose unprecedented risks to the American public."

It takes money to make money: Mitch Bainwol of the Auto Alliance said it's important for regulators to put a framework in place before rules can be written, because car companies need to make money by deploying vehicles, not just testing them. "There's a massive economic commitment here," Bainwol said. "This is billions of dollars of R&D. In order to make it economically attractive, to make the math work, you've got to deploy."

You too, Kansas: Lawmakers from rural areas have found themselves playing defense on several big initiatives lately from spinning off air traffic control to financing infrastructure with public-private partnerships, but on self-driving cars they're happy to go with the mainstream. Congestion isn't typically a problem in rural areas, and ridesharing will likely never be widespread there. But Bainwol said the technology will break down barriers for people with physical and visual disabilities in rural and urban areas, and noted the safety benefits from crash avoidance technologies will accrue to everybody, regardless of geography.

Threat to transit: Sen. Cory Gardner (R-Colo.) speculated that with the advent of autonomous technology, "metro systems will end up collapsing" and "become parking stations." That's been the subject of ongoing debate among planners, but Gardner questioned whether it's "worth pursuing appropriations of billions of dollars" for public transit if autonomous vehicles are going to render it obsolete.

LIKE A RUSH-HOUR SPEED RESTRICTION: The process of setting up a federally

compliant state safety oversight agency for WMATA's Metrorail system continued to inch along Wednesday, much like a Yellow (or Blue) Line train traveling between Ronald Reagan Washington National Airport and Old Town Alexandria. The House Judiciary Committee approved two joint resolutions endorsing both the new compact among D.C., Maryland and Virginia standing up the new body; and amendments made to a regional transit agreement specifying that DOT has authority to appoint federal directors to Metro's board.

What's left? Congress' eventual blessing of the new compact is but one step on a checklist FTA will examine before giving its final approval of the safety oversight organization - and before releasing millions in federal funds it's withheld since February from all three jurisdictions (and that's statewide for Maryland and Virginia) because of what regulators say is their foot-dragging on setting up the new agency. Some of the steps remaining before that can happen, per an agency spokeswoman, include: the selection of commissioners for the agency; submission of a certification application to FTA, including documentation proving the agency is independent from Metrorail and has enforcement and investigation powers; and a transitional period where FTA officials work alongside workers at the new agency to ensure they're meeting requirements.

** **A message from the Association of Equipment Manufacturers:** Infrastructure is the backbone of America's economy. The U.S. currently ranks 11th in infrastructure competitiveness. To have the strongest economy in the world, America must have the best infrastructure in the world. It is time to reclaim our Infrastructure Advantage. Learn more: aem.org/Advantage. **

CHAO POPS UP AT FIRST DAUGHTER EVENT: Transportation Secretary Elaine Chao attended a White House event hosted by Ivanka Trump Wednesday as part of Workforce Development Week. The administration has called for a million apprentices in the infrastructure field, in part to address a shortage of construction workers ahead of a planned building spree supported by the Trump administration.

'Transform'-ers: Vanity Fair took a deep dive Wednesday into the White House's Office of American Innovation, which Trump adviser and son-in-law Jared Kushner oversees - and it seems the group has some aggressive infrastructure ideas. The office is focusing on four areas within the infrastructure umbrella, including permitting acceleration and "transformative" projects. On that latter point, those efforts would encompass "cutting-edge solutions that would 'unleash significant amount of economic growth,' [a White House] official explained, such as building an underground high-speed rail system across the Northeast corridor." Is that what would happen if Hyperloop and the Gateway project joined forces as an infrastructure superpower?

Shipbuilders wanted: If Trump's plan to plus up the Navy to 350 ships ever gets funded, the shipbuilding industry will have to figure out where to find 18,000 to 25,000 qualified builders. After "a couple decades of anemic shipbuilding" the workforce has dwindled "to dangerously low numbers of people," said Jim Dolbow, an analyst at the U.S. Naval Institute. "The chickens are coming home to roost." Jacqueline Klimas has much more for Pros.

TODAY IS 'DUMP THE PUMP' DAY: It's the American Public Transportation Association annual day to encourage people to "Dump the Pump" by riding transit. According to the June

APTA Transit Savings Report, a two-person household can save more than $9,700 a year by downsizing to one car and using public transit instead.

THE AUTOBAHN:

- "Gasoline prices likely to remain low - for now at least." The Washington Post.

- "Trump set to unveil new Cuba policy after promising to reverse Obama's 'bad deal.'" The Washington Post.

- "Europe's aviation safety chief warns U.S. on expanding laptop ban without research." The Wall Street Journal.

- "Auto dealers join NEC Director Gary Cohn in conversation on tax reform." Dealer Marketing.

- "0 for 2: Senate hearings on autonomous vehicles so far ignore aftermarket role." Repairer Driven News.

- "New York speeds up road projects ahead of Penn Station work." Bloomberg.

- "Tesla should brace for 'serious competition' from Apple in driverless cars: Morgan Stanley." Marketwatch.

- "Mobile ATCs mounted on trucks to be deployed at small airports in India." NDTV.

- "Renault called sexist for hawking paint to women for nails, cars." Bloomberg.

THE COUNTDOWN: DOT appropriations run out in 108 days. The FAA reauthorization expires in 108 days. Highway and transit policy is up for renewal in 1,204 days.

** **A message from the Association of Equipment Manufacturers:** America's infrastructure used to be the envy of the world, but decades of chronic underinvestment and neglect has left us on the verge of losing that advantage. The Association of Equipment Manufacturers believes it is time for the United States to reclaim its Infrastructure Advantage.
To effectively compete in the global marketplace, America's infrastructure must be number one in the world. That's the Infrastructure Advantage. So how do we reclaim it? Here are five key steps. Focus on network and systems. Maximize the use of smart technology. Ensure rural-urban connectivity. Expedite project delivery. Provide adequate and reliable resources. Now is the time to act. It is time to prioritize America's roads and canals, railroads and highways, locks and dams, pipelines and broadband. Learn more about The U.S. Infrastructure Advantage™: aem.org/Advantage. **

To view online:
http://www.politico.com/tipsheets/morning-transportation/2017/06/15/dhs-authorization-heading-to-house-floor-220860

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA Environment & Energy
Sent: Wed 11/15/2017 9:45:24 PM
Subject: Environment & Energy Report Highlights

Environment & Energy
Wednesday, November 15, 2017

Highlights

Leading the News

Modest Progress Seen in Bonn Toward Global Emissions Trading

By *Dean Scott*

Negotiators at U.N. climate talks in Bonn are on the verge of scoring a modest victory toward international trading of emissions credits, which may be crucial if the world is to take the kind of actions needed to halt global temperatures' rapid rise.

European Union Wants to Change the Ink in Your Tattoo

By *Adam Allington*

Tattooing has been around for thousands of years, but its popularity is bigger than ever. Once considered an act of rebellion against cultural norms, today nearly one in three Americans and nearly one in six Europeans have a tattoo.

Eastern States' Carbon-Trading Program Set to Expand

By *Gerald B. Silverman*

The Regional Greenhouse Gas Initiative (RGGI) is poised to expand to two large Eastern states as soon as next year, marking the biggest expansion of the cap-and-trade program since it was created almost a decade ago.

Chemical Plants Face New Reality in Natural Disaster Preparation

By *Nushin Huq*

As tropical storms in the Gulf Coast increase in frequency and intensity, it's imperative that facilities reassess operation plans and worst-case scenario assumptions, Chemical Safety Board Chairwoman Vanessa Sutherland said Nov. 15.

Arctic Refuge Drilling Measure Approved by Senate Committee

By Jennifer A. Dlouhy (Bloomberg) and *David Schultz* (Bloomberg Environment)

Alaskan lawmakers are one step closer to opening up the Arctic National Wildlife Refuge to oil and gas drilling, a goal of the state's Republicans for decades.

Today's News

EPA Remains Mum on Timeline for Ozone Designations

By *Jennifer Lu*

EPA's much-awaited announcement of ozone non-attainment designations was not made at the Ozone Transport Commission fall meeting Nov. 15 in Washington.

Four Air Pollution Bills Move Through House Panel

By *Stephen Lee* and *Jennifer Lu*

A House environment panel voted Nov. 15 to move forward four bills aimed at easing clean air regulations for coal refuse plants, brick kilns, wood heaters, and race cars.

California's Housing Policy Is Holding Back Its Climate Policy

By *Esmé E Deprez*

The high cost of housing in California isn't just hurting the state's economy, fueling homelessness, and exacerbating economic inequality. It's imperiling its reputation as a global leader in emissions reductions, too.

Trump Isn't Helping Us, Says Advocate of 'Clean'

Fossil Fuel Use

By *Jessica Shankleman*

U.S. President Donald Trump's efforts to promote the use of "clean coal" may actually be undermining the industry he's seeking to save.

Puerto Rico Hit by New Blackout Just as Governor Touts Recovery

By Jonathan Levin

A new power outage hit Puerto Rico on Nov. 15, immobilizing parts of the San Juan area just hours after the governor heralded a major accomplishment on the path to recovery.

EPA's Timeline to Rewrite Water Rule May Be Tough to Meet

By *Amena H. Saiyid*

The Trump administration's "aggressive timeline" to rewrite a regulation clarifying the geographic reach of the Clean Water Act by the end of 2018 will be hard to meet, according to an agency official.

No Fines for Water Utilities Taking Over Failed Systems: EPA

By *Amena H. Saiyid*

Water utilities that take over failing treatment plants to upgrade or maintain infrastructure critical to providing safe water may see enforcement actions and penalties waived by the federal government, the EPA's top water official said Nov. 15.

Pilgrim's Pride to Pay $1.4 Million for Chicken Plant Pollution

By *David Schultz*

Chicken producer Pilgrim's Pride agreed to pay more than $1 million dollars over water pollution violations at one of its processing plants in central Florida.

Cheese and Bourbon Face Risk of Backlash from U.S. Solar Tariff

By *Joe Ryan*

If President Donald Trump imposes tariffs on solar panels, Wisconsin cheese and Kentucky whiskey may pay the price.

Trudeau Sees 'Challenge' in Balancing Fossil Fuels, Climate

By *Lien Hoang*

Prime Minister Justin Trudeau sees Canada's vast carbon resources as an environmental "challenge" for his country—the world's No. 4 oil exporter—but also said pitting economic prosperity against the environment is a false choice.

Merkel Defends Coal Use as Macron Calls for Carbon Price Floor

By *Gregory Viscusi*, *Arne Delfs* and *Brian Parkin*

French President Emmanuel Macron called for a minimum price on carbon

pollution while German Chancellor Angela Merkel defended her country's use of coal as they opened the final stage of two weeks of talks on global warming organized by the United Nations.

Trump's Mine Safety Pick Confirmed by Senate

By *Stephen Lee*

David Zatezalo, a longtime coal executive and the Trump administration's pick to lead federal mine safety, won Senate confirmation Nov. 15.

Polish Government Behind in Addressing Smog, Vows New Action

By *Bogdan Turek*

Polish government officials say improving air quality is a priority and have earmarked $2.2 billion in funding by 2020 to ease the nation's smog situation, one of the worst in Europe.

Mexico's Power Needs Make It Vulnerable to U.S. Gas Flows

By *Emily Pickrell*

Mexico's growing demand for power could be hurt by any disruption of natural gas from the U.S., on which it is increasingly relying, presenters said at an energy conference in Mexico City on Nov. 14.

A Tiny Island Prepares the World for a Climate Refugee Crisis

By *Jessica Shankleman*

As rising sea levels threaten to leave millions homeless, a South Pacific island paradise is upstaging wealthier nations in forging a response to the unfolding crisis.

Tuesday Night Wrapup

House-Passed Flood Insurance Bill Faces Senate Hurdles

By *Brandon Ross*

A House-passed bill reauthorizing the National Flood Insurance Program is considered likely to encounter headwinds in the Senate on both sides of the aisle, a Senate committee chairman said.

Defense Bill Backs Health Study of Chemicals in Drinking Water

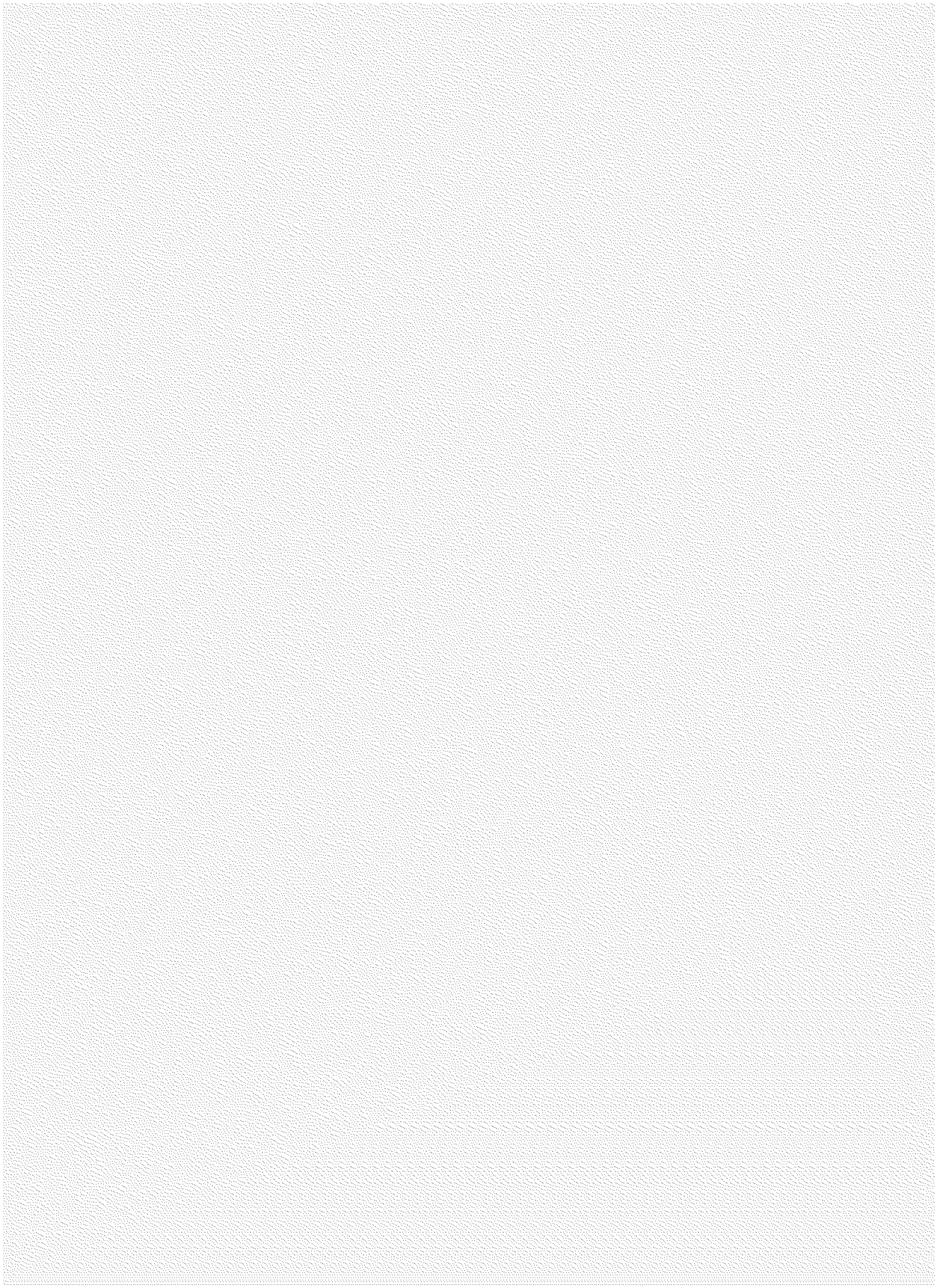
By *Pat Rizzuto*

The House on Nov. 14 approved a defense spending blueprint that would support a $7 million national study of people exposed to a group of chemicals widely used to make many consumer and military products.

Brazil's BHP-Vale Mine Could Get Key Vote This Month

By *R.T. Watson*

BHP Billiton Ltd. and Vale SA's Brazilian iron-ore venture just had its biggest breakthrough on the licensing front since being shut down in the wake of a deadly dam spill two years ago.



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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/7/2017 11:56:27 AM
Subject: BREAKING NEWS: Trump to nominate Christopher Wray to head FBI

President Donald Trump will nominate Christopher Wray to be the next director of the FBI, he announced on Twitter Wednesday morning.

"I will be nominating Christopher A. Wray, a man of impeccable credentials, to be the new Director of the FBI. Details to follow," the president wrote online.

Wray served as an assistant attorney general from 2003 to 2005 during the tenure of former President George W. Bush. He is currently a partner at the law firm King & Spalding, where he chairs its special matters and government investigations practice group.

Trump has been in search of a new head for the FBI since last month, when he fired then-Director James Comey.

Read more: http://www.politico.com/story/2017/06/07/trump-fbi-director-nominee-christopher-wray-239238

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 7/24/2017 5:41:19 PM
Subject: Playbook Power Briefing, presented by BP: KUSHNER: 'Let me be very clear: I did not collude with Russia' -- TRUMP says Sessions is 'beleaguered' -- MO BROOKS uses Scalise shooting in campaign ad

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Today's Playbook Power Briefing presented by BP

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Monday afternoon. WE'RE GOING TO DENVER! Join us on Aug. 1 for a live Playbook Exchange event with Colorado Gov. John Hickenlooper in Denver. http://bit.ly/PBDenver

JARED KUSHNER SPEAKS -- "Let me be very clear: I did not collude with Russia, nor do I know of anyone else in the campaign who did so. I had no improper contacts. I have not relied on Russian funds for my businesses. And I have been fully transparent in providing all requested information. Donald Trump had a better message and ran a smarter campaign, and that is why he won. Suggesting otherwise ridicules those who voted for him."

-- @ChuckGrassley: "Bipartisan wrk being done by JudicComm Intrvws just beginning&transcripts hold acctble Any future public testimony&subpeonas always on table"

THE MOOCH SPEAKS -- GOOD CALL! -- @Scaramucci: "The TV Cameras are back on."

CNN's JOHN KING -- TILLERSON on the way out?: "For weeks, conversations with Tillerson friends outside of Washington have left the impression that he, despite his frustrations, was determined to stay on the job at least through the end of the year. That would allow time to continue efforts to reorganize the State Department and would mean he could claim to have put in a year as America's top diplomat. But two sources who spoke to CNN on condition of anonymity over the weekend said they would not be surprised if there was a 'Rexit' from Foggy Bottom sooner that that.

"Both of these sources are familiar with Tillerson conversations with friends outside Washington. Both said there was a noticeable increase in the secretary's frustration and his doubts that the tug-of-war with the White House would subside anytime soon. They also acknowledged it could have been venting after a tough week, a suggestion several DC-based sources made when asked if they saw evidence Tillerson was looking for an

exit strategy." http://cnn.it/2tDkuXc

-- FLASHBACK: Tillerson bought a $5.6 million home in DC in February. http://bit.ly/2lyZMR1

INTERESTING -- Joe Nocera (@NoceraBV): "Stop the presses: Just saw Rudy (and his muscle) at the Delta shuttle terminal. Got on the flight to...Washington." ***Mike Allen's story on Trump considering Giuliani for attorney general*** http://bit.ly/2tDX8Ax

THIS HAPPENED AT THE WHITE HOUSE THIS MORNING -- From George Condon of National Journal -- today's pooler: "The interns were standing in five tiered rows of about 25 in each row. The president was in the middle of the interns, standing in the third tier. Two questions shouted by the pool drew giggles and laughter from the interns and no answers from the president. Asked 'should Jeff Sessions resign,' he did not answer but told the interns, 'They're not supposed to do that.' At the second question of whether he had any message on health care, he responded, 'Be quiet,' triggering more laughter as the pool was ushered out."

****** **A message from BP: Over the past 10 years, no energy company has invested more in the U.S. than BP - $90 billion in total.** *Take 60 seconds to see what we're doing to help keep America moving forward.* ******

FROM THE PRESIDENT ... -- @realDonaldTrump at 6:40 a.m.: "Drain the Swamp should be changed to Drain the Sewer - it's actually much worse than anyone ever thought, and it begins with the Fake News!" ... **at 6:52 a.m.:** "After 1 year of investigation with Zero evidence being found, Chuck Schumer just stated that 'Democrats should blame ourselves,not Russia.'" ... **at 8:49 a.m.:** "So why aren't the Committees and investigators, and of course our beleaguered A.G., looking into Crooked Hillarys crimes & Russia relations?" ... **at 9:12 a.m.:** "Sleazy Adam Schiff, the totally biased Congressman looking into 'Russia,' spends all of his time on television pushing the Dem loss excuse!" ... **at 9:18 a.m.:** "Republicans have a last chance to do the right thing on Repeal & Replace after years of talking & campaigning on it."

-- @RepAdamSchiff: "With respect Mr. President, the problem is how often you watch TV, and that your comments and actions are beneath the dignity of the office." ... **@sahilkapur:** "No joke: Is this the first time in US history the president has publicly called his own AG beleaguered?"

-- ALSO: Congressional committees spent a good deal of time and energy probing Hillary Clinton. Oh, and also: Trump's party controls Congress!

2020 WATCH -- BEN TERRIS in WaPo, "Sherrod Brown thinks he could have helped Democrats win in 2016. But what about 2020?": "In an alternate universe where Hillary Clinton picked Sherrod Brown as her vice-presidential candidate, which she almost did, the Democratic ticket could have won Ohio, Wisconsin, Michigan, and the White House. At least that's what Brown thinks. 'I mean, if I had gone to Wisconsin

and Michigan a lot, anything would have changed those two states,' he said in an interview with The Washington Post. 'My wife thinks we would have won. She thinks we would have won Ohio.'

"But instead of settling in to the Eisenhower Executive Office Building, Brown finds himself up for reelection in a state redder than the president's face during an anti-CNN tweetstorm. His party, desperate to figure out a way to win back Rust Belt voters, will be scrutinizing this race like a laboratory experiment. If Brown pulls it off - well, perhaps they aren't as doomed as some think." http://wapo.st/2tDNOg3

****** **A message from BP: Over the past year alone, we've invested $5 billion more to expand our U.S operations.** *Check out our latest investment.* ******

AFTERNOON READ -- "The Moneyman behind the alt-right," by BuzzFeed's Aram Roston and Joel Anderson: "How did explicit racism move from a taboo to an open, unabashed force in American politics? A loose but sprawling internet army, often called the alt-right, gave white supremacy a massive megaphone. And with the rise of Donald Trump's candidacy, it suddenly seemed to be everywhere at once. In fact, that movement had an infrastructure - organizations, journals, conferences, money - that had been laid down years before. It was in large part funded by one person: a secretive and aging multimillionaire named William H. Regnery II, the most influential racist you've never heard of.

"Despite inheriting immense wealth, having grown up in a prominent family in the conservative movement, he had managed to chalk up virtually no public success in his first six decades of life. He never graduated from college, and he floundered in his attempt at running the family business. But starting in 1999 - when he convened a dozen other middle-aged white nationalists at an ornate seaside hotel nicknamed the Pink Palace - he has poured hundreds of thousands of dollars into the quest to transform America and create what he calls a white 'ethnostate.'" http://bzfd.it/2tDNKNe

HMM -- "Brooks ad uses Scalise shooting," by Daniel Strauss: "A new ad for GOP Rep. Mo Brooks' Alabama Senate campaign uses footage from the aftermath of the congressional baseball practice shooting that wounded House Majority Whip Steve Scalise and others. The ad, titled 'Second Amendment,' includes audio of a gun firing and starts out with text that reads 'June 14: A Bernie Sanders supporter fires on Republican congressman.'

"'Mo Brooks gives his belt as a tourniquet to help the wounded,' the next text segment reads. The ad then shows a clip of Brooks being interviewed by reporters on whether the shooting changed his views on gun control. 'The Second Amendment, the right to bear arms is to ensure that we always have a republic, so no I'm not changing my position on any of the rights that we enjoy as Americans,' Brooks says in the footage." ***More for Pros*** http://politico.pro/2tDXbfy ... ***The ad*** http://bit.ly/2tDVnU8

NORTH KOREA STRATEGY -- "How to Take Down Kim Jong Un," by Tom

Malinowski in POLITICO Magazine: "No one can predict when and how Kim's hold will weaken, and it would be foolish to think we can force change from the outside. So if anyone reading this has fantasies about setting up governments in exile or fomenting coups or calling for uprisings, please put them aside - that kind of talk will only get people inside North Korea killed. There are, however, forces in play within North Korea that will probably lead to the end of its regime and its reason to exist as a country. Political change in Pyongyang and the reunification of Korea, as hard as it may be to imagine, is actually much more likely than the denuclearization of the present regime. The central aim of our strategy should be to foster conditions that enable this natural, internal process to move faster, while preparing ourselves, our allies and the North Korean people for the challenges we will face when change comes." http://politi.co/2tDRnCP

TODAY'S BEYOND THE BELTWAY -- De Blasio bashes the MTA -- Illinois gubernatorial candidate lays out criminal justice reform platform http://politi.co/2tDQABS

SPOTTED at a local video game company exposition hosted by the Entertainment Software Association and WeWork at San Diego Comic Con 2017 on Saturday: Rep. Darrell Issa (R-Calif.) and Rep. Scott Peters (D-Calif.), competing against each other in Mario Kart 8 for the Nintendo Switch. *Pic* http://politi.co/2tDngf5

MEDIAWATCH -- "NYT NAMES NEW JERUSALEM BUREAU CHIEF," by the Jerusalem Post's Amy Spiro: "David Halbfinger, a veteran Times reporter and editor, will move to the region in August, and begin working in September, the newspaper announced on Monday. Halbfinger will replace Ian Fisher, who took up the post in January." http://bit.ly/2gXkMC4

-- WHCA President Jeff Mason officially handed over his leadership responsibilities to Bloomberg's Margaret Talev this morning. Mason's email to WHCA: "It has been a true privilege serving as president of the White House Correspondents' Association this last year. Thank you for your support of me and the WHCA board during very challenging times. From the end of the Obama administration to the often chaotic transition period and the first months of the Trump White House, it has been an adventure. I'm proud of the work we've done."

SPOTTED: Malia Obama on Sunday afternoon at Millie's ... Fred Humphries, Melissa Moss and Kiki McLean, Geoff Morrell and George Will all having breakfast separately at the Four Seasons Monday morning

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To: Jackson, Ryan[jackson.ryan@epa.gov]
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Sent: Tue 7/11/2017 7:34:38 PM
Subject: July 11 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Colorado Vows Carbon Cuts in Support of Paris Climate Deal

Posted July 11, 2017, 02:29 P.M. ET

By Tripp Baltz

Colorado vowed to slash statewide greenhouse gas emissions by a quarter from 2005 levels by 2025 as Gov. John Hickenlooper (D) announced plans to join a multi-state alliance to meet the goals of the international Paris climate change agreement.

The governor's July 11 executive order aims to reduce statewide greenhouse gas emissions more than 26 percent by 2025, cut carbon dioxide emissions from the electricity sector by 25 percent by 2025, and achieve electricity savings of two percent of total electricity sales per year by 2020.

The order includes strategies to:

• work with interested utilities and electric cooperatives on a voluntary basis to maximize use of renewable energy without increasing costs to taxpayers,

• create a statewide electric vehicle plan by Jan. 1, 2018, and

• develop a greenhouse gas emissions tracking rule through the Colorado Department of Public Health and Environment.

EU Panel Backs 'Stop-the-Clock' Emissions Exemption for Airlines

Posted July 11, 2017, 01:29 P.M. ET

By Stephen Gardner

Long-haul flights that arrive in or leave European Union airports would continue to be exempted from a requirement to participate in the bloc's greenhouse gas emissions trading system, under a legislative proposal backed by the European Parliament's environment committee July 11.

However, the exemption would run only until the end of 2020, and the possibility of re-including intercontinental flights in the EU emissions trading system should be kept open if the International Civil Aviation Organization's emissions-capping scheme falls short, according to the committee's

vote.

Aviation industry representatives criticized the environment committee's position July 11, saying that it could lead to double regulation and an overlap with the ICAO scheme, which is known as CORSIA (Carbon Offsetting and Reduction Scheme for International Aviation).

Aage Dunhaupt, spokesman for Airlines For Europe, which represents the main European carriers including Air France-KLM and Lufthansa, told Bloomberg BNA July 11 that EU lawmakers had a skeptical view of CORSIA that "we do not share."

It was a "united position of all our airlines" that "when CORSIA kicks in, we make sure we do not have a double-charge system," Dunhaupt said.

Sylviane Lust, director general of Airlines International Representation in Europe, which represents holiday operators such as Monarch Airlines and Thomson Airways, told Bloomberg BNA July 11 that "we would like to be part of the CORSIA agreement and nothing else. We can't afford to have regional systems duplicating the global system."

Lufthansa and International Airlines Group, the holding company for Aer Lingus, British Airways and Iberia, did not respond to requests for comment July 11.

Carbon-Neutral CORSIA

Under CORSIA—which ICAO agreed to in October 2016—any emissions from aviation above the 2019–2020 level will after 2020 be compensated for by credits from projects that reduce emissions in other sectors, making growth in flights between countries theoretically carbon-neutral.

Until 2027, participation in CORSIA is voluntary, but many of the main aviation countries—including the EU countries and the United States—will take part. Some large countries, including India and Russia, will not participate in the voluntary stage, however.

Currently, because of CORSIA, intercontinental flights are exempted from the EU emissions trading system (ETS) under an arrangement known as "stop-the-clock." However, Intra-EU flights are included in the ETS.

The stop-the-clock exemption expires at the end of 2017. The European Commission, the EU's executive, proposed in February to extend the exemption at least until the details of CORSIA become clear. If CORSIA is seen to be failing to prevent rising global warming emissions from aviation, the EU could act to bring intercontinental flights into the ETS, meaning airlines' emissions would be subject to a cap, and airlines would have to buy carbon credits for any emissions above the cap.

Julie Girling, a British center-right lawmaker who is responsible for preparing the European Parliament's position on the stop-the-clock continuation, said in a statement July 11 that the exemption for intercontinental flights should be continued only through the end of 2020.

"I believe this exemption must be time-limited so that we can be sure that the CORSIA will deliver its objectives," Girling said.

'Fair Contribution'

Andrew Murphy, aviation manager at environment group Transport & Environment, said in a July 11 statement that aviation "must make a fair contribution to global climate efforts," and until more detail about CORSIA is available, lawmakers' "skepticism is well justified."

Environment committee lawmakers backed the draft EU regulation by which the continuation of the stop-the-clock exemption would be implemented on a 57-3 vote, with 6 abstentions.

The full European Parliament will vote on the measure during a Sept. 11-14 session. To be finalized, it must then be agreed to between the parliament and the Council of the EU, which represents the governments of the bloc's member countries.

If no agreement is reached on the extension of the stop-the-clock measure after the end of 2017, all airlines flying into and out of EU airports would be required during spring 2018 to surrender carbon allowances to cover their emissions during 2017.

China Likely to Extend Tax Break on Electric Cars, Auto Group Says

Posted July 11, 2017, 9:35 A.M. ET

By Yan Zhang and Tian Ying

China is likely to extend a purchase-tax exemption on electric cars to promote the vehicles, whose sales have outpaced broader industrywide deliveries, according to the state-backed auto association.

The exemption on the 10 percent purchase tax is due to expire at the end of this year and is "highly likely" to be renewed, Xu Yanhua, deputy secretary-general of the China Association of Automobile Manufacturers, said at a briefing in Beijing July 11. An extension to a levy exemption would probably benefit electric-car manufacturers like BYD Co. and BAIC Motor Corp., which produce some models qualifying for the exemption.

Sales of passenger new-energy vehicles, including plug-in hybrids and battery-electric cars, rose 36 percent to 164,000 units in the first six months of this year. That compares with a 1.6 percent gain in overall auto sales, according to data released by CAAM. A separate set of figures from the China Passenger Car Association July 11 showed first-half retail sales of vehicles falling for the first time since 2005.

China has given subsidies for companies and consumers to promote the development and sale of electric vehicles as part of its strategy to reduce a reliance on imported oil and cut air pollution. The country is the biggest electric-car market, accounting for more than 40 percent of such cars sold in the world, according to a report by the International Energy Agency.

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London's Iconic Black Cabs Go Electric; Bound for Amsterdam

Posted July 11, 2017, 9:32 A.M. ET

By Jessica Shankleman

Hundreds of London's black cabs will start appearing on the roads of Amsterdam next year,

powered by batteries instead of diesel fuel, marking the first international sale for Geely Automobile Holdings Ltd.'s new electric taxi.

Rotterdam Mobility Center agreed a 225-vehicle deal for the new all-electric hackney cab that will meet new pollution rules in the Dutch capital. It will be delivered from a factory near Coventry, England, in the first quarter of 2018, the companies said Tuesday.

The sale marks a new phase for London Taxi Co., which is planning to expand its reach beyond the U.K. with its new battery powered model called the TX that was designed in Barcelona and unveiled July 11.

From September, LTC will be renamed London EV Co. to reflect the 325 million-pound ($419 million) electrification investment by its Chinese owner Geely. That's paid for new manufacturing equipment for taxis and vans that will meet pollution rules being introduced in London and other cities worldwide.

The cab's trademark turning circle and roomy interior suits the narrow streets of Amsterdam as well as requirements for wheelchair users, said Albert Donlou, director of services at RMC, in an interview.

Designers were keen to ensure the "face" of the new cab conveyed a message that the driver was reliable and serious yet friendly, and was neither too cute nor too aggressive or retro, said David Ancona, managing director of Geely Design Barcelona. The interior can fit six passengers compared to five of the current model and features a large sunroof, as well as a large touch screen for driver navigation.

Geely wants to tap into the global market for low emissions vehicles. More than half of new cars sold globally will come with a plug by 2040, led by cities in Europe, China and the U.S., according to Bloomberg New Energy Finance.

"The launch of LEVC marks Britain's leadership as a first mover in creating the world's only dedicated electric vehicle company for the urban commercial market," Chief Executive Officer Chris Gubbey said a statement July 11.

LEVC unveiled the first version of the new cab, named TX. It retains key elements of the classic model, including doors that open backwards to 90 degree angles and will be powered by a battery and a small gasoline generator, known as a range extender. That will allow drivers to travel from London to Edinburgh, or even Paris, without needing to refuel, according to the statement.

The price tag of the new TX model will be announced on Aug. 1, when order books open for individual drivers, a spokesman for LEVC said by email. The new taxi will go on sale in London in the fourth quarter, and in the first quarter of 2018 in the rest of the world. Steep declines in the cost of batteries, that account for about a third of the cost of the vehicle, stopped the company from determining the price earlier.

London's Mayor Sadiq Khan decreed that all new taxis in the city need to be capable of operating with zero emissions from 2018, either by pure electric or hybrid motors. As well as targeting London's 23,000 diesel-powered taxis, Geely has toured European cities from Paris to Berlin, seeking to drum up interest for a potential export market.

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Tesla's Australian Battery Fix Comes at 'Big Price,' Analyst Says

Posted July 11, 2017, 8:59 A.M. ET

By Perry Williams

Billionaire Elon Musk's plan to install a giant battery to help fix a power crisis in South Australia will come at a "big price" with installation costing 60 percent more than alternative open cycle gas plants, according to Wood Mackenzie Ltd.

Musk's Tesla Inc. won a tender July 7 to build what the entrepreneur said is the world's largest lithium-ion battery system capable of providing enough power for more than 30,000 homes. Little guidance or estimates were given on the cost of supplying the unit, sparking debate over the appropriate mix of power generation in the mainland state with the highest levels of clean energy.

Given current costs "the reality is South Australians are paying a big price to stabilise their energy supply, after a rapid build-up in solar and wind power generation," Wood Mackenzie analyst Saul Kavonic said in an email. Solar and wind account for about 40 percent of the state's power generation.

A spokesman from Tesla's Australian office declined to comment.

Batteries will be cost-competitive around 2025, according to Wood Mackenzie. The consultancy estimates the fixed cost of batteries in 2017 at $81 a megawatt-hour compared with fixed costs of $9 a megawatt-hour for an open-cycle gas plant. The charging cost for batteries is estimated at $57 a megawatt-hour compared with the cheapest gas seen at about $59 a megawatt-hour. By 2025 gas could be more expensive than batteries given the rising cost of the fuel.

More Diesel Generation

Tesla's battery plan will still leave the state's blackout-plagued power grid vulnerable, Bloomberg New Energy Finance analysts led by Kobad Bhavnagri said in a July 10 report. While the 100 megawatt battery storage project would reduce its import dependency at peak energy use to 126 megawatts, the resulting shortfall will still need to be met by electricity interconnectors with neighboring Victoria, BNEF said.

A plan by the South Australian government to procure 200 megawatts of diesel generators for the 2018 summer and a 250-megawatt gas-fired generator will ultimately be needed to shore up supply, BNEF said.

Tesla's battery plan "is a lot of sizzle for very little sausage," Federal Resources Minister Josh Frydenberg said in an interview with Sky News July 11. "Let's focus not necessarily on celebrity. Let's focus on what is needed to stabilize South Australia's system which unfortunately today has not had a very good record."

The state's search for new forms of energy storage started after a severe thunderstorm triggered a state-wide blackout last September raising questions over the stability of its electricity supply. South Australia's power market disconnected from Victoria with transmission towers and lines badly damaged, sparking calls for a second interconnector to be built with the state of New South Wales.

Musk has promised to build the battery and get it working within 100 days of a contract being signed or the California-based company would provide it for free.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 7/26/2017 5:04:23 PM
Subject: Playbook Power Briefing, presented by BP: TRUMP says military will 'not accept or allow' transgender troops -- STEVE SCALISE discharged from hospital -- REPEAL AND DELAY vote scheduled for 3:30 -- Budget vote in September

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Today's Playbook Power Briefing presented by BP

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

GOOD NEWS -- House Majority Whip Steve Scalise (R-La.) was discharged from the hospital today and will begin "a period of intensive inpatient rehabilitation," according to a statement from MedStar Washington Hospital. ***Full statement*** http://bit.ly/2h33jlJ

Good Wednesday afternoon and happy hump day.

DRIVING TODAY -- NON-HEALTH CARE NEWS -- TRANSGENDER INDIVIDUALS BANNED FROM MILITARY SERVICE -- @realDonaldTrump on Twitter, in three separate tweets: "After consultation with my Generals and military experts, please be advised that the United States Government will not accept or allow Transgender individuals to serve in any capacity in the U.S. Military. Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender [sic] in the military would entail. Thank you". ***Story from Louis Nelson*** http://politi.co/2h3gqcQ

SIREN -- REPUBLICAN LEADERSHIP in the Capitol had no idea this policy change was coming. They did not get a heads up from the White House.

DEFENSE SECRETARY JIM MATTIS is on vacation.

-- MATTIS announced a six-month delay on allowing openly transgender individuals from joining the military at the end of last month **(*story from Jacqueline Klimas*** http://politi.co/2tYTpsv).

THE BIG QUESTION: Will Trump kick transgender people out of the military if they are already serving?

ONE CONSERVATIVE HILL REPUBLICAN GCHATS US ABOUT THE WHITE HOUSE -- "I swear their every instinct is wrong."

-- A 2016 STUDY from the RAND Corporation, a nonprofit research organization that

gets the majority of its funding from the Defense department, national security agencies and the U.S. military, estimated the "costs of gender transition-related health care treatment are relatively low," increasing costs by "between $2.4 million and $8.4 million annually, representing a 0.04- to 0.13-percent increase in active-component health care expenditures." ***Key findings*** http://bit.ly/2tZcWcu ... ***Full report*** http://bit.ly/2tYX9dJ

FROM REPUBLICANS -- @JohnBerman: "JUST NOW: GOP Sen.Richard Shelby responded to new transgender policy. He said (roughly) 'I think everybody should be able to serve.'" ... **@jasonnobleDMR:** "'Americans who are qualified and can meet the standards to serve in the military should be afforded that opportunity,' @SenJoniErnst says." ... **@yashar:** "McCain on trans ban: 'No reason to force service members who are able to fight, to leave military, regardless of their gender identity'"

WHY THIS MATTERS FOR D.C. -- THIS ISSUE is incredibly divisive on Capitol Hill. We saw that last week, when a similar amendment was offered on the House floor, and it failed. **THE GOP "SECURITYBUS" SPENDING BILL** is on the floor, and we hear Democrats are going to try to attach language to it to overturn this ban.

STATEMENT FROM THE PENTAGON: Navy Cpt. Jeff Davis, a DoD spokesman: "We refer all questions about the President's statements to the White House. We will continue to work closely with the White House to address the new guidance provided by the Commander-in-Chief on transgender individuals serving the military. We will provide revised guidance to the Department in the near future."

-- IN OTHER WORDS: Ask the guys on Pennsylvania Avenue.

GET SMART FAST -- Quick facts from Jacqueline Klimas, Matt Nussbaum and Connor O'Brien on transgender service members and existing Pentagon policy. http://politi.co/2eNvNW9

****** **A message from BP: We employ more than 14,000 people in the U.S. and support another 130,000 jobs all across the country.** *See how this impacts your community.* ******

FASCINATING COMMENT, from **HOUSE MAJORITY LEADER KEVIN MCCARTHY (R-CALIF.)** about **TRUMP** on David Brody's "Faith Nation" on CBN: "When you give [Trump] all the information, he usually makes the right decision. But sometimes I find some people don't give him the opportunity to give him all the information and steer him in one direction or another." http://bit.ly/2eO9vDL

SPOTTED -- EPA Administrator Scott Pruitt, dining at Le Diplomate Tuesday night... again! Reminder: he went there after the U.S. withdrew from the Paris climate accords.

THE NEXT HEALTH CARE VOTES -- THE SENATE will vote at 3:30 p.m. on repeal and delay. It is expected to fail.

CLICKER -- *From the Senate Budget Committee:* "In order to assist people following the action on the floor this week, the Senate Budget Committee will be posting amendments and floor alerts during the health care debate on our budget blog". http://bit.ly/2uZdXFN

****** **A message from BP: From coast to coast, we spent $16 billion with local businesses last year.** *Take 30 seconds to see how we're supporting jobs across the U.S.* ******

ON THE HORIZON ON OBAMACARE REPEAL -- From **BURGESS EVERETT, JEN HABERKORN** and **SEUNG MIN KIM:** "Now the Senate GOP is aiming for what Health and Human Services Secretary Tom Price called the 'lowest common denominator' as its likely end game: repealing Obamacare's individual and employer mandates as well as its tax on medical devices. Though the contents of that so-called 'skinny repeal' could still change, but those three elements may be all the Senate can pass at this point. Sen. Lindsey Graham (R-S.C.) on Tuesday called the possibility of a skeletal plan a 'political punt,' but it may be that that can clear the narrowly divided chamber.

"'We'll see at the end of the day what's in it but overall I think I'd support it,' said Sen. Dean Heller of Nevada, the most vulnerable GOP incumbent. He said slashing Obamacare's Medicaid expansion or its growth rate should be a non-starter. At the other end of the GOP spectrum, Sen. Rand Paul (R-Ky.) also signaled he could live with the minimalist approach. ... That would leave out the divisive issues of future cuts to Medicaid spending and efforts to create a new tax credit system for the individual markets. Republicans can only lose two votes on whatever they pass in the end. ...

"Republicans need a score on any proposal from the Congressional Budget Office to vote at a 50-vote threshold. They are aiming for a vote on Friday on their final plan after the unlimited amendment process on the 'vote-a-rama,' expected sometime Thursday. In the final bill designed by Republicans at the end of the process, Republicans could try to add in more elements than repealing the mandates and device tax, but that could complicate efforts to get a quick CBO score." http://politi.co/2eNTldi

-- AND ... Remember how hard it was for the House to figure out something to pass? A negotiation between the House and Senate will be tricky. Then both chambers have to pass whatever comes out of that negotiation.

COMING ATTRACTIONS -- "Republican Study Committee chief: Ryan promises budget vote in September," by Sarah Ferris: "The House GOP budget resolution is finally headed to the floor - just not until September. Republican Study Committee Chairman Mark Walker says he has struck a deal with House Speaker Paul Ryan to revive the fiscal blueprint, in exchange for dropping demands for a full GOP omnibus this week. The legislation, which is crucial to unlocking the Republican plans for a tax overhaul this fall, has been stalled for months amid Republican infighting." http://politi.co/2h35yM2

ELAINA PLOTT in **WASHINGTONIAN -- "Eric Cantor: 'If You've Got That Anger Working for You, You're Gonna Let It Be'":** "If you hang around Twitter on a day when President Trump does something especially head-turning and Paul Ryan goes especially quiet, you'll likely encounter some quip about how blissful John Boehner must be. ... There's no such narrative around Eric Cantor, the former Republican House majority leader from Richmond who was spectacularly ousted in his 2014 primary by a no-name economics professor. 'There's no denying that he misses all of it,' says Cantor's former deputy chief of staff, John Murray -- a sentiment the ex-congressman himself confirms. When he talks to Boehner, Cantor tells me, Boehner will say something to the effect of 'I am so glad I'm not there dealing with those mm-mm-mms' -- those pesky Freedom Caucus members whom many in the GOP hold responsible for sparking the party's new populist flavor and egging on the anger that led to Trump's election. Not Cantor. 'I never felt like that,' he says. ...

"Cantor is still painstakingly abreast of what's going on in the Capitol, texting often with members such as Kevin McCarthy, his successor, and Patrick McHenry, chief deputy whip, to offer advice and then popping up on cable news to reassure Republicans that the party is just going through 'growing pains.' ...

"Asked if he feels partly responsible for [the Republican party's] current predicament [with struggling to repeal Obamacare], Cantor is unequivocal. 'Oh,' he says, '100 percent.' He goes further: 'To give the impression that if Republicans were in control of the House and Senate, that we could do that when Obama was still in office ...' His voice trails off and he shakes his head. 'I never believed it.'" http://bit.ly/2h2J6CD

OTHER TRUMP TWEETS -- @realDonaldTrump at 6:49 a.m.: "The crowd in Ohio was amazing last night - broke all records. We all had a great time in a great State. Will be back soon!" ... **at 7:13 a.m.:** "Senator @lisamurkowski of the Great State of Alaska really let the Republicans, and our country, down yesterday. Too bad!" ... **at 9:48 a.m.:** "Why didn't A.G. Sessions replace Acting FBI Director Andrew McCabe, a Comey friend who was in charge of Clinton investigation but got...." ... **at 9:52 a.m.:** "...big dollars ($700,000) for his wife's political run from Hillary Clinton and her representatives. Drain the Swamp!"

-- TRUMP seems to be referring to money Andrew McCabe's wife Jill got in political contributions from groups linked to Virginia Gov. Terry McAuliffe, who is friends with the Clintons.

REINCE SURVIVAL WATCH -- NYT's Peter Baker, Jeremy Peters, and Rebecca R. Ruiz: "Reince Priebus, the chief of staff, is still on the bubble and said to be looking for a graceful exit of his own." http://nyti.ms/2eNCMhN

FOR TRUMP'S WIN BOARD -- "Trump to Announce Apple Supplier Foxconn Opening Wisconsin Plant," by Bloomberg's Justin Sink: "President Donald Trump will announce Wednesday that Foxconn Technology Group plans a new factory in Wisconsin, fulfilling the Taiwanese manufacturing giant's promise to invest in the U.S.

The factory will open in the home district of House Speaker Paul Ryan, a Wisconsin Republican, who personally lobbied Trump and White House chief of staff Reince Priebus to help secure the plant. It's expected to employ about 3,000 people at first and, after an initial $10 billion investment, the facility is scheduled to expand over a 2 1/2-year period ...

"Foxconn chairman Terry Gou plans to join Trump, Ryan, Wisconsin Governor Scott Walker, and Vice President Mike Pence at the White House to make the announcement. The decision to place the plant in Ryan's southeastern Wisconsin district is a political win for the speaker ... [and] Priebus ... Both were personally involved in securing the factory for Wisconsin. Ryan met with Foxconn executives on June 20 in Washington to pitch them on the state, and three weeks later, held a dinner along with Walker for company officials." https://bloom.bg/2uZBfuV

WHAT LANGLEY IS READING -- "Director Pompeo Details How the CIA Is Changing Under President Trump" -- Washington Free Beacon's Bill Gertz: http://bit.ly/2uC4u4G

THE HILL'S ANNUAL 50 Most Beautiful list: http://bit.ly/2uXw674

WHAT THEY'RE READING AT CRAIG'S -- "Bill Clinton, James Patterson Courting Spielberg, Clooney to Adapt 'President' Book," by the Hollywood Reporter's Rebecca Ford and Kim Masters: "Hollywood will be getting a visit from one of the most high-profile names in politics this week as a battle begins to brew for the film rights to one of the biggest literary properties of the year. Former President Bill Clinton and best-selling author James Patterson will be meeting producers to talk about an adaptation of their novel The President Is Missing, due out in June 2018.

"CAA's Richard Lovett is handling the rights to the project, which is being treated as a top-secret property. Sources say a 10-page proposal was sent out to buyers and top producers on Monday. It was sent via an expiring link and watermarked. Not everyone who received the proposal will be invited to have a meeting with Clinton and Patterson, however. Sources say that Clinton and Patterson themselves will meet with interested producers this week. J.J. Abrams, Steven Spielberg and George Clooney are among those who will be taking in-person meetings with the pair. Producer Steve Bing, known to be a close friend of Clinton, is also said to be getting a meeting." http://bit.ly/2tZ5Zbq

SPOTTED: Heather Podesta and Joan Nathan at separate tables last night at the Watergate Hotel's Kingbird restaurant at the 50th anniversary dinner celebrating the opening of the hotel and honoring the hotel's former chef Jean-Louis Palladin ... Corey Lewandowski, Jonathan Karl and John Santucci having breakfast at 7:30 a.m. this morning at the Hay Adams ... at the Trump Hotel last night: Anthony Scaramucci, Kellyanne Conway, Corey Lewandowski, and Rep. Peter King (R-N.Y.).

TRANSITIONS -- Lauren Fritts has started as director of WeWork public affairs, based

in the company's HQ on 18th Street in Chelsea. For the past year, she has been consulting for various non profit and media companies and before that spent five years with Chris Christie, including as digital director on his presidential campaign. ... **Mike Godwin** has joined the Niskanen Center as a senior fellow. He was most recently the director of innovation policy at the R Street Institute.

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Today's POLITICO Playbook presented by Hewlett Packard Enterprise

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

NEIL KING, former Wall Street Journal reporter **(@NKingofDC):** "Ran into John Boehner at Trattoria Alberto, his DC hang out. 'The nation needs you.' 'Oh God no,' he said, radiantly sipping his merlot." HHS Secretary Tom Price was at a separate table at the restaurant.

BULLETIN -- JONATHAN MARTIN and **ALEX BURNS** on **A1** of the Saturday NYT: "[R]epublicans [fear] a wave of retirements going into next year. Representative Dave Trott of Michigan is considering retiring, and another Michigan Republican, Fred Upton, may retire or run for the Senate, according to multiple party officials." http://nyti.ms/2xW3R7t

Good Saturday morning. THE NEW NARRATIVE -- "GOP struggles to control its own agenda," by Burgess Everett, Seung Min Kim and Kyle Cheney: "President Donald Trump's flirtations with Democrats and fixation on divisive campaign promises have paved the way for hazardous, rolling deadlines over the next six months on spending, the debt ceiling and immigration.

"The debt and spending bill approved by Capitol Hill on Friday averted imminent fiscal disaster, but it's added more misery for a Republican Party whose agenda has floundered even with unified control of Washington for the first time in a decade. It's also given Democrats significant leverage to imperil tax reform, the GOP's best hope at a major legislative victory.

"Rather than dictating the agenda of Capitol Hill, Republican lawmakers oftentimes find themselves at the whims of a capricious White House, Democrats in the minority and a calendar that's getting increasingly packed ahead of campaign season next

spring. Speaker Paul Ryan predicted in January that tax reform, Obamacare repeal and a border wall would all be done by now. Instead, Obamacare repeal may be completely dead at month's end, there are just broad strokes on tax reform and many Republicans oppose the border wall being pushed by their own president." http://politi.co/2xcx548

LOST IN THE SHUFFLE of this week: OMB Director Mick Mulvaney was thrashed by his former House Republican colleagues yesterday in a closed door meeting, GOP lawmakers called Treasury Secretary Steven Mnuchin a Democrat and scoffed at his requests and Gary Cohn is still on the outs with President Donald Trump. Those are the three people most intricately involved in tax reform, which the White House wants done by the end of the year.

PRESIDENT TRUMP is at Camp David this weekend. He has a cabinet meeting this afternoon.

-- @realDonaldTrump at 8:56 p.m.: "Churches in Texas should be entitled to reimbursement from FEMA Relief Funds for helping victims of Hurricane Harvey (just like others)."

AP at 8:45 a.m. -- "MIAMI (AP) - Weather forecasters say eye of powerful Hurricane Irma likely to hit Florida Keys, SW Florida, and Tampa area on Sunday."

FRONT PAGE SATURDAY -- FLORIDA EDITION -- SUN SENTINEL: "WE'RE WAITING: South Floridians braced for impact of powerful storm heading our way" http://bit.ly/2wOmE70 ... **NAPLES DAILY NEWS:** "PREPARE OR EVACUATE" http://bit.ly/2xcXn63 ... **THE VILLAGES DAILY:** "It's Decision Time" http://bit.ly/2gSkWuO ... **MIAMI HERALD:** "Despite Irma leaning left, S. Fla. still at 'extreme' risk" http://bit.ly/2tWCScR

IRMA HEADS TO FLORIDA -- "After raking Caribbean, dangerous Irma targets Florida," by AP's Anika Kentish and Michael Weissenstein in St. John's, Antigua: "After battering Cuba early Saturday and leaving more than 20 dead across the Caribbean, a dangerous Irma is taking aim at south Florida with winds nearing 160 mph (257 kph) as another hurricane follows close behind. Irma regained Category 5 status overnight, then dropped back to Category 4 early Saturday as thousands of people in the Caribbean fought desperately to find shelter or escape their storm-blasted islands and more than 6 million people in Florida and Georgia were warned to leave their homes. Wind speeds early Saturday were about 155 mph." http://bit.ly/2jcjkx0

-- MIAMI HERALD: "The Lower Keys will likely take a direct hit from Hurricane Irma, one of the most powerful hurricanes on record, Sunday morning before the ferocious storm roars up Florida's west coast. Where Irma ultimately makes landfall on the mainland remains uncertain because of the storm's angle to the coast, National Hurricane Center forecasters said in their early Saturday update. But Irma's fierce center could near Tampa Bay, which has not been struck by a major hurricane since October 1921, when the population was about 10,000, said hurricane center spokesman

Dennis Feltgen. About 4 million people now live in the low-lying area." http://hrld.us/2faXt4G

-- "Jose, nearing Category 5 status, threatens second blow to islands already ravaged by Irma," by WaPo's Anthony Faiola in Cabaret, Haiti, and Lindsey Bever and Andrew deGrandpre in Washington: "Hurricane Jose, a powerhouse tropical cyclone barreling northwest toward the Caribbean islands already hammered by Irma, is now 'almost a Category 5' storm, officials said. ... A hurricane warning is in effect for Barbuda and St. Martin, both of which were obliterated by Irma, as well as for Anguilla and St. Barthelemy, also known as St. Barts. The island of Antigua is under a hurricane watch. Once it passes the northern Leeward Islands, Jose is projected to hook north and steadily lose muscle. It will, however, likely throw off tropical-storm strength weather felt Saturday night in the British and U.S. Virgin Islands, which also sustained heavy damage during Irma." http://wapo.st/2wRuTN8

THE PROBLEM THAT WON'T GO AWAY -- **"Trump Team Prepping Aggressive Options for North Korea,"** by NBC News' Carol Lee and Courtney Kube: "The Trump administration is readying a package of diplomatic and military moves against North Korea, including cyberattacks and increased surveillance and intelligence operations, after the nation's sixth and largest nuclear test, according to senior White House and Pentagon officials. The U.S. may also propose a U.N. Security Council resolution mandating the inspection of ships arriving or leaving the reclusive state ...

"President Trump is also seriously considering adopting diplomatically risky sanctions on Chinese banks doing business with Pyongyang and upgrading missile defense systems in the region ... In addition, the administration is not ruling out moving tactical nuclear weapons to South Korea should Seoul request them ... though many consider such a move a nonstarter. It would break with nearly three decades of U.S. policy of denuclearizing the Korean Peninsula." http://nbcnews.to/2eU5ZrJ

-- **"Fuji TV: Trump calls President Moon a 'beggar' during phone call with Japanese PM":** "U.S. President Donald Trump allegedly disparaged South Korean President Moon Jae-in as acting 'like a beggar' with his calls for dialogue with North Korea. The remarks were supposedly made in a telephone conversation with Japanese Prime Minister Shinzo Abe, the Japanese network Fuji TV reported on Sept. 7. According to the network, Trump made the disparaging remarks about Moon to Abe in a telephone conversation on Aug. 29, after North Korea test-launched a missile that passed through Japanese airspace. Trump was also quoted as asking Abe 'not to tell anyone' about the need for military pressure on North Korea." http://bit.ly/2wgrNAk

-- "Trump review leans toward proposing mini-nuke," by Bryan Bender: "The Trump administration is considering proposing smaller, more tactical nuclear weapons that would cause less damage than traditional thermonuclear bombs - a move that would give military commanders more options but could also make the use of atomic arms more likely. A high-level panel created by President Donald Trump to evaluate the nuclear arsenal is reviewing various options for adding a more modern 'low-yield' bomb,

according to sources involved in the review to further deter Russia, North Korea or other potential nuclear adversaries." http://politi.co/2wPcVgL

****** **A message from Hewlett Packard Enterprise**: How are Hewlett Packard Enterprise's supercomputers helping create the future in science, medicine and national security? Learn more: hpe.com/supercomputing ******

INSIDE THE WEST WING -- "Kelly's deputy annoys Trump aides with rigid style," by Annie Karni: "Chief of staff John Kelly's no-nonsense deputy, Kirstjen Nielsen, has been working in the White House for only five weeks. But in her short tenure, the new sheriff's No. 2 has already helped set a new tone in the West Wing that was described by more than 10 senior administration officials and outside advisers to the president as one that can be dismissive and lacking in collegiality. These people worry that Nielsen - who now occupies former chief strategist Steve Bannon's old office - is at risk of squandering the morale boost that accompanied the arrival of the four-star general and the hope for a fresh start.

"Nielsen, who served as Kelly's chief of staff at the Department of Homeland Security before moving with him to the West Wing, routinely cancels meetings with senior officials if someone shows up late, multiple aides said. Phone calls often go unreturned. ... Nielsen has been greeted by an especially vociferous backlash from a group of people who say they are not simply bridling at a new structure. Some Trump loyalists even refer to Nielsen behind her back as 'Nurse Ratched,' a reference to the malevolent head nurse in 'One Flew Over the Cuckoo's Nest,' who coldly presides over a mental hospital." http://politi.co/2jckljc

-- MAGGIE HABERMAN and **GLENN THRUSH:** "It is Ms. Nielsen who sends out the emails announcing internal policy and planning meetings that now contain a clipped addendum - 'principals only' - with a stern warning that any subordinates who wander in will be immediately ejected. She is also responsible for keeping Mr. Kelly's no-fly list of aides he deems to be unfit to attend serious meetings, the most prominent of whom is Omarosa Manigault, the former "Apprentice" star with an ill-defined job and a penchant for dropping into meetings where she was not invited.

"Throughout the White House, the circle of decision-making is shrinking, leaving staff members accustomed to wandering in and out of meetings - and the Oval Office - in a sour mood. And the feelings are not confined by the gates of the executive compound. Outside Trump advisers, accustomed to getting their calls briskly returned, are complaining that their phones have gone silent since Mr. Kelly took over six weeks ago." http://nyti.ms/2eN1dZs

-- "Cohn doubles down on tax reform as rumors swirl about his West Wing status," by Nancy Cook, Ben White, Josh Dawsey and Daniel Lippman: "Rumors of Gary Cohn's demise in Donald Trump's White House have swirled for weeks. But Cohn is intent on remaining with the administration to finish tax reform - though it's unclear how long he would stay beyond its passage ... He's aware that he may have killed his

chances for Fed chair with critical comments after Charlottesville. ... A Cohn friend who spoke to him at a party in D.C. on Thursday night said he was 'in a great mood' and 'highflying' after the president cut a deal on Wednesday with Senate Minority Leader Chuck Schumer and House Minority Leader Nancy Pelosi to raise the debt ceiling.

"Cohn has long advocated for the president to work more closely with Schumer, one New York source who knows both men said, since they're both New Yorkers who aren't fierce ideologues and like to make deals. ... Cohn's reaction [to Charlottesville] irritated the president and created distance between them. They haven't spoken privately since then. Cohn also made some disparaging remarks about the way the White House functions under the president to friends in the Hamptons in August that found their way back to Trump and further exacerbated their working relationship." http://politi.co/2wgssSi

THE LATEST ON THE RUSSIA PROBE -- "Mueller gives White House names of 6 aides he expects to question in Russia probe," by WaPo's Carol D. Leonnig, Ros Helderman and Ashley Parker: "Special counsel Robert S. Mueller III has alerted the White House that his team will probably seek to interview six top current and former advisers to President Trump who were witnesses to several episodes relevant to the investigation of Russia's meddling in the 2016 election, according to people familiar with the request.

"Mueller's interest in the aides, including trusted adviser Hope Hicks, former press secretary Sean Spicer and former chief of staff Reince Priebus, reflects how the probe that has dogged Trump's presidency is starting to penetrate a closer circle of aides around the president. ...

"Mueller has notified the White House he will probably seek to question White House counsel Don McGahn and one of his deputies, James Burnham. Mueller's office has also told the White House that investigators may want to interview Josh Raffel, a White House spokesman who works closely with Trump son-in-law Jared Kushner. White House officials are expecting that Mueller will seek additional interviews, possibly with family members, including Kushner, who is a West Wing senior adviser, according to the people familiar with Mueller's inquiry." http://wapo.st/2jcLuYw

-- "White House communications director Hope Hicks retains lawyer in Russia probe," by Annie Karni and Eliana Johnson: "White House communications director Hope Hicks has retained a personal attorney, as the special counsel's investigation into the Trump campaign's ties to Russia is expected to heat up this fall. Hicks, 28, has hired Robert Trout, a highly regarded attorney and founder of the firm Trout Cacheris & Janis, according to multiple sources familiar with the hire. Trout is a veteran of the Justice Department. He is also a former assistant U.S. attorney in Baltimore." http://politi.co/2xjfWXa

PENCE BACK TO THE HOOSIER STATE -- "Pence to travel to Indiana to push tax reform, pressure Sen. Joe Donnelly," by Matt Nussbaum: "Vice President Mike

Pence will travel to his home state of Indiana later this month to make the case for tax reform and put pressure on Democratic Sen. Joe Donnelly, who is up for reelection in 2018 in the deeply conservative state. Pence is slated to make the trip on Sept. 22, according to a senior administration official." http://politi.co/2xSFd6P

MEDIAWATCH -- "Eric Bolling Out at Fox News ," by Yashar Ali in HuffPost: "Fox News has parted ways with host Eric Bolling, the network confirmed Friday, just over a month after an exclusive HuffPost report revealed Bolling sent inappropriate text messages to current and former female colleagues. News of the departure comes after two HuffPost reports revealed a pattern of inappropriate behavior by Bolling, who co-hosts 'Fox News Specialists.' Fox News will cancel the program, it said in a statement. 'Eric Bolling and Fox have agreed to part ways amicably,' the network said. 'We thank Eric for his ten years of service to our loyal viewers and wish him the best of luck.'" http://bit.ly/2gRZVk3

-- "Chris Christie in talks to be cable news contributor after leaving office," by CNN's Hadas Gold and Oliver Darcy: "New Jersey Gov. Chris Christie's possible career as a sports broadcaster may not have panned out, but he might still have a shot at a television gig. Christie has had conversations with both MSNBC and CNN about possible contributor deals after his term ends, according to three sources with knowledge of the talks. ... Christie is not in talks with Fox News." http://cnnmon.ie/2vMzwXC

Playbook Reads

PHOTO DU JOUR: A man walks along the beach in Daytona Beach, Fla., at sunrise ahead of Hurricane Irma's landfall on Sept. 8 | David Goldman/AP Photo

WALL STREET-WASHINGTON AXIS -- "Jamie Dimon ventures beyond Wall Street to have a say in Washington," by Reuters' Pete Schroeder and David Henry: "JPMorgan Chase & Co Chief Executive Jamie Dimon is starting to look like Corporate America's shadow president. The 61-year-old banker has made more than a dozen trips to Washington so far this year to press a broad agenda with a range of influential policymakers, people who attended the meetings or are familiar with his schedule said. Dimon has already visited the nation's capital four times as much as he does in a typical year. His ramped-up presence comes after taking the helm of the Business Roundtable, a lobbying group that represents CEOs of large U.S. companies, in December. ...

"The frequency of his trips, and the wide range of policies he has been discussing, have started chatter among power brokers in Washington and on Wall Street about how much energy Dimon is devoting to issues beyond JPMorgan. At times, they said, Dimon carries himself more like someone running the country than someone running a bank." http://reut.rs/2wPD3YU

STEVE BANNON TO CHINA -- NYT'S MARK LANDER : "Next week, he plans to travel to Hong Kong to deliver a keynote address at an investor conference, where he will articulate his call for a much tougher American policy toward China. CLSA, the Hong Kong brokerage firm that invited Mr. Bannon, is owned by a politically connected Chinese investment bank, Citic Securities. People close to Mr. Bannon said he met recently with Henry A. Kissinger, the elder statesman who opened a diplomatic channel to China in 1972, to exchange views about the relationship with Beijing. Mr. Bannon said he admires Mr. Kissinger and has read all his books, but none of that swayed him from his preference for confrontation over diplomacy." http://nyti.ms/2wPpIQt

MOSCOW WATCH -- "New Russian envoy describes 'warm' meeting with Trump: agencies" -- Reuters: "Russia's newly installed ambassador to Washington said on Friday that he had a warm and constructive meeting with U.S. President Donald Trump, Russian news agencies reported. 'I was received by President Trump, I presented my credentials. For my part I said that we are looking forward to an improvement in the relations between our two countries,' Tass news agency quoted the ambassador, Anatoly Antonov, as saying. 'President Trump received me in a warm and friendly way ... The atmosphere was very genial, constructive and welcoming. At least, that was my personal feeling,' Russia's RIA news agency quoted Antonov as saying." http://reut.rs/2eUlAqh

-- "Document details scrapped deal for Trump Tower Moscow," by CNN's Gloria Borger and Marshall Cohen: "Around the time presidential candidate Donald Trump was touting his real estate dealings at a Republican primary debate, a proposal was in the works to build a Trump Tower in Russia that would have given his company a $4 million upfront fee, no upfront costs, a percentage of the sales, and control over marketing and design. ... [T]he deal [also] included the opportunity to name the hotel spa after his daughter Ivanka. An internal Trump Organization document from October 2015, obtained by CNN on Thursday, reveals the details of a 17-page letter of intent that set the stage for Trump's attorney to negotiate a promising branding venture for Trump condominiums, a hotel and commercial property in the heart of Moscow.

"Trump signed the document later that month, according to Michael Cohen, his corporate attorney at the time. The document CNN obtained does not have Trump's signature because it is a copy of the deal that Cohen brought to Trump to sign. Cohen pulled out of the arrangement three months later as the project failed to get off the ground." http://cnn.it/2jaQuwI ... ***See the document*** http://cnn.it/2wfDLtZ

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CLICKER - "The nation's cartoonists on the week in politics," edited by Matt Wuerker - ***15 keepers*** http://politi.co/2xSY8ON

GREAT WEEKEND READS, curated by Daniel Lippman:

--"The Trials of a Muslim Cop," by Rachel Aviv in The New Yorker: "Bobby Hadid joined the N.Y.P.D. after 9/11, to protect his new country. But when he questioned the force's tactics, his life began to erode." http://bit.ly/2wQisTD

--"Blood Brother," by Sarah Smarsh in VQR: "The buyers are corporations with names like BioLife, Biotest, Octapharma. Plasma brings thirty, fifty bucks a pop depending on how often you go and how much you weigh. ... The more plasma given, the more points and the higher status they attain-bronze, silver, gold. If you're away too long, they want you back." http://bit.ly/2faBJ8Y

--"Fifty-one inches," by The Houston Chronicle's Mike Hixenbaugh, David Hunn and Mark Collette: "Terror, heartbreak and heroism as five souls brave the worst storm in U.S. history." http://bit.ly/2eUSsjs

--"A Traumatic History," by Edgar Jones in Spiked Online: "During the First and Second World War, you were expected to be resilient, you were expected to be well. And if you were traumatised, you were considered a bit unusual and potentially vulnerable. Today, we've almost gone full circle, and forgotten about the resilient side. Because, in actual fact, most people will not suffer from PTSD if exposed to a terrifying event." http://bit.ly/2fadbwG (h/t ALDaily.com)

--"Etiquette and the Cancer Patient," by Ted Rheingold on Medium: "The further out you are from the inner circle the more thoughtful you have to be to find out ways to help. The primary caregivers are too overwhelmed to find tasks for each person that offers help. Understand that the family may be overwhelmed with offers of help and doesn't have the time to give thoughtful declines. Take a non-answer as a No and don't belabor the situation by making the offer repeatedly." http://bit.ly/2xSTGzw (h/t TheBrowser.com)

--"The bit bomb," by Rob Goodman and Jimmy Soni in Aeon Magazine: "It took a polymath to pin down the true nature of 'information'. His answer was both a revelation and a return." http://bit.ly/2jdpk8G

--"Comfort Woman," by Erika Krouse in Granta: "I showed up and lied to people, which is illegal for attorneys but not for private investigators - not for me. I pretended to be a triathlete; I pretended to be a wealthy donor; I pretended to have breast cancer. It felt strange to lie to people's faces - wrong, until I discovered that they actually believed me." http://bit.ly/2gScSqj

--"Anatomy of terror: What makes normal people become extremists?" by Peter

Byrne in The New Scientist: "It takes more than religious fanaticism or hatred to make someone take innocent lives, but recognise the true roots of ISIS-inspired terror and they can be addressed." http://bit.ly/2eUtm4z

--"The Resegregation of Jefferson County," by Nikole Hannah-Jones in the NYT Magazine: "What one Alabama town's attempt to secede from its school district tells us about the fragile progress of racial integration in America." http://nyti.ms/2eMWarJ

--"How the Meat Industry Thinks About Non-Meat-Eaters," by Joe Pinsker in The Atlantic: "The people who oversee the plants are the ones [trade publication] Meatingplace is intended for. The ads in it are, to say the least, different than those in general-audience magazines. There is one for the PTL-2600 Corndog Machine, an apparatus that can put out 16,000 corndogs per hour ('Corndogs don't grow on trees ... they're produced on the PTL-2600')." http://theatln.tc/2xVnrRc (h/t Longreads.com)

--"If Unilever Can't Make Feel-Good Capitalism Work, Who Can?" by Thomas Buckley and Matthew Campbell in Bloomberg Businessweek: "The $170 billion corporate empire has been trying to prove corporations can do well by doing good. Can the idealism survive in an age of cost-cutting?" https://bloom.bg/2gRjrK3

--"Shelter and the Storm," by Katherine Boo in the Nov. 28, 2005 issue of The New Yorker: "Katrina's victims come to town." http://bit.ly/2wq3p2D

--"Disaster Aversion," by Rivka Galchen in the Oct. 2009 issue of Harper's: "The quest to control hurricanes." http://bit.ly/2xW5Ok7

--"Theater of War," by Jessica Hatcher-Moore in the Atavist Magazine: "He traveled to some of the world's most dangerous places to disarm militias, negotiate with gangs, and defy terrorists. But Bill Brookman was just a clown." http://bit.ly/2gU5ZZj (h/t Longform.org)

Playbookers

SPOTTED: Paul Manafort awaiting a flight from DCA to LGA on Friday morning -- ***pic of him scratching his head and looking straight ahead into our tipster's camera*** http://politi.co/2eUS5p6 ... Rep. Lee Zeldin (R-N.Y.) yesterday on Southwest flight 1360 from BWI to Islip on Long Island

TRANSITIONS - OBAMA ALUMNI -- Michael Greenwald has joined Tiedemann Wealth Management as SVP, where he will work in both the D.C. and Palm Beach offices of the firm. He served as the first U.S. Treasury attaché to Qatar and Kuwait and left Treasury this July. ... **David Cohen**, former CIA deputy director, and **Mike Connor,** former deputy secretary at Interior, have joined WilmerHale as partners. ... Jones Day has hired DOJ alums **Benjamin Mizer** and **Shirlethia Franklin.** Mizer will be part of the

firm's issues and appeals practice as a partner, while Franklin will be of counsel in the business and tort litigation practice.

... **Wajahat Ali,** a contributing NYT op-ed writer, has started a new initiative called Voices of Change, Voices of America: American Muslim Media Training, which "aims to empower 120 American Muslims to reclaim their narrative in public discourse and in the media." ... **Scott Roehm,** the VP of programs and policy at the Constitution Project, is joining the Center for Victims of Torture as its new Washington director.

BIRTHDAYS: Jonathan Cohn, HuffPost's senior national correspondent ... Eric Draper ... Sen. Chris Coons (D-Del.) (hat tip: Eric Wall) ... Matt Boyle, Breitbart's Washington political editor, who celebrated in Las Vegas on Friday (h/t Alexandra Preate) ... Kelly Schwartz (hubby tip: Roy) ... Matt Bai, national political columnist at Yahoo News ... journalist David Freedlander ... Aimee Steel ... CAP senior fellow Glen Fukushima ... Michael B. Greenwald, former U.S. Treasury attaché to Qatar and Kuwait and now SVP at Tiedemann Wealth Management, is 34 (h/t Morgan Ortagus) ... Quincey Grieve ... Laura Cash (h/t Claude Marx) ... former Rep. Glenn Nye (D-Va.) ... Bill Sparks ... Christina Wagner ... Augusta Mellon, on the comms team for Bloomberg Media, is 3-0 (h/ts Ashley Bahnken) ... Ebony Meeks ... Emily Daly ... Ron Dotzauer ... Rachel Rizzo, research associate at the Center for a New American Security (h/t John Hudson) ... Kara Voght of Politico and The Atlantic ... AP's Matt Lee ... Dwayne Carson ... Rob Biederman, cofounder and CEO of Catalant Technologies ...

... Dr. Judith Rodin, president of The Rockefeller Foundation and former UPenn president ... Jason Denoncourt ... Henrique Ferreira ... Katelyn Israelski ... ABC News contributor Tara Setmayer Love (h/t Kurt Bardella) ... Nawaid Ladak ... Twitter's Greg Maxson ... Dan Brandt ... Javelin's Vanessa Oblinger, who celebrated with cake and champagne with her colleagues at the office yesterday (h/t Keith Urbahn) ... Ryan Wegman ... Jordan Bloom ... Allan Dodds Frank ... Diego Sanchez Gallardo ... Chris Cooks ... former Rep. Buck McKeon (R-Calif.) ... DOJ's Michael Harper ... Wendy Oscarson Kirchner ... Cherie Harder, president of The Trinity Forum ... Jeff Weintraub ... Steve Raikin ... Karen Fawcett ... Andrew Morin ... Sophie Kurz-Cosgrove (h/ts Teresa Vilmain)

THE SHOWS by @MattMackowiak, filing from Austin:

-- CNN's "State of the Union": Sen. John McCain (R-Ariz.)

-- CBS's "Face the Nation": Sen. Bill Nelson (D-Fla.) ... Rep. Michael McCaul (R-Texas). Panel: Jeffrey Goldberg, David Nakamura, Susan Page and Kori Schake

-- NBC's "Meet the Press": Pre-empted for live coverage of Hurricane Irma

-- ABC's "This Week": Guests to be announced

-- "Fox News Sunday": FEMA Administrator Brock Long ... Rep. Jim Jordan (R-Ohio).

Panel: Brit Hume, Mo Elleithee, Gillian Turner and Juan Williams

-- Fox News' "Sunday Morning Futures": Key West, Florida Mayor Craig Cates ... Rep. Ron DeSantis (R-Fla.) ... Newt Gingrich ... Miami Beach, FL Mayor Philip Levine ... Carl Higbie ... Don Peebles ... Palm Beach, Florida deputy town manager Jay Boodheshwar. Panel: Ed Rollins and Mary Kissel

-- Fox News' "MediaBuzz": Erin McPike ... Susan Ferrechio

-- CNN's "Inside Politics": Guests to be announced

-- CNN's "Fareed Zakaria GPS": Guests to be announced

-- CNN's "Reliable Sources": Guests to be announced

-- Univision's "Al Punto": Alejandro Roldan ... Rep. Luis Gutierrez (D-Ill.) ... White House Director of Policy and Interagency Coordination Carlos Diaz Rosillo ... "United We Dream" executive director and co-founder Cristina Jimenez and immigration attorney Ezequiel Hernandez ... former HUD Secretary Henry Cisneros ... Bianca Jagger ... Cecile Richards

-- C-SPAN: "The Communicators": AEI Center for Internet, Communications & Technology Policy visiting scholar Mark Jamison, questioned by Reuters' David Shepardson ... **"Newsmakers":** Rep. Mark Walker (R-N.C.), questioned by Bloomberg News' Anna Edgerton and Politico's Sarah Ferris ... **"Q&A":** Open the Books founder and CEO Adam Andrzejewski

-- Hearst / Sony's "Matter of Fact" with Soledad O'Brien: Rep. Ruben Kihuen (D-Nev.) ... Rep. Jim Banks (R-Ind.) and Rep. Raja Krishnamoorthi (D-Ill.) ... Steve Ellis ... report on Pennsylvania nuns who built an outdoor chapel on land they own to stop a natural gas pipeline ... report on the NOAA pilots who gather flight data about hurricanes.

-- Washington Times' "Mack on Politics" weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at http://bit.ly/2omgw1D): Texas Tribune CEO Evan Smith.

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By Anthony Adragna | 06/01/2017 10:00 AM EDT

With help from Esther Whieldon

DECISION DAY: In a scene that could come straight from reality TV, President Donald Trump today will announce his decision on whether to abandon the 2015 landmark Paris climate agreement today at 3 p.m. in the Rose Garden, he tweeted Wednesday night. Withdrawing from the pact would honor his campaign pledge to "cancel" the deal, but go against the wishes of vast swathes of the U.S. business community, many of his own aides and the international community. Three officials tell POLITICO's Andrew Restuccia and Josh Dawsey that Trump plans to pull out of the deal, though they noted he could still change his mind at the last minute.

Trump's decision comes after months of internal clashes between Trump's warring factions of advisers spilled into the open with a rush of leaks Wednesday, Andrew and Josh report. And if Trump follows through and withdraws, as expected, opponents of the agreement will have to thank the months-long effort by White House strategist Steve Bannon and EPA Administrator Scott Pruitt to play to his populist instincts and publicly push the narrative the accord was effectively dead. One White House official said the president's team was furiously working on an announcement of the withdrawal on Wednesday.

Some aides were still clinging to hope late Wednesday that Trump may change course and stay in the deal, while drastically scaling back the Obama administration's non-binding carbon cleanup promises, in line with a plan they had previously pushed. Trump had not officially told his entire team of senior aides he was considering leaving the agreement Wednesday when news leaked out, and administration officials cautioned against definitive reporting, warning that the president is notoriously fickle.

Takeaway from one former U.S. official: "Will global leaders trust the U.S. to negotiate a climate treaty ever again? After Kyoto and Paris, who will trust us to keep our word as a nation? Our credibility is gone."

Meanwhile, cities and states aren't waiting: Talks are just getting off the ground but several states, municipalities, and business leaders are in early discussions to create a carbon reduction agreement to replace the cuts that Trump is expected to eliminate, Pro's Eric Wolff reports. Potentially modeled after the "Nationally Determined Contributions" nations submitted to join the Paris agreement, the possible reduction pledge would help show the international community that climate action continues in the U.S. "It is really important to the international community to understand to avoid a knock-on effect of U.S. withdrawal on the actions of other countries," a source working to facilitate the conversations told Eric. Meanwhile, a group of West Coast Democratic lawmakers urged the governors of California, Washington and Oregon to keep pursuing climate policies to "send a signal" to the international community absent federal action.

California not pleased: Gov. Jerry Brown didn't mince words in calling Trump's intent to withdraw from the Paris accord "outrageous" while predicting its effects would be short-lived, POLITICO California's David Siders reports. "I think Trump, paradoxically, is giving climate denial such a bad name that he's actually building the very movement that he is [purporting] to undermine," Brown said in an interview. "You can't fight reality with a tweet."

More European reverberations: European Commission President Jean-Claude Juncker warned Trump about the consequences of following through on withdrawing from the Paris deal, POLITICO Europe's Kalina Oroschakoff reports . "I am a trans-Atlanticist, but if the American president said in the next hours or days that he wants to get out of the Paris climate deal, then it is the duty of Europe to say, 'No, that's not how it works,'" Juncker said at an event in Berlin. "Eighty-three countries run into danger of disappearing from the surface of the Earth if we don't resolutely start the fight against climate change."

Clinton weighs in too: Trump's election rival, Hillary Clinton, said it would be "really stupid" and "totally incomprehensible" to squander the economic opportunities that arise from addressing climate change if the administration withdraws from the pact. "The President is a very impulsive, reactive personality," she said at the Code Conference in California. "So if we all like the Paris Agreement, he may decide to get out of it. Not even understanding one bit about what that means."

But it's worth taking a step back to remember that regardless of the fate of Paris, Trump has been busy chipping away at Obama's climate policies. Your Pro Energy team looks at all the ways he's already taken shots at Obama's green legacy here.

Carper invokes Exxon vote: Top Senate EPW Democrat Tom Carper urged Trump to look at the fact that more than 62 percent of Exxon Mobil shareholders on Wednesday called for the company to assess how climate change and global efforts to limit temperature increases will affect its business as he mulls the fate of the Paris deal. "President Trump should take note of what happened today as he decides the fate of our country's participation in the Paris Climate Agreement," he said in a statement. "We should seize the economic opportunities that come from combating climate change, not cede our role as a global leader."

Greens gather today: Environmental groups, including 350.org, Sierra Club, Natural Resources Defense Council, Peoples Climate Movement, NextGen Climate and the Center for American Progress Action Fund, are holding a rally outside the White House today at 5 p.m. in support of the Paris accord. The Sierra Club said more than 20,000 people have already called the White House to voice their opposition to withdrawal.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and congrats to Van Ness Feldman's Jonathan Simon for being first out of the box to correctly guess there are six non-voting members of the House (D.C., Guam, Puerto Rico, U.S. Virgin Islands, Northern Mariana Islands and American Samoa). For today: Who was D.C.'s first modern delegate in Congress? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

CATANZARO GIVEN ETHICS WAIVER: The White House has granted an ethics waiver for energy aide Mike Catanzaro, a former partner at CGCN Group LLC, to participate in matters related to EPA's Clean Power Plan, waters of the U.S. rule and methane regulations. His past clients include Devon Energy, an Oklahoma oil and gas company close to Pruitt, and he has lobbied on behalf of the American Fuel and Petrochemical Manufacturers and the American Chemistry Council, among others. Catanzaro's is one of more than a dozen waivers quietly released Wednesday night after a dust up between the Office of Government Ethics and White House, which initially refused to disclose them.

DAKOTA ACCESS BEGINS SHIPPING TODAY: The hotly-contested Dakota Access pipeline is expected to begin shipping North Dakota oil today to a distribution point in Illinois, the Associated Press reports. That comes even as the North Dakota Public Service Commission plans to look later this summer at whether the pipeline's developer, Energy Transfer Partners, violated state rules during its construction.

GROUP SEEKS REVIEW OF HARLEY SETTLEMENT: The free-market Cause of Action Institute is taking aim at a settlement the Obama administration reached with Harley-Davidson over after-market "super tuner" devices the company sold to boost motorcycles' performance that allegedly led to Clean Air Act Violations. The August 2016 settlement with EPA required the motorcycle manufacturer to fund a program to replace or retrofit wood-burning stoves with cleaner appliances. But Cause of Action says that approach violates the agency's own guidance, and the group says Pruitt ought to take another look at the settlement. "EPA is overstepping its authority by requiring Harley-Davidson to implement an emissions mitigation project that lacks such a sufficient nexus to the underlying violation," the group wrote today in a letter to Pruitt, along with a FOIA request for documents related to the settlement negotiations.

ORDER AIMS AT BOOSTING ALASKAN ENERGY PRODUCTION: Interior Secretary Ryan Zinke signed an order Wednesday calling for a review of opportunities to increase oil drilling in Alaska. He directed Interior to examine whether oil production can increase in the National Petroleum Reserve in Alaska and assess how much oil and gas could be extracted from a piece of the Arctic National Wildlife Refuge, Pro's Ben Lefebvre reports. Officials have 31 days to develop a plan to implement his order. Zinke signed the order following a speech at an Alaska Oil and Gas Association conference in Anchorage. "Rules should be based on science and best practice not on arbitrariness," he said.

Alaska's congressional delegation hailed the move. "This Secretarial Order is exactly the type of announcement that so many Alaskans have been asking for: a smart, timely step to restore access to our lands, throughput to our Trans-Alaska Pipeline, and growth to our economy under reasonable regulations that do not sacrifice environmental protections," Senate Energy Chairman Lisa Murkowski said in a statement.

As for Paris, Zinke sidestepped a question on the climate change agreement that's on everyone's mind this week. Zinke told reporters in Alaska that he has "yet to read what the actual Paris agreement is," and declined to weigh in without having a chance to "sit down and read" it, the Associated Press reports.

RUSSIA LATEST COMPLICATION IN FILLING VACANCIES: Some potential federal appointees are having second thoughts about executive branch appointments given the ongoing investigations into the Trump campaign's ties with Russia, POLITICO's Andrew Restuccia and Josh Dawsey report. "You're going to have a situation where they're going to have trouble getting A-list or even B-list people to sign up," one lawyer advising potential appointees said. The administration has announced nominees for just 117 of the 559 most-important Senate-confirmed positions.

CASSIDY DOWNPLAYS PROPOSED EPA CUTS: Louisiana Sen. Bill Cassidy told attendees of a Covington, La. town hall meeting Tuesday that "EPA is not being dismantled" despite Trump's proposed cut of one-third of the agency's budget and efforts to roll back landmark Obama-era regulations addressing climate change and water quality, among other issues. "Certainly there are regulations being rolled back," Cassidy said. "But the Clean Water Act is still in place. There will not be mercury spewing out. All those regulations are still in place." (h/t Pro Health Care's Jennifer Haberkorn)

PERRY'S MOVE TOWARD JAPAN: Energy Secretary Rick Perry kicks off a week-long trip to Asia today. He'll stop in Japan and China. Stops include a trip to the Fukushima Daiichi nuclear site where Perry will look at efforts to recover from the 2011 earthquake and participation in the 8th Annual Clean Energy and Mission Innovation Ministerials in Beijing where energy ministers from around the world discuss clean energy efforts.

EPA BOOSTS EAST CHICAGO EFFORTS: Fresh off a visit to the East Chicago, Ind., Superfund site, Pruitt ordered a dedicated community coordinator deployed to the area of the contaminated site and vowed the agency would monthly community meetings to provide updates on cleanup progress. "We will take a more hands-on approach to ensure proper oversight and attention to the Superfund program at the highest levels of the agency," he said in a statement. More information is available here.

ZINKE TO FOCUS ON FOREST FIRES FRIDAY: Zinke and Agriculture Secretary Sonny Perdue will spend Friday in Boise, Idaho - the home of the National Interagency Fire Center - where the two will likely talk about forest fires and prevention techniques. The secretaries will also speak at Boise State University in the morning.

WATCHDOG QUESTIONS IF TILLERSON VIOLATED ETHICS PLEDGE: A nonprofit watchdog group launched to track the Trump administration's activities is questioning whether Secretary of State Rex Tillerson violated his ethics pledge. The group, American Oversight, is raising questions over reports Tillerson appeared at a signing ceremony between his former employer, Exxon Mobil, and the Saudi Basic Industries Corporation concerning a proposed petrochemical complex slated for Texas. American Oversight filed FOIA requests seeking any guidance or waivers issued to Tillerson regarding the signing ceremony, as well as photos of the event and his calendar. Tillerson pledged during his confirmation process not to participate in any matters related to Exxon for one year.

MAIL CALL! STRENGTHEN ENVIRONMENTAL JUSTICE PROGRAM: Democratic

Reps. Donald McEachin, Nanette Diaz Barragán and Pramila Jayapal released a letter to Pruitt urging him to build upon and strengthen EPA's environmental justice program. "We must act on climate change, recognizing that frontline communities have continually been most impacted by the effects of climate change," the letter, signed by 43 other congressmen, said. Their calls are likely to fall on deaf ears, though, given Trump's budget zeroed out the program.

MOVE THOSE FERC NOMS ALONG: The U.S. Chamber of Commerce sent a letter to the top Republican and Democrat on the Senate Energy Committee Wednesday, urging them to swiftly advance the nominations Robert Powelson and Neil Chatterjee for open slots on the quorumless FERC. "Mr. Powelson and Mr. Chatterjee have demonstrated a solid grasp on the subject matter within FERC's overview and have a demonstrated record of advocating policy over partisanship," Neil Bradley, chief policy officer for the Chamber, wrote.

PERRIELLO NABS McKIBBEN ENDORSEMENT: Two weeks ahead of the Virginia gubernatorial primary election, Tom Perriello picked up the endorsement of prominent environmentalist Bill McKibben on Wednesday. "Tom Perriello, for the first time in Virginia's political history, has stood up to Dominion Energy," McKibben said. "That's a smart move - what the politically connected utility wants to do is lock the Commonwealth into a future of pipelines and power plants, even as the energy landscape is changing fast in the direction of renewables."

NEEDS IMPROVEMENT: EPA needs to do better at tracking spending on contracts and grants to small businesses to develop and commercialize innovative technologies, GAO said in a report released Wednesday.

EDF PLANS CHALLENGE TO PRUITT METHANE ACTION: Joining the Natural Resources Defense Council, the Environmental Defense Fund announced Wednesday it would challenge Pruitt's decision to stay additional components of the agency's 2016 rule setting methane emissions limits for new oil and gas industry sources. "Colorado, Wyoming and Ohio, already have similar protections in place, which demonstrate the reasonableness of these clean air measures," Peter Zalzal, lead attorney for the group, said in a statement.

The American Petroleum Institute praised Pruitt's decision in its own statement. "As demonstrated through previous regulatory efforts, EPA's focus should be on cost-effective regulations that target emissions of volatile organic compounds, providing the co-benefit of methane emission reductions," the group said in statement.

QUICK HITS

- God 'can take care of' climate change if it's a real problem, congressman says. MLive.

- Lawsuit alleges EPA failed to protect Shenandoah River. AP.

- Trump is deciding on the Paris climate agreement with virtually no science advisers on staff. Vox.

- California, Canada are teaming up to fight climate change - again. USA Today.

- Controversial EPA chief skips Lexington speech, but groups still protest. Lexington Herald Leader.

- EPA sues over tailings near Park City. Salt Lake Tribune.

- Gas May Be Killing the Nuclear Option. Bloomberg.

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

EPA Chief Pushes for Accountability Over Speed at Waste Sites

Posted July 25, 2017, 12:08 P.M. ET

By Sylvia Carignan

EPA Administrator Scott Pruitt wants accountability over speed to get potentially responsible parties and the agency itself to move languishing Superfund sites forward.

"It's the responsibility and job of this agency to get accountability with these companies," Pruitt said at a roundtable media briefing July 25.

Superfund sites that have spent years without a cleanup decision may see changes as a result of a new agency plan, he said.

"If you're a [potentially responsible party] and you're in that situation, guess what? We're going to be talking to you very soon," he said.

Pruitt's Superfund task force—convened in May—specifically focused on making changes to the Superfund program that don't require legislation. The task force's 42 recommendations focus on administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse, according to a memo accompanying a summary of the recommendations.

Scientists Say They Were Left Out of Pesticide Drift Research

Posted July 25, 2017, 12:30 P.M. ET

By Tiffany Stecker

Farmers could have had better information on handling a new herbicide linked to widespread crop damage in the South and Midwest, but Monsanto Co. limited the scope of research on the pesticide, according to a pair of agricultural scientists.

The scientists told Bloomberg BNA that academic researchers were contracted to measure the effectiveness of a new formulation of dicamba, a 1960s-era chemical that has been updated to handle tough-to-kill weeds. However, they didn't have the opportunity to look at the potential of the herbicide to evaporate and settle on another farm, where it can damage crops, until the products were available for sale, Kevin Bradley, a weed scientist at the University of Missouri, said.

"I feel like many of my colleagues would have liked to do volatility research and were not allowed," Bradley said.

Bradley and another scientist, Tom Mueller at the University of Tennessee's Institute of Agriculture, both conducted independent research on the new dicamba products after they were on the market. Their research is now being cited in a class-action that alleges Monsanto Co., BASF Corp., and Dupont encouraged growers to buy dicamba-based products despite concerns they could drift to nearby farms and damage soybeans, fruit orchards and other "off-target" crops.

Monsanto, in a statement to Bloomberg BNA, dismissed assertions that it didn't prioritize experiments on the pesticide's drift potential. The company said it performed extensive studies on volatility for its XtendiMax herbicide, which includes new technology to prevent the formation of dicamba acid and make it less prone to leaving the field. The Environmental Protection Agency requires that only the new, low-volatility pesticides be used with Monsanto's genetically-engineered crops and that the pesticide can't be sprayed in wind speeds over 15 miles per hour.

"We have expanded our university partnerships and are collaborating with numerous academics and extension agents who are testing the Roundup Ready 2 Xtend Crop System," Monsanto spokeswoman Charla Lord said, referring to the combination of dicamba-resistant seeds and the herbicide. "We look forward to continuing these partnerships in the future."

Hundreds of Damage Reports

Farmers throughout the country are struggling to control weeds that no longer die when sprayed with glyphosate, the world's most-used herbicide that is the main ingredient in Monsanto's Roundup. These weeds lead to big crop losses: palmer amaranth—also called pigweed—can impinge on up to 91 percent in corn yields and up to 79 percent of soybean yields, according to Purdue University Extension.

To meet farmers' needs, companies have developed new formulations of pesticides with decades-old chemicals like dicamba, 2,4-D, and glufosinate. The new tools are popular, and have given farmers hope for combating weeds for the first time in years.

"We're the cleanest from a weed control standpoint than we've been in a decade," Larry Steckel, a plant sciences professor at the University of Tennessee, told Bloomberg BNA.

Growers in the South and the West are now using dicamba on Monsanto's Roundup Ready 2 Xtend cotton and soybeans, genetically-engineered crops that don't die when sprayed with the herbicide. BASF and Dupont also both market herbicides that could be used on dicamba-resistant crops.

However, the lawsuit argues that the companies didn't tell farmers that volatility of the dicamba products could develop over several days, carrying the chemical from one field to the next. Temperature inversions, which trap air in specific locations, can serve as a conduit for dicamba to remain at ground level and eventually travel miles away from a pesticide sprayer's fields, according to the lawsuit.

"They just don't know what's going on in their fields," Paul Lesko, an attorney with St. Louis-based Peiffer Rosca Wolf who represents six Arkansas farms in the class action case, told Bloomberg BNA.

More than 700 Arkansas farmers have filed reports of damage with the state agriculture department from the pesticide. In neighboring Missouri, nearly 200 growers, most of them soybean farmers, have complained. Calls to the Tennessee Department of Agriculture led to restrictions on spraying in the state.

The concerns hit as two of the three companies are seeking regulatory approval for big mergers: Bayer AG is expected to buy Monsanto for $66 billion and Dupont will join Dow Chemical Co. in a $79 billion partnership.

The dicamba woes likely won't affect the companies' earnings in the short term said Jason Miner, an analyst with Bloomberg Intelligence said, but could play into longer-term strategic changes.

Research Cited in Lawsuits

Bradley said that universities are often called on to investigate all aspects of a new product in order to advise farmers. However, Monsanto didn't provide its new products to researchers unless the experiments were limited to certain data, according to Bradley.

"There's a strong stipulation," Bradley, added, "about what we can research and what we can't."

Bradley undertook preliminary research on his own, once the products were on the market. His findings, showcased in a July 6 Powerpoint presentation, are part of the class-action, which collects studies, testimony and other warnings dating back several years.

"Initial results [with] air samples and indicator plants suggest that both [XtendiMax and BASF's Engenia] can be detected in air after application," Bradley said, according to court records. "Indicator plants suggest volatization is still occurring at least 24 hours after treatment."

Mueller of the University of Tennessee told Bloomberg BNA he was unable to get the new formulations for testing until they came on the market in 2016. Like Bradley, Mueller also presented findings this month indicating that Engenia, a BASF dicamba product, "is moving from the site of application into the air immediately about the treated field."

"Soybean injury in adjacent areas should be expected from vapor movement of dicamba after application," Mueller wrote on the Powerpoint slide from a presentation on his findings. Mueller's research, funded by the Tennessee Soybean Promotion Board, is part of the plaintiffs' case against the manufacturers.

"I'm disappointed in what's happening," Mueller told Bloomberg BNA.

Based on company data, the new formulations were supposed to be far less prone to drift than earlier versions. State agencies and agricultural extensions also put in extra work to ensure that farmers would use the new products correctly, he said.

Monsanto Disputes Cause

Monsanto's U.S. commercial operations lead Brian Naber said in a July 21 blog post the company's

preliminary findings indicate that volatility of the approved products is not the major source of the off-target movement. Pesticide applicators are not following label instructions and spraying older products not allowed for use on the genetically-engineered seeds, he said.

Laura Svec, a spokeswoman for Dupont, said that thousands of growers have used the products properly and successfully to address resistant weeds and boost productivity. Dupont has licensed Xtend soybean seeds from Monsanto and manufactures FeXapan dicamba herbicide.

The Agriculture Department approved the sale of Monsanto's Xtend soybeans and cotton in 2015. The EPA, however, didn't approve the new herbicides until nearly two years after USDA made its decision.

In the two summers in between, growers bought the new seeds but had only old, more volatile dicamba available. Complaints of crop damage in Missouri soared in 2016. In one instance, a dispute over drift led to the shooting death of a farmer.

The lawsuit alleges that groups and farmers have warned about the drift problem for years. In 2014 a coalition of farmers named Save Our Crops warned Monsanto that the premature release of dicamba resistant traits would pose a risk to crops. In 2015, a farmer who had purchased XTendFlex cotton testified that a seed representative told him to spray dicamba over his crops, even though it was illegal at that time.

"He was just doing what somebody told him," the farmer, Don Masters, told the Arkansas Plant Board, according to the lawsuit. With penalties were as low as $1 per acre for the average cotton farm, growers were willing to risk using an outdated product in violation of the EPA's rules to solve their weeds problems, the plaintiffs argue.

This year, cases of dicamba drift have centered in Missouri's bootheel region and the northern Mississippi Delta. But reports also have been filed in Illinois, Indiana and Nebraska.

Mueller of the University of Tennessee doesn't deny the need for effective pesticides for farmers, but said that the agricultural community is going to have to answer some "really difficult questions" for 2018.

"It's a very complicated situation," he said. "At the end of the day the most important issue for the farmer is to grow a crop, make money and feed people."

Saint-Gobain to Fund $20 Million Water Line in Vermont

Posted July 25, 2017, 01:21 P.M. ET

By Aaron Nicodemus

Saint-Gobain Performance Plastics Corp. will fund a $20 million water line extension for approximately 200 Vermont homes, settling claims that a shuttered factory leached a chemical into area wells.

The agreement, to be filed in state court in Bennington, Vt., July 26, will settle some of the claims made by Vermont regarding chemical contamination emanating from the former ChemFab Corp. factory. The factory was found to have contaminated about 200 private drinking water wells with perfluorooctanoic acid (PFOA) in Bennington and North Bennington. Now owned by Saint-Gobain,

the plant, which closed in 2002, is also suspected of contaminating wells in nearby Hoosick Falls, N.Y.

Construction of water lines in Bennington and North Bennington will begin in the fall, according to a statement from Vermont Attorney General T.J. Donovan's office.

"Clean drinking water is a human right," Donovan said in a statement, calling the agreement "a good first step."

Additional Investigations Ongoing

The agreement will address drinking water remedies for a portion of the contaminated area. Saint-Gobain will continue to investigate PFOA contamination throughout the region.

"Providing potable drinking water to citizens of Bennington and North Bennington has always been our shared goal," Tom Kinisky, president and chief executive officer of Saint-Gobain Performance Plastics, said in a statement.

PFOA can be harmful to the thyroid gland and is suspected of causing testicular and kidney cancer, according to the American Cancer Society. It was widely used as a non-stick coating, and ChemFab used it to coat fabrics. Tests in 2016 found PFOA at levels greater than the state limit of 20 parts per trillion in Bennington private wells, and it was traced to the ChemFab plant.

The state will host several community meetings, and the agreement will be open for a 30-day public comment period once it is filed in state court.

Little Change in Rates Expected as China Implements Green Tax

Posted July 25, 2017, 01:52 P.M. ET

By Michael Standaert

Tax rates aren't likely to see much change as China moves to fully implement its Environmental Protection Tax Law, which will go into effect Jan. 1, 2018. Major changes are not expected at first in the amount of taxes companies will have to pay for emissions compared to a previous fee-based system, analysts said, although the exact rates have not been released.

"We expect that the tax rates won't change dramatically overnight," Josephine Jiang, tax partner at KPMG in Beijing told Bloomberg BNA.

Local People's Congresses will be in charge of setting the rates, but no information has been released on when that will happen, Jiang said. Public comments are due by July 26 on the draft guidelines the Ministry of Environmental Protection (MEP) announced July 18 for implementing the tax.

China's Environmental Protection Tax Law, officially approved at the end of 2016, is the country's first "green tax" and essentially replaces a pollutant discharge fee system that had evolved during the past 30 years. It is the fifth official tax law in China.

Under the law, provincial People's Congresses and some municipal People's Congresses will be able to set the tax rates within a band above or below the national levels after consultation with

central government-level tax and environmental authorities.

"[This] will require unprecedented coordination between local environmental protection officials who will monitor and measure discharges and tax officials who will collect and administer the tax," Scott Silverman, special counsel on environmental law in China at Baker & McKenzie law offices in Beijing, told Bloomberg BNA. "I am sure there will be implementation challenges as local governments put the new system in place."

Tax Incentives

The new tax system, which covers companies with direct air emissions and wastewater discharges, as well as solid waste and noise levels from construction sites, will give various levels of incentives depending on the amount they reduce their pollution below provincial and national standards.

Jiang said the overall trend in China is for companies to do self-assessments for their taxes, and tax authorities will step when concerns arise.

"This is another aspect that companies will need to watch out for," she said.

Another difference from the pollutant discharge system is that environmental taxes will be collected by tax authorities, not by environmental protection departments as the previous pollution fees were.

The previous policy had led to exploitation of loopholes, incidences of bribery and corruption related to the fees, or cases where environmental bureaus simply ignored the fees if a company was very important to the local economy.

"The most difficult challenge [for implementation] is that [pollutant discharge] fees were collected by local governments and now they'll be collected by state tax authorities," Jiang said. "There will not be much room for negotiation [for companies] or for them to run away from the environmental tax."

Environmental bureaus will still be responsible for monitoring emissions levels under the law, however.

America's Biggest Oil Port Looks to Be Hub for Shale Exports

Posted July 25, 2017, 8:14 A.M. ET

By Hailey Waller and Sheela Tobben

The biggest U.S. oil-import hub wants to grab a piece of surging North American crude exports.

Louisiana Offshore Oil Port, the only terminal along the U.S. Gulf Coast able to handle a fully laden supertanker, is gauging interest from shippers in sending crude overseas on the world's biggest ships by early next year. The port would continue to take in foreign oil, LOOP LLC said in an emailed statement July 24.

Ports are competing to fill the needs of domestic oil producers looking for outlets for their growing supply. At the same time, the boom from U.S. shale fields and Canadian oil-sands mines has reduced refiners' need for imported oil. LOOP's ability to handle tankers capable of carrying 2 million barrels in their holds would reduce shipping costs for companies looking to send crude to refiners in Asia.

"LOOP is the most obvious place for U.S. crude exports since as a deepwater port it makes it more manageable to load up a large ship such as a VLCC," Sandy Fielden, director of commodities and energy research at Morningstar Inc., said by phone from Austin, Texas. "It makes huge sense from a logistical perspective as it will allow for more efficient cargo shipments."

Currently, shippers have to load oil onto smaller tankers in ports such as Houston or Corpus Christi, Texas, that then transfer their cargoes onto Very Large Crude Carriers sitting offshore. That adds cost and time to the shipments. While Corpus Christi received its first VLCC at the end of May, the port's channel isn't deep enough for a ship that size to load a full cargo.

Nigerian and Saudi Arabian oil will continue being unloaded from massive supertankers at LOOP's marine terminal 17 miles offshore and pumped into storage caverns one-third of a mile under its Clovelly Hub in Louisiana, as it has for over 30 years. But LOOP is turning some of its operations around as exports surge after restrictions were lifted at the end of 2015.

"Today, customers are seeking the optionality to safely and efficiently load or offload, which is a natural request for a port," LOOP President Tom Shaw said in the statement. "This service offers our customers the scalability to fully load a VLCC."

LOOP will be competing with Corpus Christi, which in 2017 became the top oil-export hub for the U.S. Canadian producers are looking for more options for selling their crude to higher-priced markets around the world, lessening their dependence on U.S. refiners.

In recent years, shipping oil overseas has become more economical, thanks to low-cost drilling methods unlocking vast deposits in West Texas and other areas. U.S. production reached 9.6 million barrels a day in April 2015, according to the Energy Information Administration.

Rising Output

Daily U.S. output is hovering at more than 9 million barrels, much of which is lighter than what local refineries are configured to process. The excess is heading overseas, boosting American exports above those from OPEC members Qatar, Libya, Ecuador and Gabon. VLCC shipments to Asia are expected to jump 52-fold this year, shipping analysts at McQuilling Partners Inc. said in a note. That makes a port able to load the huge ships attractive to traders.

The additional capacity at LOOP could add another 300,000 barrels a day of U.S. exports, according to Fielden.

"Professional exporters will be drawn to this as they will want to export more regularly."

—With assistance from Laura Blewitt.

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Biofuel Subsides Axed in New House Legislation

Posted July 25, 2017, 11:30 A.M. ET

By Brian Dabbs

Biofuel subsidy programs at the Agriculture Department would be axed in a bill set for introduction in the House.

Rep. Andy Biggs (R-Ariz.), an environment subcommittee chairman on the House Science, Space and Technology Committee, plans to introduce the legislation July 26, saying the programs disregard market demand at the expense of taxpayers.

"By continuing to force technologies into the market that are not competitive or in demand, we are doing the American people a disservice," Biggs told a July 25 hearing on advanced biofuels. "The federal government's biofuel policies have had an unintended adverse effect on food costs. The price of corn, soybeans, and related retail food products have all increased."

The programs, Bioenergy Program for Advanced Biofuels and Biomass Crop Assistance Program, aim to boost innovation. Advanced biofuels, which can supplant traditional fuels to provide energy, are made from a wide range of plants and plant waste.

Many lawmakers oppose traditional corn-based ethanol over concerns about corn supply and environmental impacts.

Petronas Drops Plan to Build $27 Billion Canada LNG Terminal

Posted July 25, 2017, 03:02 P.M. ET

By Natalie Obiko Pearson

Malaysia's Petroliam Nasional Bhd abandoned its long-stalled plans to build a $27 billion liquefied natural gas export terminal on Canada's west coast, citing changes in market conditions.

"Prolonged depressed prices and shifts in the energy industry have led us to this decision," Anuar Taib, chairman of the board of the Pacific Northwest LNG project, said in a statement.

Petronas, as the state-owned company is known, won Canadian federal government approval for the project in September following more than three years of regulatory reviews and strident opposition from environmentalists, scientists and indigenous communities. The project also faced economic headwinds, with 18 gas export proposals in the province in limbo amid a global glut and plunging prices.

The long-anticipated decision by Petronas delivers a major blow to plans pushed by the previous Liberal-led government of British Columbia to develop an LNG industry in the Pacific Coast province for export to Asia. It comes shortly after Premier John Horgan took office backed by his ally, Green Party Leader Andrew Weaver, who has mocked the LNG industry as "nonsense" and a "colossal failure."

Petronas and its partners remain committed to developing their natural gas assets in Canada and "will continue to explore all options as part of its long-term investment strategy," according to the statement.

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Appalachian States Look Past Coal, Ask Trump to Aid Natural Gas

Posted July 25, 2017, 8:55 A.M. ET

By Ari Natter

Having lost tens of thousands of coal mining jobs to the rise in natural gas, several states have decided if you can't beat them, join them.

A bipartisan group of lawmakers hopes to persuade President Donald Trump to spare a loan program he wants to kill and use it to help a $10 billion gas-storage project in the hard-hit Appalachian region of the eastern U.S. where coal had once dominated. Proponents say it would help spur new chemical, refining and other manufacturing industries—and give out-of-work miners a new career path.

"We need a more diverse portfolio," said Brian Anderson, director of West Virginia University's Energy Institute, and a member of the project's coordinating committee. "If you have one industry that dominates your economy and that industry sees a decline then it really runs huge ripples through your entire economy." Coal and natural gas compete in the electricity markets and the proliferation of fracking in recent years led to cheaper gas that has displaced coal. Coal had once accounted for more than half of all U.S. electricity generation, but last year natural gas topped coal to become the largest source of power generation. The impact has been felt especially hard in the Appalachian region—which was once largely dependent on coal mining and steel production.

The Appalachian Storage Hub, estimated to cost as much as $10 billion, could encompass underground caverns in Pennsylvania, Ohio or West Virginia, although the final site has yet to be selected. It would have the capacity to hold as much as 100 million barrels of ethane, methane and other products produced in conjunction with natural gas. It would also include a 3,000-mile pipeline network to link up the storage sites with petrochemical plants.

A report by the American Chemistry Council found the project could create more than 100,000 jobs and nearly $36 billion in capital investment. The project would be similar, though smaller, to the Mont Belvieu natural gas liquids hub just outside Houston that has bolstered that area's chemical industry.

Supporters of the project say a lack of pipelines and storage infrastructure has depressed the price of gas produced from the Marcellus shale under Pennsylvania, Ohio and West Virginia. Natural gas prices there are only two-thirds that of the main market rate set in Louisiana.

Southwestern Energy Co., a gas exploration company with operations in the Marcellus, is a top proponent of the storage hub.

Bipartisan Group

A group of lawmakers led by Democrat Joe Manchin and Republican Shelley Moore Capito sent Trump a letter last week asking that he set up a blue ribbon commission to back the construction effort.

The two West Virginia senators also introduced legislation that would allow the Appalachian storage hub to qualify for Energy Department loan guarantees. Trump has proposed killing that program, and a spending bill the House of Representatives is debating this week would do just that.

Even without federal help, there are initial signs that investment is coming to the region. A $6 billion ethane cracker plant, which would make ethylene for plastics and other products, is being

considered by PTT Global Chemical America for a site along the Ohio River where a former coal-fired power plant owned by FirstEnergy Corp. once stood. Royal Dutch Shell Plc also has a new chemical complex planned for western Pennsylvania.

Shell's project follows the first wave of North American plants being built along the Gulf of Mexico coast by companies such as Dow Chemical Co. and Chevron Phillips Chemical Co. The factories all use shale gas to gain a cost advantage over producers in Europe and Asia that rely on oil and coal feedstocks.

"We certainly had our struggles in this region," said Steven Hedrick, the president of the Mid-Atlantic Technology, Research & Innovation Center in South Charleston, West Virginia. "This would be an opportunity for displaced miners to allow them to use the skills they've learned during a lifetime of engagement with coal."

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Canada Business Warns Trudeau on Rising Costs, Regulations

Posted July 25, 2017, 02:37 P.M. ET

By Josh Wingrove and Erik Hertzberg

Canada's climate-change plan and other government measures are heaping costs on businesses and pushing them to a breaking point, the Chamber of Commerce says in a warning to Prime Minister Justin Trudeau.

Chamber President Perrin Beatty, in a letter July 25, asked Trudeau to find ways to cut business costs to offset the impact of an emissions plan that includes a minimum carbon price beginning next year. Failure to do so could mean "seriously undermining Canada's competitiveness," he said.

"The cost of doing business in Canada is rising," Beatty said in the letter, which was also sent to the country's provincial premiers. "Our members are deeply worried about their ability to both grow their businesses within Canada or compete for investment and customers from abroad."

Speaking July 25 in New Brunswick, Finance Minister Bill Morneau said competitiveness is a focus of his department. "My job is to make sure Canada keeps the edge that we have, maintains its competitive advantage," he said. He didn't respond directly to Beatty's letter.

'Serious Cumulative Impact'

A cocktail of new regulations, taxes, climate measures and pension changes are having a "serious cumulative impact," Beatty said. The business community supports measures to tackle climate change but argues they should be accompanied by cutting costs elsewhere, he said.

High labor costs, low productivity growth, electricity rates and employment insurance changes are also raising costs. "If we don't give Canadian businesses breathing room, many will suffocate," Beatty added in a news release.

In Ontario, where the government recently announced a proposed increase of the minimum wage to C$15 per hour by 2019, the self-assurance of smaller firms has already been shaken. June data from the Canadian Federation of Independent Business shows the barometer index, a measure of

business confidence, fell 10.2 points to 58, the biggest monthly decline since 2008. Nationally, the index dropped 5.2 points, the most in almost six years.

The proposed changes in Ontario drove the decrease in business sentiment across Canada, and are "adding considerable uncertainty over future operating conditions," Ted Mallet, chief economist at the CFIB, said in the report.

Climate, Trade

The Chamber's warning comes ahead of upcoming negotiations on the North American Free Trade Agreement and amid U.S. President Donald Trump's plans to cut taxes and regulations. Canadian "concern becomes even more substantial when we see the determination of the U.S. administration to dramatically cut both regulation and business taxes in that country," Beatty wrote.

Climate change is one of the foremost policy differences between Trump and Trudeau. The president pulled the U.S. out of the Paris agreement last month, while Trudeau continues to champion it at home and abroad.

"The solution is not to ignore climate change, but to proceed in a way that makes sense for Canada's economy," Beatty said. "We believe that the negative impact of carbon pricing mechanisms on competitiveness can be minimized if they are designed with competitiveness in mind and offset by cost reductions in other areas."

Trudeau's climate plan kicks in next year, though Canada's most populous provinces already have either a cap-and-trade regime or a carbon tax. Beatty urged Trudeau and the premiers to discuss competitiveness at their next meeting.

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Dead Bodies Piling Up as Mexico's Stolen-Fuel Market Booms

Posted July 25, 2017, 04:13 P.M. ET

By Amy Stillman

Buying stolen gasoline in the central Mexican state of Puebla is easy. Pull off the main highway into a busy parking lot, and the black marketeers are waiting in pickup trucks loaded with jerrycans. They'll siphon the fuel into your tank—boasting as they do that unlike a lot of the country's regular gas stations, they don't cheat customers.

While this illegal curbside commerce has been going on for decades, it has exploded in the past few years and now costs Pemex, Mexico's state oil company, more than 20 billion pesos ($1.1 billion) a year. The huachicoleros, as the fuel thieves are known in Mexico, dig up pipelines and hijack tanker trucks. These techniques have made Puebla, with its heavy vehicular traffic and extensive pipeline system, a target for organized crime looking to diversify its profit streams. The country's drug cartels have muscled their way in, with predictable mayhem. Nine people died in a July 2 shootout between rival gangs of robbers in Puebla. And at least 15 people have died in military operations to take out fuel theft rings over the past several months in an area of the state known as the Red Triangle.

The government has started cracking down because it needs to draw foreign capital into the energy sector, where oil output has been sagging because of a combination of underinvestment in exploration and production, aging wells, and deficient infrastructure. The country has a population

about five times that of Texas, yet the U.S. state's fuel pipeline grid is 35 times larger. Potential investors who already look askance at the steady drip-drip of losses from theft and smuggling are even more likely to be deterred by drug gang violence.

Mexico Courts Investment

"For potential participants in the fuel business, whether they're importing gasoline and diesel or they're looking to construct terminals, it's a reality check," says John Padilla, managing director of energy consulting firm IPD Latin America LLC. Exxon Mobil Corp., Glencore Plc, and BP Plc have all announced plans to set up or supply gas stations in Mexico. Commodity trader Trafigura Group has applied for fuel import permits. And as much as $2.3 billion in investment has been pledged for pipelines as well as terminals for storage and transport, according to the industry regulator. "We take theft very seriously," ExxonMobil spokeswoman Charlotte Huffaker said in an email, adding that the company remains "committed to opening Mobil-branded service stations in Mexico," but will not directly own or operate the stations.

Foreign capital and know-how is exactly what Mexico's reform-minded legislators wanted when they voted in 2013 to end the state's 76-year-long monopoly in the oil and electricity sectors. The liberalizers have scored some wins: This month private companies announced oil finds in the Gulf of Mexico that may hold as much as 3 billion barrels (Mexico's oil production averaged 2.5 million barrels per day last year). Households, however, haven't seen their energy bills shrink, and political opposition to the creeping privatization remains vigorous, with one of the leading contenders in next year's presidential election promising to reverse the reforms.

Especially unpopular was the government's move to scrap fuel subsidies at the start of this year. Prices at the pump immediately jumped about 20 percent. Theft grew even faster: Illegal pipeline taps in the first five months of 2017 were up almost 70 percent from a year earlier, according to Pemex.

Fernando Chavala, a truck driver, says he was out of work for six months last year when the company he was working for had one of its 62,000-liter trucks stolen and stopped sending out deliveries. "When you're on the highway, you never know what could happen," he says, as he waits to fill up at a Pemex terminal in Puebla's state capital. "We don't have any security."

Violence in the Red Triangle

The aptly dubbed Red Triangle, which comprises a cluster of rural municipalities in the state, has seen two massacres due to government efforts to take down fuel thieves. Ten people were killed in the town of Palmarito Tochapan on May 3 when the military was deployed to round up suspects, and five died on July 21 in the Vicente Guerrero township in an attempt to capture the alleged leader of the state's main fuel theft gang, Roberto de los Santos de Jesus, alias "El Bukanas."

Investors will likely stay clear of places like the Red Triangle. "They are going to start in areas less vulnerable to fuel theft," says Alejandro Schtulmann, president of Empra, a risk consulting firm in Mexico City. "They will only invest more when they see that the situation is safer."

Schtulmann says 30 percent of the consumer fuel trade is controlled by "petty criminals" operating solo. But as much as 20 percent of the commerce is run by the country's biggest crime conglomerates, the drug cartels.

There are echoes of the drug war in the deployment of federal troops to Puebla and in the government's more than decade-long "decapitation" strategy to break up the cartels by targeting

their leaders. Also reminiscent are the gang-on-gang clashes that broke out in July in the Puebla municipality of Huehuetlan el Grande. Nine people were killed allegedly for their involvement in the fuel trade and failure to pay an extortion fee to a rival group; authorities said five of them were kidnapped and their bodies found burned.

Jose Aguilar, a local resident, watched the procession of caskets, stooping under a tree to shield himself from the afternoon sun. As the line of mourners wound its way uphill to the cemetery, flanked by state police trucks, Aguilar said the best way to halt the violence was for townspeople to form a vigilante group. He approvingly cited similar efforts in states such as Michoacan, where self-defense militias have sprung up in farming communities and clashed with drug cartels and government forces. In Huehuetlan, "no one leaves their homes now after 6 or 7 in the evening," Aguilar says. "They shut the curtains, and the town is lifeless."

Buyers Beware Too

Officials say they're pursuing buyers as well as sellers. Pemex has canceled contracts with seven gas stations in Puebla that are under investigation for receiving stolen fuel. Pemex Chief Executive Officer Jose Antonio Gonzalez Anaya has said that the company is attacking the demand side of the market. This month, the attorney general's office arrested a mayor in the Red Triangle for alleged involvement in the trade.

The squeeze is having some impact, judging by the price of black-market gasoline. Residents of the Red Triangle say they pay from 13 pesos to 14 pesos for a liter of illegal fuel, compared with 9 pesos last year. But Mexican drivers can still save about 20 percent by filling up at places like the parking lot in the market of San Salvador Huixcolotla.

The attendants there don't have pumps. They carry plastic hoses and use their mouths to create suction so they can siphon the gas into customers' tanks. Some wear surgical masks to protect against the fumes. "How many liters?" one shouted to the driver of a red Honda with a baby napping in the back seat. He dispensed the fuel, then shook the empty 20-liter can at the car window to demonstrate there'd been no scrimping.

Consultant Padilla says the entire supply chain—from the complicit worker at a Pemex oil terminal all the way down to locals acting as lookouts while huachicoleros milk a pipeline—is worth about $1.5 billion and is set to expand. "That's a lot of money, and it ends up involving a lot of people," he says.

And despite the government's efforts, there remains public backing in Puebla for the black marketeers—and scorn for the federal troops sent in to catch them. "They're only trying to survive," says Dulce Rosario Martes, a taxi dispatcher in Palmarito. "There's no other work."

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House Poised to Add Russia Sanctions With Curbs on Trump's Power

Posted July 25, 2017, 9:18 A.M. ET

By Anna Edgerton

The U.S. House is poised to vote on a bill to strengthen sanctions against Russia and prevent President Donald Trump from unilaterally lifting penalties, after the measure was delayed by procedural concerns and objections from energy companies.

The measure, which was altered to ensure that oil companies can work on certain joint projects overseas, would also impose new sanctions on Iran and North Korea. House leaders expect bipartisan support for the bill in the vote July 25.

The White House has sent mixed messages about whether Trump would sign the legislation and has expressed concern over limiting the president's power to ease sanctions on his own. Trump supports sanctions against the three countries but wants to make sure the U.S. gets "good deals," White House spokeswoman Sarah Huckabee Sanders told reporters aboard Air Force One July 24.

Congressional Rebuke

The measure would then go back to the Senate, where members of both parties have spoken in favor of changes made to the legislation they passed last month, S. 722.

The Russia sanctions measure is a rare rebuke to Trump from congressional Republicans. They say they want to prevent the president from acting on his own to lift punishment from the previous administration for meddling in last year's U.S. election and for aggression in Ukraine. House and Senate committees and the Federal Bureau of Investigation are examining possible ties between the Trump campaign and Russia.

As a bitter fight over health care consumes much of Washington, the sanctions bill is one of the few major legislative efforts uniting members of the fractured Republican Party, along with their Democratic colleagues.

"A nearly united Congress is poised to send President Putin a clear message on behalf of the American people and our allies," said Ben Cardin of Maryland, the top Democrat on the Senate Foreign Relations Committee. "And we need President Trump to help us deliver that message."

Iran Sanctions

The original bill from the Senate Foreign Relations Committee included only sanctions on Iran, modeled on previous executive orders, designed to punish entities that support terrorism, sell weapons to Iran, or help that country's ballistic missile program. The bill would also authorize, but not require, sanctions on human-rights abusers.

The Russia sanctions were added in an amendment on the Senate floor. Sen. Lindsey Graham (R-S.C.) also introduced a provision to reaffirm U.S. commitment to Article 5 of the NATO agreement, which requires members to defend other nations in the alliance.

House leaders flagged procedural concerns with the Senate bill, saying the Constitution requires legislation raising revenue to originate in the lower chamber. In resolving this issue, Republicans also limited the minority party's power to introduce and fast-track a resolution to question administration action on Russia sanctions.

Meanwhile, energy companies stepped up their lobbying in opposition to a prohibition against working on international projects with even a small Russian stake. That rule was changed to apply only to ventures where sanctioned Russian entities have at least a 33 percent interest, which prevents Russian firms from buying into a fraction of a project to keep American competition away.

This new threshold allows ventures like the Shah Deniz project in Azerbaijan, where BP Plc is the

main operator and Russia's Lukoil PJSC has a 10 percent stake in an ongoing expansion. The change also appears to give a green light to the Sakhalin 1 oil fields in Russia's far east, where Exxon Neftegas Limited, a subsidiary of Exxon Mobil Corp., is partnering with two Russian companies that have a combined interest of 20 percent.

Few Accomplishments

House Majority leader Kevin McCarthy of California also pushed for the inclusion of North Korea sanctions over its nuclear and ballistic-missile efforts. The House passed such sanctions 419 to 1 in May.

Minority leader Nancy Pelosi of California said in a statement over the weekend that while she supported that initiative, she was concerned that more major changes would result in further delays.

Timing of a new Senate vote is uncertain. The chamber is mired in debate over repealing and replacing Obamacare and plans to stay in Washington for the first two weeks of August. The House is set to begin its five-week recess at the end of this week.

Following through on the promise to be tough on Russia is one of the few accomplishments House members will have to show constituents during the summer break. Their health-care plan remains deeply unpopular, and GOP leaders are working through the main elements of their tax plan, including how to pay for it.

Trump continues to push back against the investigation of possible collusion between his campaign and Moscow. His son-in-law and senior adviser, Jared Kushner, was interviewed in private by the Senate Intelligence Committee July 24 and will appear July 25 before a House panel.

—With assistance from Toluse Olorunnipa, Jennifer A. Dlouhy and Catherine Traywick.

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Government Shutdown Odds Grow With Border Wall Funding Bill

Posted July 25, 2017, 8:50 A.M. ET

By Erik Wasson (Bloomberg) and Roxana Tiron (Bloomberg Government)

House Republicans this week are increasing the possibility of a government shutdown in October by moving forward with a $788 billion spending bill that complies with President Donald Trump's demands to boost the military, reduce clean-energy programs and fund a wall on the U.S.-Mexico border.

Those priorities, especially the $1.6 billion in wall funding, guarantee House and Senate Democratic leaders will oppose the bill. Trump has urged his Republican supporters in Congress to fight, saying in May that a "good" shutdown may be needed to advance his agenda.

Republicans are trying to demonstrate unity after months of division over major legislation, including a repeal of Obamacare. Adding the wall funding is intended to attract enough conservative support to spare House Speaker Paul Ryan (R-Wis.) an embarrassing defeat on the House floor. The Trump administration said it strongly supports the measure (H.R. 3219).

But if an agreement can't be reached with the Senate, Republicans run the risk of turning off voters with a government shutdown ahead of next year's congressional elections. Four years ago, Republicans tried and failed to use a government shutdown to end Obamacare, resulting in a deep dip in the polls for the party that GOP leaders don't want to repeat.

Senate Opposition

The House measure "isn't going to go anywhere" in the Senate, said Sen. Patrick Leahy (D-Vt.), the top Democrat on the Senate Appropriations panel.

Democrats are demanding that Republicans negotiate a bipartisan deal that combines defense increases with more money for domestic agencies such as the departments of Health and Human Services, Commerce, and Education. They argue Republicans are trying to distract from the GOP's halting efforts to repeal Obamacare or agree on a tax overhaul.

Rep. Ruben Gallego (D-Ariz.) said he could have supported the GOP bill without the wall funding. "Nobody likes to be held hostage," he said in an interview. "There is a risk of a shutdown and it is going to be entirely led by the Republicans and the president."

With a recess in August and just three House working weeks in September, there's little time for lawmakers to complete their work on the spending measure. If they don't, leaders likely would resort to a stopgap spending bill that maintains current funding levels to keep the government operating after Oct. 1. Trump hasn't said whether he'd sign such a measure that doesn't include new money for the wall.

Debate is set to start July 26 on the House floor on a package of four of the 12 spending bills needed to keep the government open after Oct. 1. The bill would fund the departments of Defense, Energy, and Veterans Affairs, along with the U.S. Army Corps of Engineers and the legislative branch. The $1.6 billion for the wall is being added to the measure in an effort to attract conservative votes.

Conservative Rebuff

Republican leaders had tried to get their members on board with a larger 12-bill package, only to be rebuffed. Some conservatives weren't willing to commit to the other domestic bills, which eschew most of Trump's request for deep spending cuts. Moderate Republicans said passing $8 billion in cuts to domestic priorities now would make it harder for their party to agree to spend more money after the Senate rejects the bill.

Leaders assembled the least controversial of the 12 spending bills to reduce the risk of failure.

It's difficult to oppose giving troops a 2.4 percent pay raise and boosting spending on veterans by $6 billion. The same goes for the increased nuclear weapons funding in the Energy part of the bill and security upgrades for members of Congress after the June shooting of Rep. Steve Scalise (R-La.) at a congressional baseball practice.

"The highest priority of Congress is to ensure the safety and security of our nation and to guarantee the future of our great democracy—this critical national security legislation needs to head to the floor," Rep. Rodney Frelinghuysen (R-N.J.), the chairman of the House spending panel, said in a statement.

Some conservatives say they may still rebel against the spending bill because the $72 billion in

increased defense spending isn't fully offset by spending cuts and because it would allow transgender troops to receive medical care related to their gender transition.

"There are some things that would have to be fixed before we can support it," said Rep. Jim Jordan (R-Ohio) a member of the conservative House Freedom Caucus.

Conservative Rep. Tom McClintock (R-Calif.) said he would be uneasy voting for the spending package without prior approval of a budget resolution containing cuts to entitlement programs.

Meanwhile, Democrats plan to use the floor debate to try to embarrass Trump by forcing a vote on a spending ban by federal employees at Trump hotels.

Defense Boost

Voting on the defense spending measure is a clear sign that congressional Republicans are making a priority out of lifting the defense spending cap put in law in 2011. They can't do that without Senate Democrats, who want similar increases for domestic spending.

Last week, Senate Democrats proposed a deal in which military spending would increase by $54 billion in exchange for an equal increase for domestic agencies. Their proposal was defeated along party lines in a committee vote.

The House bill would provide $9.5 billion for 84 Lockheed Martin Corp.'s F-35 aircraft, while the Pentagon requested 70. The measure proposes $1.8 billion for 24 Boeing Co. F/A-18E/F Super Hornet aircraft, an increase of 10 planes over the Trump budget. It also includes funding for three Littoral Combat Ships, made in competing versions by Lockheed Martin and Austal USA.

The $37.6 billion energy part of the spending bill cuts the non-military part of the Energy Department by $1.7 billion. That level is still $2.3 billion more than Trump requested in his budget. The bill would cut the Energy Department's clean-energy research division and kills off the agency's loan-guarantee program for energy companies.

—With assistance from Ari Natter.

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Hopes Rest on Private Firms for Legacy Coal Cleanup

Posted July 25, 2017, 7:15 A.M. ET

By Stephen Lee

The defining landmark in Hazleton, Pa., when John Quigley was growing up in the 1960s was a giant pile of black, crumbly coal waste that had been there for as long as anyone could remember. Taller than a 20-story building, the heap covered an area the size of four football fields and even had its own name: the Jeansville Coal Bank.

"It was the Mount Everest of Hazleton," Quigley, who later became the city's mayor and then head of the state Department of Environmental Protection (DEP), told Bloomberg BNA. "It loomed over the city, which was a pretty interesting metaphor because Hazleton's whole history is interwoven with mining, and its decline was because of mining."

Now, specialty power companies such as Olympus Power LLC, Northern Star Generation LLC, Robindale Energy Services Inc., and the Rich Family of Companies are cleaning up those piles, pitching their efforts as a win-win: They get free scrap coal to burn for power, and the community gets free cleanup of their polluted land and water. The enthusiasm for such efforts is an acknowledgment that government efforts to clean up befouled lands can only go so far. (Click here for a slideshow on Pennsylvania's coal refuse situation)

More than just eyesores, coal refuse piles leach acid mine drainage into streams, occasionally catch on fire—sometimes smoldering underground for decades and emitting volatile organic compounds—and pose a safety hazard for children who play on the unstable banks, said Vincent Brisini, former deputy secretary at Pennsylvania DEP's Office of Waste, Air, Radiation, and Remediation.

But now the companies say they might only be able to survive a few more years, thanks to growing pressure from cheap natural gas and environmental regulations. One coal refuse plant already has gone down: Piney Creek Power Plant, of Clarion, Pa., stopped operations in 2013, a victim of bruising energy markets. If the nation's 18 remaining refuse plants also shut down, the 800 coal refuse piles scattered throughout Pennsylvania—to say nothing of the hundreds more in West Virginia, Kentucky, and other Appalachian states—will remain in place indefinitely, because neither the federal government nor the states have the money to clean them up, said John Stefanko, deputy secretary for the Office of Active and Abandoned Mine Operations at the Pennsylvania DEP.

A Win-Win?

That's why so many environmental groups, in an unlikely pairing, have given the coal refuse industry their stamp of approval. Their reasoning is that, even though the companies do burn coal, the environmental benefits of cleaning up the refuse piles outweigh the costs.

"We're very interested in partnering with the waste coal industry," Anne Daymut, watershed coordinator at the Western Pennsylvania Coalition for Abandoned Mine Reclamation, told Bloomberg BNA. "We do view it as a win-win."

The cost/benefit claims can't be precisely measured because much of the data has never been collected, largely due to a lack of funding, said George Ellis, executive director of the Anthracite Region Independent Power Producers Association, an industry trade group.

For example, no one knows which or how many toxins are released from the 48 pile fires currently smoldering throughout the state, some of which have been burning for decades, said Ellis, former president of the Pennsylvania Coal Association.

Fourteen facilities capable of burning coal refuse for power now operate in Pennsylvania, with two more in West Virginia, another in Wyoming, and one more in Utah. The industry is strongest in Pennsylvania because the state offers a more hospitable climate for independent power companies than most other states, said Sean Lane, Olympus Power's executive vice president of governmental affairs.

The industry hasn't taken off more broadly, Lane said, because environmental permitting regulations make it "extremely difficult and costly" to site new power plants. Economic forces are at play, too: energy and capacity pricing in the current marketplace run by PJM Interconnection LLC, operator of the nation's largest power grid, wouldn't sustain a new coal refuse plant, Lane said.

Corporate investors in the sector include General Electric Capital Corp., Energy Capital Partners, Dynegy Inc., and CalPERS, the largest public pension fund in the U.S. based in California.

Benefits to Local Economies

Even given the incomplete data about the technology's costs and benefits, the industry's supporters seem to far outnumber its detractors. In addition to Daymut, representatives from the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation, Schuylkill Conservation District, and Earth Conservancy, a group dedicated to reclamation of former coal mining lands, also told Bloomberg BNA that they support the industry.

Some environmentalists, such as Carol Parenzan, executive director of the Middle Susquehanna Riverkeeper Association Inc., point to the economic and environmental justice benefits brought on by the coal refuse industry.

"Take a drive to Shamokin," Parenzan told Bloomberg BNA, referring to a struggling coal town an hour and a half north of Harrisburg, Pa. "This was once a thriving city of 20,000 people plus. Now you drive through the city and there's boarded-up houses, closed businesses, and an orange stream running through the center of town. It's a fine line between what's best for the environment and what's best for business.

"But you can't say no to this, no to that. You have to find benefits for everyone so it can be a win-win."

Bipartisan Support

Other supporters of the industry include Joseph Pizarchik, who headed the Office of Surface Mining Reclamation and Enforcement under President Barack Obama, and both Republican and Democratic lawmakers in the Pennsylvania statehouse.

"These slag piles will be there in perpetuity," state Rep. Peter Schweyer (D) told Bloomberg BNA. "As a liberal Democrat, I am not of the opinion that [EPA chief Scott] Pruitt will do anything to help our slag piles. So we can either clean them ourselves or not. Yes, this is still a carbon-based fuel; it's going to have costs on the clean air side. But it helps so much in other ways that those benefits outweigh the costs."

Similarly, Pennsylvania House Majority Leader Dave Reed (R) told Bloomberg BNA that the coal refuse industry is "really a public-private partnership that cleans up those piles. Government doesn't have the funds to do it themselves. Those piles are going to sit there for generations. Jobs are going to leave and you're going to continue to have the environment being polluted."

A Low-Ranking Priority

In 1988, Quigley was elected mayor of Hazleton. Immediately he busied himself with the state's abandoned mine land problem. Including the coal refuse piles, Pennsylvania's overall reclamation bill has been pegged at $15 billion.

But the Office of Surface Mining Reclamation and Enforcement deems refuse piles such as the Jeansville Coal Bank as the lowest-priority sites. That meant Quigley couldn't spend federal dollars to clean them up until the higher-priority sites were addressed.

"I tried to develop plans to turn [the abandoned mine land sites] into productive use," Quigley said.

"But that's a very long-term proposition, and I was only there for eight years. The whole problem of AML was well beyond the capacity of a city with a $6 million budget. So we didn't get much further than conceptual plans and aspirations."

The Jeansville Coal Bank remained in place. It caught fire underground in 2012; the fire is still burning today.

Fighting for Survival

In addition to the fires at coal refuse piles, dust laced with heavy metals can blow off the piles and into the water and soil, according to Brisini, who now serves as director of environmental affairs at Olympus Power.

The piles, often dangerously unstable and surrounded by physical hazards, also attract dirt bikers and all-terrain vehicle drivers. Most recently, Isael Ramirez died July 7 when he struck a gate outside a coal refuse pile while operating an ATV in Hughestown, Pa., the chief of police told Bloomberg BNA.

To keep the coal refuse industry afloat, its lobbyists want both a regulatory fix and an economic fix.

On the regulatory side, the industry is backing a bill in Congress known as the Satisfying Energy Needs and Saving the Environment (SENSE) Act (H.R. 1119), which would allocate additional sulfur dioxide emissions credits to coal refuse power plants under the Cross-State Air Pollution Rule. That would effectively ease pollution control requirements by allowing the plants to increase their emissions.

The SENSE Act would also change the compliance obligations for coal refuse plants under the EPA's Mercury and Air Toxics Standards rule.

The bill passed the House last year, but was never introduced in the Senate. Rep. Keith Rothfus (R-Pa.), the SENSE Act's sponsor, told Bloomberg BNA that he plans on pushing for the bill "very aggressively" again in this session of Congress. A Republican spokesman for the House Energy and Commerce Committee said the panel is considering moving the bill this year, although it's not yet on the schedule. The bill was re-introduced in the House in February.

Rothfus also said he met recently with EPA officials to seek "administrative relief" for coal refuse plants. So far, agency officials haven't signaled their willingness to comply, he said. Liz Bowman, an EPA spokeswoman, told Bloomberg BNA that the EPA was talking to elected officials, but declined to say specifically what it planned to do about administrative relief for coal-refuse-fired power plants.

A Tax Lifeline?

Meanwhile, to help coal refuse plants stay competitive with other, cheaper forms of energy, Pennsylvania lawmakers inserted a tax credit for the industry into last year's state budget.

The tax credit, which was worth $7.5 million last year and $10 million per year for 10 years, won't come close to saving the industry on its own, according to Olympus Power's Lane. The industry had initially asked for $45 million.

Nevertheless, the credit "serves as an important statement in the public record of Pennsylvania's support, and as a potential model solution, as we engage Congress in a dialogue regarding the

preservation of this industry," Lane said.

The legislature passed a $32 billion budget June 30, but the revenue package isn't expected to be finished until later this month at the earliest. Lane said all sources of revenue and spending, including tax credits, are "under great scrutiny" in the state legislature.

However, state House Majority Leader Reed told Bloomberg BNA he was confident the tax credit would be renewed this year.

Some Stakeholders Push Back

But not everyone supports the idea of burning coal refuse. Rep. Frank Pallone (D-N.J.), ranking member on the Energy and Commerce Committee, opposed the SENSE Act last year, saying it would be "absurd" to give coal refuse plants a "free pass" under EPA air standards.

After the bill passed the House last year, the Obama White House said it would veto it.

Further, coal refuse carries higher levels of toxic heavy metals per pound than regular coal, according to Tom Schuster, senior campaign representative with the Sierra Club's Pennsylvania chapter.

Seven of the nation's 18 coal refuse-fired power plants are also unable to satisfy the acid gas portion of the MATS rule for hydrogen chloride or sulfur dioxide, acknowledged Brisini, the former Pennsylvania DEP official. The state has granted the industry an extension until 2019 to comply with the rule.

"If you're going to claim that what you're doing has environmental benefits, at a bare minimum, you have to comply with the existing [MATS] limits," Schuster said. "And they're not."

In Schuster's view, a better solution to cleaning up the piles is the Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More (RECLAIM) Act (H.R. 1731, S. 728, S. 738), a bill in Congress that would speed the delivery of $1 billion to coal states for land remediation. The bill passed a House committee June 27 and is expected to start moving in the Senate shortly.

The House version could move forward as part of a larger bill, such as the pending infrastructure bill, Democratic aides say. In the Senate, the chief difference between the two bills, one sponsored by Senate Majority Leader Mitch McConnell (R-Ky.) and the other by Sen. Joe Manchin (D-W.Va.), is that Manchin's places greater emphasis on economic development. Proponents on both sides of the aisle say they're confident the bill will pass.

Industry Rejects Charges

The coal refuse industry flatly rebuffs Schuster's claims about environmental harms. Brisini said that, during the combustion process, chemical reactions occur that capture the pollutants in the ash. He also said fabric filters at the plants are "extremely effective" at capturing non-mercury metals.

The ash that remains after combustion is tested and certified for leachates, then brought to a reclamation site, Brisini said. There, the material is set in place, where it hardens like concrete and releases no metals into the soil, he said.

Further, in developing the MATS rule, the EPA should have considered the special characteristics of coal refuse plants, which may exceed the acid gas rules but still deliver net benefits, Gary Merritt, former director of Pennsylvania's now-defunct Office of Environmental Energy Management, told Bloomberg BNA.

The high cost of additional control equipment to comply with MATS would "inevitably result in the closure of these facilities," Brisini said.

As for the RECLAIM Act, even if it were to pass, Pennsylvania alone has an inventory of $13 billion to $14 billion in higher-priority mine sites that must be cleaned up before the state can use federal funds on waste piles, Merritt said. Because the bill only releases $1 billion nationwide, it wouldn't come close to delivering enough money to clean up the piles.

'A Good-News Story'

The Pennsylvania DEP also recently found impressive reductions in water discharges after coal refuse piles were cleaned up. DEP found that, post cleanup of coal refuse piles, iron flowing into the Blacklick Creek watershed had been reduced by 99 percent, acidity by 96 percent, aluminum by 94 percent, manganese by 87 percent, and sulfate by 82 percent.

"We've got fish in the water now," Cambria County Commissioner Tom Chernisky told Bloomberg BNA. "People weren't fishing here before. This is a good-news story."

The 14 coal refuse plants in Pennsylvania have removed more than 200 million tons of coal waste, restored or improved more than 1,200 miles of streams and reclaimed more than 7,000 acres of abandoned mine lands, according to the Anthracite Region Independent Power Producers Association. Currently, the industry removes about 10 million tons of waste per year, the group said.

Still Burning

John Quigley became secretary of the Pennsylvania DEP in 2015. Last year, working with the Obama administration, he helped steer $30 million in federal funding toward the cleanup of a large coal refuse pile in Ehrenfeld, Pa.

"That was one of the things I was most proud of," Quigley said. "And in the back of my mind, I was thinking, 'Can we do that in Hazleton?'"

The money ran dry before that could happen: The $30 million influx of federal funding was only a one-time infusion. President Donald Trump proposed canceling the funding altogether in his maiden budget request.

"There are hundreds of communities that are dealing with these issues, and there's nowhere near enough public funding available to solve the problem," Quigley said. "Ultimately there's no substitute for public sector involvement in remediating these problems, but you have to take the long view. Private companies might be our only hope to reclaim these lands."

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Tue 6/13/2017 10:27:06 PM
Subject: Today on Climate Beat

June 13, 2017

Today on Climate Beat . . .

. . . we went out on the wires, reporting that one clean energy group is criticizing a pending Energy Department electricity grid study as too focused on supporting baseload coal and nuclear plants, with the group instead calling for a focus on technologies to make the grid more "flexible" and able to handle more clean power.

Out West, the California Air Resources Board is further delaying a decision on its proposed greenhouse gas regulatory "scoping plan" to achieve the state's 2030 GHG target, in response to a request from nearly two dozen lawmakers who are still deliberating over legislation to extend the state's cap-and-trade program beyond 2020.

Speaking of California, it teamed up with New York and nine other states to file a lawsuit over DOE's failure to publish final energy efficiency standards for five products – rules that were finalized shortly before the Trump administration took office.

And in other legal news, our news roundup said that EPA plans to argue in its pending Clean Power Plan rollback proposal that the Obama-era GHG rule illegally regulated "outside the fence" of power plants.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Mon 5/29/2017 10:18:23 AM
Subject: AEI Today Special Edition: The origins of Memorial Day

A special edition of AEI's daily newsletter to honor service and sacrifice this Memorial Day.

—

The origins of Memorial Day

Memorial Day is more than a day of remembrance, wrote Leon and Amy Kass in 2013 — it is also a day to rededicate ourselves to civic renewal.

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A military in need

As we honor our fallen soldiers, Gary Schmitt and Mackenzie Eaglen lay out the alarming state of American military readiness in 2017.

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A generation passes the torch

A changing of the guard is underway between the Korea and Vietnam War generations. Rebecca Burgess explains what the implications might be.

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Memorial Day thoughts from Reagan

"The price for . . . freedom at times has been high," said Ronald Reagan at his first inaugural address. "But we have never been unwilling to pay that price."

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Trump's promise to veterans

Corruption at the Department of Veterans Affairs isn't punished, while the Pentagon claws back signing bonuses, laments Rebecca Burgess.

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How to beat Memorial Day traffic forever

In 2013, Richard Geddes and Brad Wassink examined how to tackle congestion when 31 million Americans drive 50 or more miles during Memorial Day weekend.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/15/2017 1:44:00 PM
Subject: June 15 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 15, 2017 - Number 114

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Arkansas

HAZARDOUS WASTE MANAGEMENT
Hazardous Waste Management
Arkansas HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Pollution Control and Ecology Commission, amends Regulation 23 regarding hazardous waste management. The rule incorporates federal hazardous waste management standards as of April 15, 2015, regarding the definition of solid waste, the vacatur of the comparable fuels and gasification rules, and disposal of coal combustion residuals from electric utilities. The rule also incorporates federal hazardous waste standards under 40 CFR 261 that were not previously adopted in full, including financial requirements for the management of excluded hazardous secondary materials, containers, tank systems, emergency preparedness and response for management of excluded hazardous secondary materials, and various air emission standards. A hearing is scheduled for July 13, 2017, in Little Rock. Comments are due July 27, 2017. Contact: Kelly Robinson; DEQ; 501-682-0916; reg-comment@adeq.state.ar.us

—Arkansas Register (06/13/2017)

Regulatory Update

Florida

OIL AND GAS INDUSTRY
Liquefied Petroleum Gas Inspection
Florida OIL AND GAS INDUSTRY

Final rule of the Department of Agriculture and Consumer Services amends regulations under FAC 5J-20.002, .004, and .033 regarding liquefied petroleum gas inspection. The rule establishes a procedure for certain veterans, their spouses, or business entities that have a majority

ownership held by such veterans or spouses to obtain a waiver of their initial license fee. The rule also incorporates current standards of the National Fire Protection Association and removes language and a related form concerning truck inspection fees. The rule is effective June 28, 2017. Contact: Richard Kimsey; DACS, Division of Consumer Services; 850-921-1570

—Florida Administrative Weekly (06/13/2017)

Regulatory Update

WATER
Johns River WMD/Minimum Flows and Levels
Florida WATER

Final rule of the St. Johns River Water Management District amends regulations under FAC 40C-8.031 regarding minimum surface water flows and levels. The rule establishes minimum flows for Alexander Springs in Lake County, Gemini Springs in Volusia County, and Silver Glen Springs in Marion and Lake counties. The rule is effective June 29, 2017. Contact: Thomas Mayton; SJRWMD; 386-329-4108; tmayton@sjrwmd.com

—Florida Administrative Weekly (06/13/2017)

Regulatory Update

WATER
Southwest Florida WMD/Facilitating Agricultural Resource Management Systems Program
Florida WATER

Final rule of the Southwest Florida Water Management District amends regulations under FAC 40D-26.021 regarding definitions. The rule replaces the Facilitating Agricultural Resource Management Systems Program Model Farms Economic Update, June 2009, publication with the Model Farms Economic Study–Final Report, March 2016. The rule is effective June 28, 2017. Contact: Jessica Hall; SWFWMD; 813-985-7481; Jessica.Hall@swfwmd.state.fl.us

—Florida Administrative Weekly (06/13/2017)

Regulatory Update

WATER
Southwest Florida WMD/Facilitating Agricultural Resource Management Systems Program
Florida WATER

Final rule of the Southwest Florida Water Management District amends regulations under FAC 40D-26.091 regarding publications incorporated by reference. The rule replaces the Facilitating Agricultural Resource Management Systems Program Model Farms Economic Update, June 2009, publication with the Model Farms Economic Study–Final Report, March 2016. The rule is effective June 28, 2017. Contact: Jessica Hall; SWFWMD; 813-985-7481; Jessica.Hall@swfwmd.state.fl.us

—Florida Administrative Weekly (06/13/2017)

Regulatory Update

WATER
St. Johns River WMD/Minimum Flows and Levels
Florida WATER

Final rule of the St. Johns River Water Management District amends regulations under FAC 40C-8.031 to establish minimum surface water flows and levels for Silver Springs in Marion County. The rule is effective June 27, 2017. Contact: Thomas Mayton; SJRWMD; 386-329-4108; tmayton@sjrwmd.com

—Florida Administrative Weekly (06/13/2017)

Regulatory Update

New Mexico

RADIATION
Radiation Protection
New Mexico RADIATION

Final rule of the Environment Department, Radiation Control Bureau, amends regulations under 20.3.1 through 20.3.15 NMAC (nonconsecutive) regarding radiation protection to conform to requirements of the Nuclear Regulatory Commission. The rule revises general provisions and requirements concerning the licensing of radioactive materials; radiation protection standards; medical use of radionuclides; radiation safety requirements for industrial radiographic operations, well logging operations, and tracer studies; and licensing and radiation safety requirements for irradiators. The rule is effective June 13, 2017. Contact: Pam Castaneda; Environmental Improvement Board; 505-827-2425; pam.castaneda@state.nm.us

—New Mexico Register (06/13/2017)

Regulatory Update

North Carolina

AIR
Air Pollution Control
North Carolina AIR

Proposed rule of Department of Environmental Quality, Environmental Management Commission, amends regulations 15A NCAC 02D.0101 through .2205 (nonconsecutive) regarding air pollution control. The rule incorporates federal standards for ozone and deletes obsolete pollutant levels and provisions regarding the use of gasoline with certain oxygen content in carbon monoxide nonattainment or maintenance areas. The rule also specifies who proclaims air quality alerts and warnings and declarations of emergency at various pollutant levels requiring abatement actions. In addition, the rule clarifies the duration of applicability to maintenance areas. A hearing is

scheduled for Aug. 3, 2017, in Charlotte. Comments are due Aug. 14, 2017. Contact: Joelle Burleson; DEQ; 919-707-8720; daq.publiccomments@ncdenr.gov

—North Carolina Register (06/15/2017)

Regulatory Update

COASTAL ZONE
Coastal Management/Bird Nesting Poles
North Carolina COASTAL ZONE

Proposed rule of the Department of Environmental Quality, Coastal Resources Commission, amends regulations under 15A NCAC 07H.2201, .2202, .2204, and .2205 to revise the general permit for construction of freestanding moorings to include bird nesting poles. The rule specifies a limit of one per property and provides construction requirements. A hearing is scheduled for July 12, 2017, in Greenville. Comments are due Aug. 14, 2017. Contact: Braxton Davis; DEQ, Coastal Resources Commission; 252-808-2808

—North Carolina Register (06/15/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
State Hazardous Waste Management Program
North Carolina HAZARDOUS WASTE MANAGEMENT

Temporary rule of the Department of Environmental Quality amends regulations under 15A NCAC 13A.0101 through .0119 (nonconsecutive) regarding the hazardous waste program. The rule updates the incorporation by reference of federal hazardous waste program standards under 40 CFR 260 through 279. The rule also updates terminology, requires that facilities provide a biennial report, and adds personnel training requirements for facilities that generate hazardous secondary materials. In addition, the rule adds waste determination and marking requirements for pre-transportation and deletes provisions concerning notification, biennial reports, small-quantity generator tanks, and small- and large-quantity generators. Finally, the rule deletes references that would have become effective May 30, 2017, to allow the current provisions to remain in effect until permanent rulemaking is completed for the federal regulations. The rule is effective May 30, 2017. Contact: Jenny Patterson; DEQ; 336-767-0031; jenny.patterson@ncdenr.gov

—North Carolina Register (06/15/2017)

Regulatory Update

Wisconsin

WATER
Laboratory Certification and Registration Program
Wisconsin WATER

Proposed rule of the Department of Natural Resources repeals and readopts regulations under WAC NR 149 regarding certification and registration of drinking water laboratories that submit data to the department for covered programs. The rule updates certification and registration procedures and the fee structure. The rule also clarifies requirements for proficiency testing of laboratories, establishes procedures for on-site evaluations, and updates quality systems requirements. Hearings are scheduled for July 10, 2017, in Eau Claire, Green Bay, and Madison. Comments are due July 12, 2017. Contact: Tom Trainor; DNR; 920-412-5970; Tom.trainor@wisconsin.gov

—Wisconsin Administrative Register (06/12/2017)

Regulatory Update

WATER
Livestock Facility Siting
Wisconsin WATER

Proposed rule of the Department of Agriculture, Trade and Consumer Protection amends regulations under WAC ATCP 51.01 through .34 (nonconsecutive) and Appendices A, B, and C regarding livestock facility siting. The rule updates water quality standards and related Natural Resources Conservation Service technical standards, including standards for nutrient management, cropland performance, wastewater storage structures, waste treatment, and vegetated treatment areas. The rule also modifies siting standards, including setback and odor standards for manure storage structures and livestock housing. In addition, the rule revises local government permit issuance procedures and local permit application forms and clarifies that local governments may require operators with siting permits to submit documentation related to annual nutrient management plan updates and monitor plan compliance. Finally, the rule clarifies how concentrated animal feeding operations can demonstrate compliance with siting standards based on a state pollutant discharge elimination system permit. A hearing will be scheduled at a later date. Comments are requested, but a due date is not specified. Contact: Chris Clayton; DATCP; 608-224-4630; Christopher.Clayton@Wisconsin.gov

—Wisconsin Administrative Register (06/12/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Wed 6/7/2017 11:14:21 AM
Subject: The Morning Headlines from InsideEPA.com -- June 7, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 7, 2017

Latest News

Coalitions Redouble Paris Support But Face Challenge To Achieve GHG Pledge

In the wake of President Donald Trump's decision to pull the United States from the Paris Agreement, several new coalitions of state, city, corporate and university leaders are underscoring support for meeting the goals of the global climate deal, though they likely will struggle to achieve the Obama administration's greenhouse gas target.

Carper Queries Whether Trump EPA Will Limit Bodine's Enforcement Power

Updated at 3:54 pm EST on 6/6/2017: Ahead of the Senate environment committee's postponed confirmation hearing on Susan Bodine's nomination to head EPA's enforcement office, the panel's ranking Democrat says the nominee's past experience at EPA and in Congress would be "helpful" if she wins confirmation but he questions whether the administration will allow her to pursue adequate enforcement.

State Attorneys General Challenge EPA's Reversal On Chlorpyrifos Ban

A coalition of seven Democratic state attorneys general (AGs) is challenging EPA Administrator Scott Pruitt's reversal of an Obama-era plan to ban the use of the pesticide chlorpyrifos on food, arguing that the decision violates federal law and also an appeals court order requiring the agency to take final action on a proposed ban.

FY18 Cuts To EPA CompTox Research Could Hinder TSCA Implementation

Significant cuts to EPA's computational toxicology research efforts could stymie the agency's ongoing efforts to implement sweeping revisions to the Toxic Substances Control Act (TSCA), which include mandates for the agency to reduce animal testing and craft a strategy to adopt non-animal toxicity testing methods.

Pruitt's Superfund Initiative Draws Concern, Praise From Industry Experts

Some industry observers are criticizing the short time frame EPA Administrator Scott Pruitt has given for a task force to produce recommendations on streamlining the Superfund program, but at least one industry source is generally applauding the effort

as an opportunity for long overdue administrative reforms in the program.

Daily Feed

Trump plans to nominate former Bush official to lead DOJ's ENRD

The president says he plans to nominate Jeffrey Bossert Clark, who has represented the U.S. Chamber of Commerce in greenhouse gas litigation, to lead the Justice Department's environment division.

Groups spar over pausing challenge to BLM fracking rule

The rule requires operators to disclose chemicals used in the fracking process, and sets standards for disposing wastewater and well integrity.

Will Pruitt review GHG endangerment finding?

Pruitt said that Americans deserve a "true, legitimate, peer-reviewed, objective, transparent discussion" about the dangers of carbon dioxide.

EPA, litigants eye talks to resolve CWA construction permit suit

EPA, home builders and environmentalists want a 120-day extension to discuss a potential resolution to their suits over the agency's construction stormwater permit.

D.C. Circuit denies call to rehear CWA 'blending' lawsuit

The appellate court declined to revisit its decision rejecting a request from municipal wastewater authorities to apply another circuit's prohibition on 'blending' nationwide.

Budget cuts threaten a small EPA lab's future

A daily news roundup: a small EPA lab turns 50 as budget threatens its future. Plus, auto standards review and Lake Erie cleanup in today's Ewire.

IG launches review of EPA's sewage sludge land use controls

The agency's Inspector General is assessing whether EPA's existing controls over land application of sewage sludge are adequate to protect human health and the environment.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 7/11/2017 7:26:55 PM
Subject: July 11 -- Daily Environment Report - Afternoon Briefing



Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Environmentalists Urge EPA to Test All Pesticide Ingredients

Posted July 11, 2017, 02:25 P.M. ET

By Tiffany Stecker

The EPA must assess environmental and health effects for all pesticide ingredients, not just the active ingredients that kill pests, the Center for Food Safety argued in a July 10 petition to the agency.

The petition is the latest attempt by environmental groups to bring more attention to "inert" ingredients, the chemicals added to pest-killing ingredients to improve a product's consistency, fragrance, or volatility. Many of these ingredients are listed as hazardous under federal laws, including the Emergency Planning and Community Right-to-Know Act and the Federal Insecticide, Fungicide and Rodenticide Act.

CFS's petition asks that the Environmental Protection Agency revise pesticide regulations to take into account all pesticide chemicals, not just the active ingredients. The organization also asks that the agency do more to address possible "synergistic" effects—the compounded potency of chemicals when mixed—of pesticides.

"While the old toxicology adage states that the 'dose makes the poison,' it is increasingly clear that instead the 'formulation makes the poison,'" the petition said.

Pesticide ingredient registrations and reviews take many years to complete. Considering the impacts of inert ingredients would likely add time and cost to the process.

The petition also presses the EPA to consider the potential repercussions for endangered and threatened species based on the whole formulation of the pesticide, instead of only the active ingredients.

The EPA's Inspector General told the agency in June that it was falling behind in collecting information on interactions between pesticides, and needed to do more to track the effects of mixing

chemicals.

The EPA did not immediately provide comment to Bloomberg BNA.

The agency removed 72 inert ingredients from a list of approved chemicals for pesticides last December. A federal judge ruled last year that the agency is not legally required to disclose the chemicals.

Colorado Vows Carbon Cuts in Support of Paris Climate Deal

Posted July 11, 2017, 02:29 P.M. ET

By Tripp Baltz

Colorado vowed to slash statewide greenhouse gas emissions by a quarter from 2005 levels by 2025 as Gov. John Hickenlooper (D) announced plans to join a multi-state alliance to meet the goals of the international Paris climate change agreement.

The governor's July 11 executive order aims to reduce statewide greenhouse gas emissions more than 26 percent by 2025, cut carbon dioxide emissions from the electricity sector by 25 percent by 2025, and achieve electricity savings of two percent of total electricity sales per year by 2020.

The order includes strategies to:

• work with interested utilities and electric cooperatives on a voluntary basis to maximize use of renewable energy without increasing costs to taxpayers,

• create a statewide electric vehicle plan by Jan. 1, 2018, and

• develop a greenhouse gas emissions tracking rule through the Colorado Department of Public Health and Environment.

Dow Soybean Draws Objection From EU Environment Panel

Posted July 11, 2017, 01:30 P.M. ET

By Stephen Gardner

The European Parliament environment committee July 11 signaled to EU regulators that they shouldn't authorize use of a Dow AgroSciences genetically modified soybean.

In a 40 to 24 vote with 1 abstention, environment committee lawmakers said the authorization shouldn't be granted because of fears over 2,4-D, a herbicide to which the soybean is resistant, and because of shortcomings and blockages in the EU's system for approving genetically modified food and animal feed.

If the authorization is granted, it would allow imports of the Dow AgroSciences soybean into the European Union for inclusion in food products or animal feed.

The vote came a day before a European Union regulatory committee meeting, where a vote was expected on whether to approve or deny the authorization. If the regulators can't decide, the decision would go to the European Commission.

The European Food Safety Authority had assessed the soybean, DAS-68416-4, "to be as safe as a conventional soybean," EuropaBio director of agricultural biotechnology Beat Spath told Bloomberg BNA. Filip Cnudde, Dow AgroSciences EU government affairs and science policy leader, had referred a request for comment to EuropaBio, which represents biotechnology companies.

Broken System?

EU authorizations can be granted to genetically modified crops on the basis of a positive safety evaluation from the food safety authority, unless a regulatory committee of EU country representatives vetoes the authorization. However, regulatory committees are commonly deadlocked on genetically modified crop approvals, leaving the European Commission—the EU's executive arm—to make authorization decisions.

The EU authorization system "is clearly not fit for purpose," because the commission "repeatedly struggles to find majority support" from EU member countries for authorizations, Bart Staes, a Belgian Green member of the European Parliament, said in a statement.

Spath said the Dow AgroSciences soybean had already been subject to one inconclusive regulatory committee vote, and if the July 12 regulatory committee meeting produces a similar outcome, the commission would by EU law be obliged to adopt the authorization because the soybean has been assessed as safe.

Tesla's Australian Battery Fix Comes at 'Big Price,' Analyst Says

Posted July 11, 2017, 8:59 A.M. ET

By Perry Williams

Billionaire Elon Musk's plan to install a giant battery to help fix a power crisis in South Australia will come at a "big price" with installation costing 60 percent more than alternative open cycle gas plants, according to Wood Mackenzie Ltd.

Musk's Tesla Inc. won a tender July 7 to build what the entrepreneur said is the world's largest lithium-ion battery system capable of providing enough power for more than 30,000 homes. Little guidance or estimates were given on the cost of supplying the unit, sparking debate over the appropriate mix of power generation in the mainland state with the highest levels of clean energy.

Given current costs "the reality is South Australians are paying a big price to stabilise their energy supply, after a rapid build-up in solar and wind power generation," Wood Mackenzie analyst Saul Kavonic said in an email. Solar and wind account for about 40 percent of the state's power generation.

A spokesman from Tesla's Australian office declined to comment.

Batteries will be cost-competitive around 2025, according to Wood Mackenzie. The consultancy estimates the fixed cost of batteries in 2017 at $81 a megawatt-hour compared with fixed costs of $9 a megawatt-hour for an open-cycle gas plant. The charging cost for batteries is estimated at $57 a megawatt-hour compared with the cheapest gas seen at about $59 a megawatt-hour. By 2025 gas could be more expensive than batteries given the rising cost of the fuel.

More Diesel Generation

Tesla's battery plan will still leave the state's blackout-plagued power grid vulnerable, Bloomberg New Energy Finance analysts led by Kobad Bhavnagri said in a July 10 report. While the 100 megawatt battery storage project would reduce its import dependency at peak energy use to 126 megawatts, the resulting shortfall will still need to be met by electricity interconnectors with neighboring Victoria, BNEF said.

A plan by the South Australian government to procure 200 megawatts of diesel generators for the 2018 summer and a 250-megawatt gas-fired generator will ultimately be needed to shore up supply, BNEF said.

Tesla's battery plan "is a lot of sizzle for very little sausage," Federal Resources Minister Josh Frydenberg said in an interview with Sky News July 11. "Let's focus not necessarily on celebrity. Let's focus on what is needed to stabilize South Australia's system which unfortunately today has not had a very good record."

The state's search for new forms of energy storage started after a severe thunderstorm triggered a state-wide blackout last September raising questions over the stability of its electricity supply. South Australia's power market disconnected from Victoria with transmission towers and lines badly damaged, sparking calls for a second interconnector to be built with the state of New South Wales.

Musk has promised to build the battery and get it working within 100 days of a contract being signed or the California-based company would provide it for free.

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EU Panel Backs 'Stop-the-Clock' Emissions Exemption for Airlines

Posted July 11, 2017, 01:29 P.M. ET

By Stephen Gardner

Long-haul flights that arrive in or leave European Union airports would continue to be exempted from a requirement to participate in the bloc's greenhouse gas emissions trading system, under a legislative proposal backed by the European Parliament's environment committee July 11.

However, the exemption would run only until the end of 2020, and the possibility of re-including intercontinental flights in the EU emissions trading system should be kept open if the International Civil Aviation Organization's emissions-capping scheme falls short, according to the committee's vote.

Aviation industry representatives criticized the environment committee's position July 11, saying that it could lead to double regulation and an overlap with the ICAO scheme, which is known as CORSIA (Carbon Offsetting and Reduction Scheme for International Aviation).

Aage Dunhaupt, spokesman for Airlines For Europe, which represents the main European carriers including Air France-KLM and Lufthansa, told Bloomberg BNA July 11 that EU lawmakers had a skeptical view of CORSIA that "we do not share."

It was a "united position of all our airlines" that "when CORSIA kicks in, we make sure we do not

have a double-charge system," Dunhaupt said.

Sylviane Lust, director general of Airlines International Representation in Europe, which represents holiday operators such as Monarch Airlines and Thomson Airways, told Bloomberg BNA July 11 that "we would like to be part of the CORSIA agreement and nothing else. We can't afford to have regional systems duplicating the global system."

Lufthansa and International Airlines Group, the holding company for Aer Lingus, British Airways and Iberia, did not respond to requests for comment July 11.

Carbon-Neutral CORSIA

Under CORSIA—which ICAO agreed to in October 2016—any emissions from aviation above the 2019–2020 level will after 2020 be compensated for by credits from projects that reduce emissions in other sectors, making growth in flights between countries theoretically carbon-neutral.

Until 2027, participation in CORSIA is voluntary, but many of the main aviation countries—including the EU countries and the United States—will take part. Some large countries, including India and Russia, will not participate in the voluntary stage, however.

Currently, because of CORSIA, intercontinental flights are exempted from the EU emissions trading system (ETS) under an arrangement known as "stop-the-clock." However, Intra-EU flights are included in the ETS.

The stop-the-clock exemption expires at the end of 2017. The European Commission, the EU's executive, proposed in February to extend the exemption at least until the details of CORSIA become clear. If CORSIA is seen to be failing to prevent rising global warming emissions from aviation, the EU could act to bring intercontinental flights into the ETS, meaning airlines' emissions would be subject to a cap, and airlines would have to buy carbon credits for any emissions above the cap.

Julie Girling, a British center-right lawmaker who is responsible for preparing the European Parliament's position on the stop-the-clock continuation, said in a statement July 11 that the exemption for intercontinental flights should be continued only through the end of 2020.

"I believe this exemption must be time-limited so that we can be sure that the CORSIA will deliver its objectives," Girling said.

'Fair Contribution'

Andrew Murphy, aviation manager at environment group Transport & Environment, said in a July 11 statement that aviation "must make a fair contribution to global climate efforts," and until more detail about CORSIA is available, lawmakers' "skepticism is well justified."

Environment committee lawmakers backed the draft EU regulation by which the continuation of the stop-the-clock exemption would be implemented on a 57-3 vote, with 6 abstentions.

The full European Parliament will vote on the measure during a Sept. 11-14 session. To be finalized, it must then be agreed to between the parliament and the Council of the EU, which represents the governments of the bloc's member countries.

If no agreement is reached on the extension of the stop-the-clock measure after the end of 2017, all airlines flying into and out of EU airports would be required during spring 2018 to surrender carbon allowances to cover their emissions during 2017.

China Likely to Extend Tax Break on Electric Cars, Auto Group Says

Posted July 11, 2017, 9:35 A.M. ET

By Yan Zhang and Tian Ying

China is likely to extend a purchase-tax exemption on electric cars to promote the vehicles, whose sales have outpaced broader industrywide deliveries, according to the state-backed auto association.

The exemption on the 10 percent purchase tax is due to expire at the end of this year and is "highly likely" to be renewed, Xu Yanhua, deputy secretary-general of the China Association of Automobile Manufacturers, said at a briefing in Beijing July 11. An extension to a levy exemption would probably benefit electric-car manufacturers like BYD Co. and BAIC Motor Corp., which produce some models qualifying for the exemption.

Sales of passenger new-energy vehicles, including plug-in hybrids and battery-electric cars, rose 36 percent to 164,000 units in the first six months of this year. That compares with a 1.6 percent gain in overall auto sales, according to data released by CAAM. A separate set of figures from the China Passenger Car Association July 11 showed first-half retail sales of vehicles falling for the first time since 2005.

China has given subsidies for companies and consumers to promote the development and sale of electric vehicles as part of its strategy to reduce a reliance on imported oil and cut air pollution. The country is the biggest electric-car market, accounting for more than 40 percent of such cars sold in the world, according to a report by the International Energy Agency.

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London's Iconic Black Cabs Go Electric; Bound for Amsterdam

Posted July 11, 2017, 9:32 A.M. ET

By Jessica Shankleman

Hundreds of London's black cabs will start appearing on the roads of Amsterdam next year, powered by batteries instead of diesel fuel, marking the first international sale for Geely Automobile Holdings Ltd.'s new electric taxi.

Rotterdam Mobility Center agreed a 225-vehicle deal for the new all-electric hackney cab that will meet new pollution rules in the Dutch capital. It will be delivered from a factory near Coventry, England, in the first quarter of 2018, the companies said Tuesday.

The sale marks a new phase for London Taxi Co., which is planning to expand its reach beyond the U.K. with its new battery powered model called the TX that was designed in Barcelona and unveiled July 11.

From September, LTC will be renamed London EV Co. to reflect the 325 million-pound ($419 million) electrification investment by its Chinese owner Geely. That's paid for new manufacturing equipment for taxis and vans that will meet pollution rules being introduced in London and other cities worldwide.

The cab's trademark turning circle and roomy interior suits the narrow streets of Amsterdam as well as requirements for wheelchair users, said Albert Donlou, director of services at RMC, in an interview.

Designers were keen to ensure the "face" of the new cab conveyed a message that the driver was reliable and serious yet friendly, and was neither too cute nor too aggressive or retro, said David Ancona, managing director of Geely Design Barcelona. The interior can fit six passengers compared to five of the current model and features a large sunroof, as well as a large touch screen for driver navigation.

Geely wants to tap into the global market for low emissions vehicles. More than half of new cars sold globally will come with a plug by 2040, led by cities in Europe, China and the U.S., according to Bloomberg New Energy Finance.

"The launch of LEVC marks Britain's leadership as a first mover in creating the world's only dedicated electric vehicle company for the urban commercial market," Chief Executive Officer Chris Gubbey said a statement July 11.

LEVC unveiled the first version of the new cab, named TX. It retains key elements of the classic model, including doors that open backwards to 90 degree angles and will be powered by a battery and a small gasoline generator, known as a range extender. That will allow drivers to travel from London to Edinburgh, or even Paris, without needing to refuel, according to the statement.

The price tag of the new TX model will be announced on Aug. 1, when order books open for individual drivers, a spokesman for LEVC said by email. The new taxi will go on sale in London in the fourth quarter, and in the first quarter of 2018 in the rest of the world. Steep declines in the cost of batteries, that account for about a third of the cost of the vehicle, stopped the company from determining the price earlier.

London's Mayor Sadiq Khan decreed that all new taxis in the city need to be capable of operating with zero emissions from 2018, either by pure electric or hybrid motors. As well as targeting London's 23,000 diesel-powered taxis, Geely has toured European cities from Paris to Berlin, seeking to drum up interest for a potential export market.

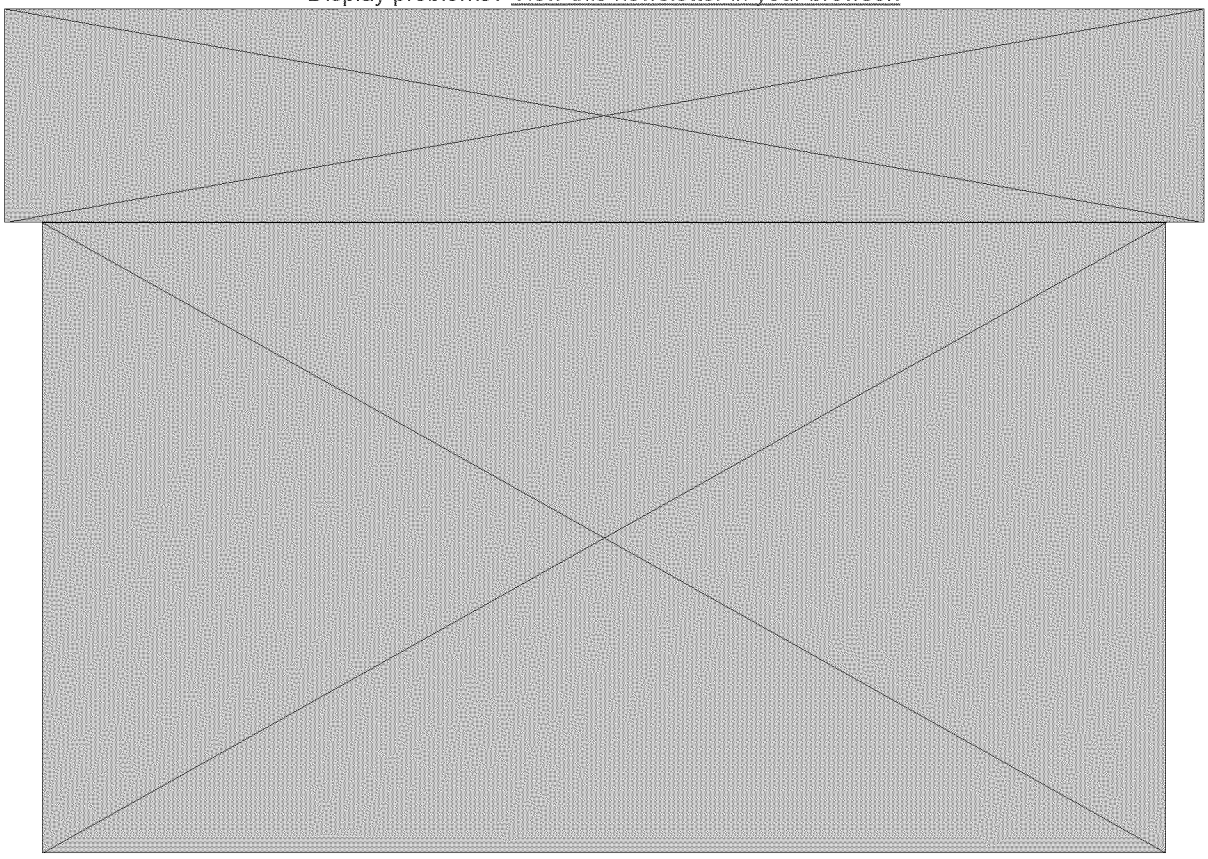
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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: GovTechWorks
Sent: Fri 10/6/2017 1:50:22 AM
Subject: IT Staffs Lag in Job Satisfaction | Employees Wanting Mobile Access May Get It | How One Agency Bought Into Cloud

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IT Staffs Lag in Job Satisfaction vs. Non-IT Workers

Some technology workers tend to feel less appreciated and more disconnected from company missions than non-technology workers, according to a new study. But IT leaders can overcome such problems by ensuring employees understand the overall mission and vision. They can see how their own future career plans fit into that overall plan. Read More

IT Departments' Challenge: Managing the Risks of Fed Employees' Mobile Migration

With mobile accounting for the majority of today's Internet traffic, federal employees want to join the mobile brigade. IT departments must manage their mobile risks — or employees will find

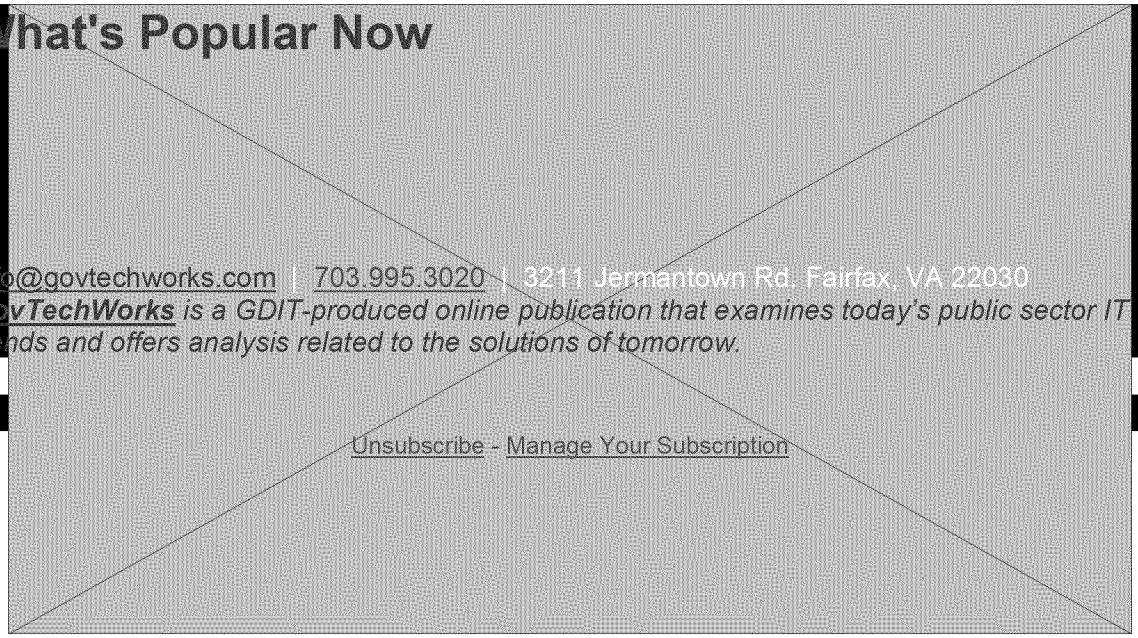
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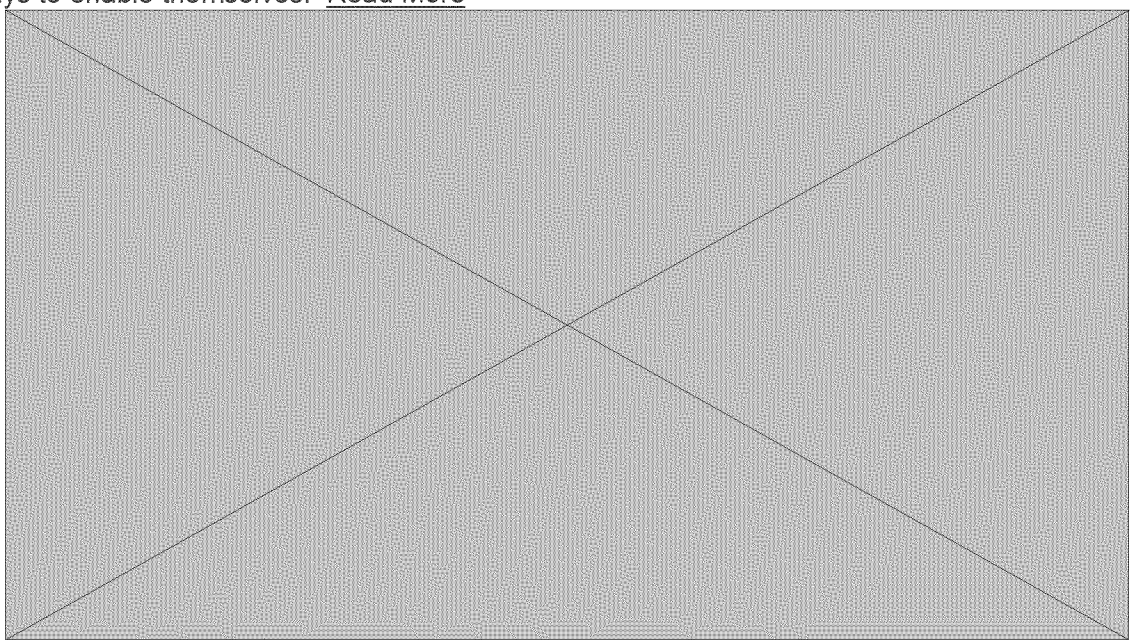
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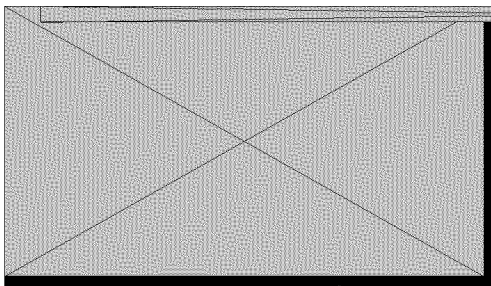


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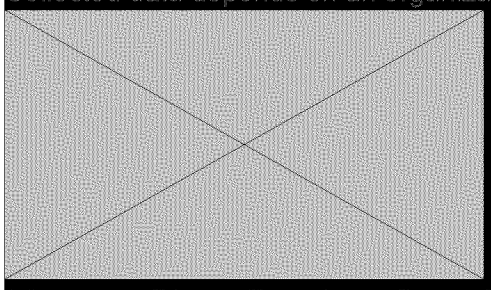
How One Agency Bought into Cloud

The International Trade Administration's leap into cloud services cut costs and improved service in part by redefining the meaning and boundaries of its networks. Read More



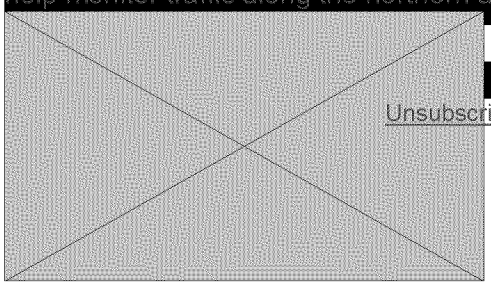
A Long-Term Data Strategy Is Necessary to Stop Insider Threats

Insider threat protection programs accumulate massive storage volumes to monitor user activity. Collected data depends on an organization's risk tolerance and budget. Read More



License Plate Readers Receive U.S. Border Upgrade

U.S. Customs and Border Protection is planning to upgrade automated license plate readers to help monitor traffic along the northern and southern borders. Read More



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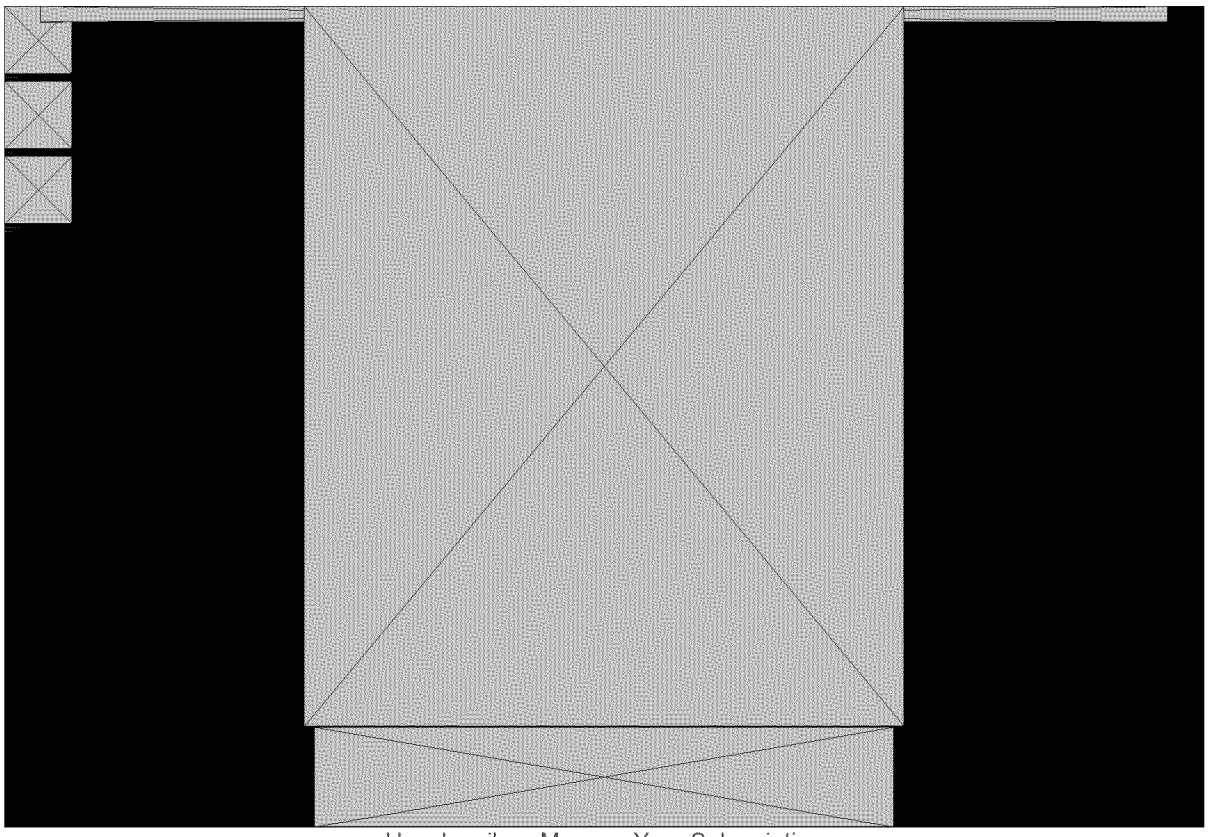
Cybersecurity worries mean system owners have multiple tools to help protect their organizations — but no comparison measurement of the tools. Read More

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From: POLITICO
Sent: Wed 7/26/2017 4:01:51 PM
Subject: BREAKING NEWS: Scalise discharged from hospital

House Majority Leader Steve Scalise was discharged from the hospital on Tuesday and will now begin "intensive inpatient rehabilitation," his doctors at MedStar Washington Hospital Center announced Wednesday.

The Louisiana Republican has made "excellent progress in his recovery from a life-threatening gunshot wound six weeks ago," the hospital said in a statement. Scalise took a bullet to the left hip when a gunman opened fire on a congressional baseball practice in June.

Read more: http://www.politico.com/story/2017/07/26/scalise-discharged-from-hospital-240986

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 9/8/2017 11:56:40 PM
Subject: Sep. 08 -- Energy and Climate Report

Energy and Climate Report

September 08, 2017 - Number 174

News

Climate Policy
Merkel Warned That Failure to Hit Climate Goal May Hurt Germany
Chancellor Angela Merkel's ambition to lead Europe's fight against global warming is at risk of backfiring and tarnishing Germany's climate credentials, according to researchers.

Congress
EPA Bill Restoring Trump Cuts Nears House Passage
The EPA would see its budget trimmed but avoid the deep 31 percent spending cut sought by President Donald Trump in fiscal year 2018 under a spending bill the House expects to wrap up the week of Sept. 11.

Dumping/Countervailing Duties
Chinese Solar Products to Face Lowered Anti-Subsidy Duties
Imports of solar products from China will, for the most part, face lower countervailing duties, the Court of International Trade affirmed Sept. 8 (Changzhou Trina Solar Energy Co. v. United States, Ct. Int'l Trade, No. 15-00068, 9/8/17).

EPA
Trump Plans to Cut EPA Programs Could Hurt Post-Storm Rebuilding
Residents of Florida and other states in the path of Hurricane Irma may have a rude awakening after the winds die down and the rain and storm surge stop.

Emergency Response
U.K. Amec Sees Hurricane Changing Design of U.S. Chemical Plant
Amec Foster Wheeler Plc, the U.K. company helping to build a $604 million methanol plant for Yuhuang Chemical Inc. in Louisiana, expects the damage wrought by Hurricane Harvey to alter the planning and design of chemical facilities in regions at risk from natural catastrophes.

Emissions Trading
Carbon Allowance Prices Jump as Cap to Tighten in Northeast
Power companies saw a 72 percent jump in the price of greenhouse gas emissions allowances in the first auction after the Northeast's trading program announced plans to ratchet down the emissions cap.

Emissions Trading
New Jersey Eyes Rejoining Northeast's Carbon Trading Program
New Jersey is on the cusp of rejoining the Northeastern greenhouse gas trading program it

spurned in 2011, which could be a boon for power companies such as Consolidated Edison Inc. and Public Service Enterprise Group Inc. that have utilities across the region.

Energy

Turf Battle Looms as House Energy Leaders Plan DOE Overhaul

Plans by a key House Republican to retool the Energy Department's core functions are in for a turf battle.

Oil & Gas

Montana Rule on Radioactive Oil Waste Disposal Criticized as Weak

Oil and gas companies in the Bakken Formation of western North Dakota routinely truck their radioactive drilling waste to a disposal facility roughly three hours away in Montana.

Water Resources

Florida's Largest Lake Likely to Flood Over Dike From Irma

Hurricane Irma could cause a dike holding back Florida's largest lake to spill over, spreading rock and debris from three construction sites at the site, a U.S. Army Corps of Engineers official said.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/23/2017 8:01:40 PM
Subject: June 23 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

World's Biggest Wind Turbine Maker Sets Sights on New Markets

Posted June 23, 2017, 8:08 A.M. ET

By Christian Wienberg

The chief executive officer of Vestas Wind Systems A/S says the world's biggest wind turbine maker wants to expand in the Middle East and the Asia Pacific region as it taps into growing demand for renewable energy in new markets.

Vestas intends to be a "pioneer in new markets," CEO Anders Runevad said in a phone interview June 22.

"There are markets in the Middle East which we hope will open up, and in Asia Pacific there are markets opening up now or that we have high hopes for when they open up," he said. "These markets have growing energy needs." Vestas this week even introduced a new turbine that will be able to operate during the kinds of typhoons and tropical storms that can hit the Philippines and Japan.

The comments follow an announcement earlier this week that Vestas expects to start operating in Russia, where the Danish company is planning facilities after winning contracts to supply turbines to Fortum.

"Russia has a lot of potential," Runevad said. "We have always been good at pioneering wind in new markets and have been good when we come in early." He estimates the country "can become a good mid-sized market."

The company is moving into new regions as the political landscape grows less certain. Investors sold Vestas shares earlier this month after President Donald Trump announced he was pulling the U.S. out of the Paris climate accord. Vestas has since said the move won't prompt it to alter its North American strategy as the all-important production tax credit, which provides an incentive for renewable energy producers, stays in place for the foreseeable future.

"The U.S. will continue to be the second-biggest market globally for the foreseeable future," Runevad said. "You could argue that looking very long ahead, India could challenge."

"In China there's an increase in electricity demand," he said. "It continues to be the biggest market

not only for wind, but also for other forms of energy. We're definitely getting traction and we definitely improve our position."

Runevad said Vestas wants to be the biggest foreign wind company in China, but acknowledged it probably won't be able to dominate that market in the same way it does other regions.

To chase growth, the company also is focusing heavily on generating revenue from servicing turbines, which Vestas expects to continue to outgrow the market for new turbines.

"That's why we've put a lot of focus on the service segment," Runevad said.

Over the past two years, Vestas has bought German service provider Availon for 88 million euros ($98 million) and UpWind in the U.S. for $60 million.

"The two acquisitions we've done were the biggest independent service providers that existed in the market," Runevad said. "If we can find something similar that has a reasonable scale, we are definitely interested in looking at that."

"Integration is going well, we're a bit ahead of our internal plan," he said. "We feel now the integration is well in place. It's definitely part of the strategy if we can find bolt-on strategies in that space."

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Mexico Shelves Oil Plans in Birthplace of Zapatistas Amid Outcry

Posted June 23, 2017, 9:50 A.M. ET

By Adam Williams

Indigenous outcry against Mexico's oil development plans in the birthplace of the Zapatista movement has claimed its first victory.

Two exploration areas in the southern Chiapas state were excluded from a July 12 bidding round, with the National Hydrocarbons Commission citing the government's need to prolong dialog with native groups. The decision is the first time indigenous opposition has prevented oil prospects from being auctioned since Mexico ended a state monopoly in 2014.

The Zoque and Tzotziles groups have escalated protests in the state known for the Zapatista rebel movement and resistance to the passage of the North American Free-Trade Agreement. That included the burning of a City Hall in the town of Tecpatan. In marches against oil developments, they often chant "Viva Zapata," in a reference to Emiliano Zapata Salazar, a peasant leader who inspired the movement.

"This is a triumph for the Zoque community because it not only means the auction was stopped, but also demonstrates the importance of defending the natural riches of the territory that belongs to the people," Juan Guerrero, a representative of the Movement of Indigenous Communities in Resistance, wrote in an emailed message. "It is also a victory for the indigenous communities that oppose the energy reform and serves as an example for other groups across Mexico."

More Dialog

In a June 21 statement, the Energy Ministry said additional time was needed to continue dialog with the indigenous communities in northern Chiapas in order to obtain the consent needed to carry out the oil exploration activities. The ministry added that the areas, with the consent of the communities, could be included in future hydrocarbons auctions.

At least 12 exploratory wells were planned to be drilled in the two Chiapas blocks, which span an area of around 845 square kilometers (326 square miles), according to the National Hydrocarbons Commission.

Mexico, which has signed dozens of onshore and offshore development contracts in the past two years with oil producers such as Exxon Mobil Corp., Chevron Corp. and BP Plc, is planning a December auction to lease onshore shale fields in the Veracruz state, also home to several indigenous communities.

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Tembo Power Proposes New Hydro Solution for Congo Copper Mines

Posted June 23, 2017, 9:27 A.M. ET

By Tom Wilson

Africa-focused energy company Tembo Power Ltd. is proposing a new approach to address the electricity shortfall in the Democratic Republic of Congo.

The Mauritius-registered company will develop five small hydropower sites, linking them together to provide 100 megawatts to the country's power-hungry copper industry, Chief Executive Officer Raphael Khalifa said.

"This is I think the only way to unlock the small hydropower potential in Africa," Khalifa said in an interview Jund 22 in Lubumbashi in southeastern Congo. The close proximity of each hydro site and the willingness of the Congolese government to award rights on all five sites to one company have made it possible, he said.

Congo, Africa's biggest copper producer, has installed power-generating capacity of 2,442 megawatts, but only about half of that is operational after years of mismanagement and under-investment.

State-owned power utility SNEL estimates that demand from copper miners outstrips supply by 750 megawatts, a shortfall that has been one of the biggest constraints on output growth in the past three years. Congo produced a record 1.03 million metric tons in 2014, but output has been little changed since then, falling to 995,805 tons in 2015 before climbing back to 1.02 million tons last year.

Critical Mass

Combining small hydropower sites in a single project provides a critical mass of electricity required to sign power-purchase agreements with the mining industry and helps with bankability, Khalifa said.

Tembo will seek to raise $300 million for the project from lenders by the end of 2018 and is already in early talks with mining companies about potential off-take agreements when power comes online in 2021, Khalifa said.

The hydropower sites are in Lualaba province, about 50 miles north of Freeport-McMoRan Inc.'s Tenke Fungurume copper-cobalt mine, acquired last year by China Molybdenum Co. Other mining companies with large copper projects in the province include Glencore Plc and Eurasian Resources Group.

Tembo also has hydropower projects in Kenya, Burundi and Tanzania.

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U.K. Told Nuke Plant Subsidies May Spiral Past $38 Billion

Posted June 23, 2017, 8:29 A.M. ET

By Jessica Shankleman

Britain's first new nuclear plant in a generation may cost consumers 30 billion pounds ($38 billion) or more in higher electricity costs, five times more than ministers had expected, the government's auditor warned.

The National Audit Office urged the government to come up with a "Plan B" for electricity supplies in case of a collapse of the the Hinkley Point C project, to be built by Electricite de France SA and China General Nuclear Power Group. An investigation by the audit office said ministers failed to consider cheaper options for delivering the plant.

The report adds to concerns that Hinkley is becoming increasingly expensive, both for the government of Prime Minister Theresa May, who approved it, and for consumers who will ultimately have to pay for it. May locked in future prices for the plant's electricity that are above both the current wholesale cost of power and renewable energy technologies.

"The department has committed electricity consumers and taxpayers to a high cost and risky deal in a changing energy marketplace," Amyas Morse, head of the National Audit Office, said in a June 23 statement. "Time will tell whether the deal represents value for money. We cannot say the department has maximized the chances that it will be."

Under a contract the prime minister signed in September, EDF will invest about 18 billion pounds to build the plant with China General. In order to receive a guaranteed return on investment, May fixed the power price the plant will earn at 92.50 pounds a megawatt-hour. The government will pay the difference between the market value of the electricity sold and EDF's contracted rate.

Cheaper Power

Wholesale power prices have slid in the U.K. to about 40 pounds a megawatt hour from 50 pounds when the contract was initially agreed with EDF in 2013. This change in the market outlook would mean consumers shouldering bigger subsidy payments to support the project -- an estimated 30 billion pounds instead of the 6 billion pounds expected at the time, the watchdog said.

The report also highlighted a series of concerns over whether EDF will ultimately complete the

decade-long project:

EDF's financial position has weakened since 2013, marked by persistent negative cash flow, higher spending than expected, and earnings below the forecasts.

The unproven design for the new reactors at Hinkley Point mean EDF may need to seek further financial support from the government if the project runs into trouble.

Rapidly falling renewable energy costs mean that wind and solar power can now be purchased more cheaply than officials had predicted five years ago, making Hinkley look less attractive.

"It is EDF Energy and CGN who will take the risk and responsibility of delivering " the project, the French utility said in an emailed statement. "The project is having a major impact on the U.K.'s industrial capacity, jobs and skills. Relaunching the U.K. nuclear new build industry at Hinkley Point C will enable costs for future projects, in particular Sizewell C, to be lower."

Ministers Faulted

The NAO faulted ministers for not considering means of funding that could have made the project cheaper. A public-private partnership of the kind that delivered the Channel Tunnel railway, or an "engineer, procure and construct" model similar to what was used to buy F-35 Joint Strike Fighter aircraft could have significantly cut costs, it said.

"They didn't even do this kind of consideration of what these alternative approaches mean," Simon Bittlestone, one of the report's main authors, said in a phone interview.

Ministers agreed to pay a premium for Hinkley's power to speed up work on the project and to signal that further nuclear investments would be welcome. Atomic power offers energy without greenhouse gases associated with damage to the climate, and the government wants to maintain its fleet of reactors as most of its older plants close within the next decade.

A spokeswoman for the U.K. Department for Business, Energy and Industrial Strategy, said: "This was an important strategic decision to ensure that nuclear is part of a diverse energy mix. Consumers won't pay a penny until Hinkley is built."

The report also criticizes officials for:

• Negotiating bilaterally with EDF instead of running a competition that could have reduced the contract's costs.

• Paying LeighFisher Inc. 1.2 million pounds to advise on costs even though the firm admitted it had a conflict of interest through work its parent company did with EDF on Hinkley Point.

• Prioritizing diplomatic relations with France over value for money.

No new nuclear plants have progressed since Hinkley's approval. The financial woes of Toshiba Corp. casts doubt on one potential development at Moorside in Northwest England.

Caroline Lucas, a lawmaker for the Green Party, which opposes nuclear power, said the government should seek to undo the contract and invest more in renewable energy instead.

"Not only are consumers and taxpayers going to be ripped off by this absurd project, but it will also

divert resources away from building the clean energy infrastructure," Lucas said in a statement.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Sat 7/15/2017 2:55:14 PM
Subject: POLITICO Playbook, presented by Better Medicare Alliance: TRUMP infrastructure priority in trouble -- DEBT CEILING SWEETENER: A veterans bill -- INSIDE THE DSCC retreat in Martha's Vineyard -- JON KARL elected WHCA prez for 2019 -- B'DAY: Paul Kane

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Today's POLITICO Playbook presented by Better Medicare Alliance
07/15/2017 10:50 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Saturday morning.

TWO THINGS YOU NEED TO KNOW ...

TRUMP'S FIRST INFRASTRUCTURE PRIORITY IN TROUBLE: House Republicans have been scrambling to find enough votes for President Donald Trump's first infrastructure initiative: privatizing the country's air traffic control system. Despite Speaker Paul Ryan's supportive public comments this week and whipping by House Transportation Chairman Bill Shuster, Transportation Secretary Elaine Chao and the FAA's legislative affairs team, the bill won't come up next week. The whip count was close to a few dozen votes short as of the time lawmakers left town Friday afternoon.

Several lawmakers we spoke to yesterday afternoon said it simply wasn't a vote they wanted to take, because it gains them nothing back home. In many cases local leaders are against the legislation. Roads are in disrepair, bridges are crumbling and no one really cares about modernizing air traffic control, as one lawmaker put it to us. **THIS WOULD BE A BIG EMBARRASSMENT** for Trump and GOP leaders, however. The inability to push a priority through one chamber shows how difficult D.C. is.

ABOUT THE DEBT CEILING ... Even though the Wall Street Journal buried it on their homepage, Rich Rubin, Nick Timiraos and Kristina Peterson's debt ceiling story from yesterday afternoon is very important. They report: "Republicans are considering tying a must-pass increase in the federal debt limit to funding for a program that lets military veterans get medical care outside of Veterans Affairs facilities, people familiar with the idea said." A vet bill is a decent sweetener, but consider this: John Boehner coupled a

debt ceiling increase with massive spending cuts when he was the speaker! In an all-GOP Washington, all they might get is the renewal of a veterans program that was already going to be renewed! ***Read Rubin, Timiraos and Peterson's story*** http://on.wsj.com/2utSHbz

LAWMAKERS ... THEY ARE JUST LIKE US EDITION: Several members of the Michigan delegation were grounded on a Delta plane for hours at DCA headed to Detroit yesterday. One traveler on the plane, which felt like it had no air conditioning, estimated that it was at least 85 to 90 degrees inside the cabin. The plane, which was originally scheduled to take off at 12:45 p.m., finally took off around 7:30 p.m. **SPOTTED:** Archbishop of Detroit Allen Vigneron and Reps. John Conyers, Jim Sensenbrenner, Dave Trott, Tim Walberg, Mike Bishop, Debbie Dingell, Dan Kildee, Brenda Lawrence, Marcy Kaptur, Jackie Walorski, Andy Barr, Sandy Levin, Bill Huizenga and John Moolenaar, among others.

PRIORITIES IN TROUBLE? WHITE HOUSE IN CHAOS? JARED AND IVANKA IN SUN VALLEY! -- THE DAILY MAIL: "Mark Zuckerberg arrives in Sun Valley for showdown with Ivanka and Jared amid rumors the self-made billionaire is planning 2020 run against Trump" -- *34 pix* http://dailym.ai/2t1WsRc

WHAT PRESIDENT DONALD TRUMP IS UP TO TODAY -- at 11:02 p.m.: "I will be at the @USGA #USWomensOpen in Bedminister, NJ tomorrow. Big crowds expected & the women are playing great-should be very exciting!"

-- THE PRESIDENT attending the U.S. Women's Open will draw exponentially more attention to the tournament, which is being hosted at a Trump property.

THE TWO FACES OF FOX NEWS -- SHEP SMITH: "The deception, Chris, is mind-boggling ... why are we getting told all these lies?" **CHRIS WALLACE:** "I don't know what to say." http://wapo.st/2uuloW2 ... **FOX NEWS CONTRIBUTOR LISA BOOTHE:** Hillary Clinton would "literally sell her daughter ... literally sell her only child to be president." http://bit.ly/2tVVV4x

IMPORTANT FOR NEXT WEEK -- "GOP leaders plead with senators to hold their fire on Obamacare repeal," by Jen Haberkorn and Burgess Everett: "Republicans say McConnell will force a vote to start debate even if he knows it would be unsuccessful, which would force Republicans to decide which might be worse: Democratic attack ads for repealing Obamacare or anger from the conservative base and President Donald Trump if they abandon the cause. McConnell canceled a scheduled vote on the bill last month when it became clear the votes weren't there. But this time, Republicans say, McConnell wants to get people on the record and bring some finality to the Obamacare debate that has hung up Senate action for nearly two months." http://politi.co/2vo9IAy

-- "Republicans use state payoffs to win votes for repeal bill," by Paul Demko: http://politi.co/2v3bUhg

-- "White House launches aggressive push to flip GOP governors opposed to Senate health bill," by WaPo's Sean Sullivan, Juliet Eilperin and Dan Balz: http://wapo.st/2upJu32

TRUMP, WHO? -- "Governors steer clear of Trump," by Gabe Debenedetti and Megan Cassella in Providence, Rhode Island: "Vice President Mike Pence spent much of his afternoon address to the nation's governors on Friday making sure they know how much Donald Trump loves them. But a majority of the state leaders gathered here this week spent much of their three-day summer meeting pretending the president doesn't exist. When a group of seven Democratic governors stood in front of a cramped hotel meeting room Friday morning to decry the GOP's health care plan, for all 30 minutes they avoided saying the polarizing words 'Donald Trump. ...

"At the tail end of the National Governors Association's three-day summer meeting, the lengths to which the country's state executives went to sidestep the issue of the disruptive president underscored just how much the current Oval Office occupant has rewired the political environment, confounded its participants and upended their usual way of doing business. For many of them, the safest play is to avoid the matter altogether." http://politi.co/2te5tLf

-- "Insurers Oppose Cruz Amendment to Republican Health-Care Bill," by WSJ's Anna Wilde Mathews: "In a letter sent Friday night to the Senate Republican and Democratic leadership, the two major associations representing health insurers, which don't typically send such missives jointly, said the amendment 'is simply unworkable in any form and would undermine protections for those with pre-existing medical conditions, increase premiums and lead to widespread terminations of coverage for people currently enrolled in the individual market.'" http://on.wsj.com/2tUvdL4 ... ***The letter*** http://bit.ly/2tWayov

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

UNRAVELING THE DON JR. MEETING -- MICHAEL ISIKOFF in Yahoo, "Russian-American lobbyist: I just strolled into Trump Jr. meeting": Rinat "Akhmetshin said he was not expecting to attend any meeting at Trump Tower that day. In fact, he was dressed in jeans and a T-shirt when [Natalia] Veselnitskaya told him that she had a meeting scheduled and asked him to come along. Although Trump Jr. has insisted that Vesenikstaya mainly wanted to talk about Russian adoptions, Akhmetshin said she brought a folder with information about an American hedge fund operating in Russia that she believed was funneling money to the [DNC].

"'She spent years researching this stuff,' he said. She left the folder with her hosts at Trump Tower, Akhmetshin said, adding that he had never seen its contents and doesn't

know the details of what was in it. 'I didn't prepare the document,' he said. Akhmetshin cut the interview short, saying he had to have dinner with his daughter. Knowing of his work with Veselnitskaya, Yahoo News had originally reached him by phone in Moscow on Monday, not long after stories about the lawyer's meeting at Trump Tower first broke. When asked why he didn't tell a reporter then that he had also attended the meeting with Trump Jr., he replied: 'You didn't ask me.'" https://yhoo.it/2vnKeDp

-- "U.S. officials probing Russian lobbyist who met Trump team," by Ali Watkins: "Among the questions investigators are trying to answer, one U.S. official told POLITICO, is whether Veselnitskaya was sent to meet with Trump Jr. on direct orders from the Kremlin. ... Akhmetshin - whose lobbying tenure has included several high-profile efforts to promote the Kremlin's agenda in Washington - has run afoul of Congress in recent weeks. In a March letter to the Justice Department, Senate Judiciary Committee Chairman Chuck Grassley accused Akhmetshin of failing to register properly under the Foreign Agents Registration Act." http://politi.co/2t1HbzO

-- "Also At Trump Jr.-Russia Meeting: An Ex-U.S. Government Worker With Liberal Views," by HuffPost's Jessica Schulberg and Paul Blumenthal: Interpreter Anatoli "Samochornov's presence at the meeting is key because he appears to be the only witness to the event who does not have close ties to either the Trump campaign or the Russian government. He wouldn't tell HuffPost whether he had been contacted by investigators probing the Trump campaign's relationship with Russia. ...

"Samochornov has worked as an interpreter on dozens of government assignments, including for the U.S. State Department, Defense Department, Securities and Exchange Commission and Drug Enforcement Administration, and for a G-8 foreign ministers dinner at the United Nations, according to his resume. He helped facilitate exchange programs for the Meridian International Center ... He has worked with periodically with the State Department as a contract interpreter for exchange programs. His wife also works for the State Department." http://bit.ly/2v2SJUR

-- @juliaioffe: "Wait, he was the interpreter at a panel I moderated in Jan at the Brooklyn Library. He was very pro-Trump and pro-Putin." ***Pic*** http://bit.ly/2ukG2XW

-- "Trump Tower Russia meeting: At least eight people in the room" -- CNN.com: http://cnn.it/2tUMwM2

COMING ATTRACTIONS -- "Pence will join GOP leaders for fundraiser benefiting his PAC," by Alex Isenstadt: "Senate Majority Leader Mitch McConnell, House Speaker Paul Ryan and House Majority Leader Kevin McCarthy are slated to headline a July 25 fundraiser for Pence's Great America Committee. The event is to take place in Washington, according to an invitation, and attendees are being asked to pony up $5,000 apiece. ... While vice presidents usually focus on raising money for presidential reelection bids or for their party generally, they typically do not launch their own fundraising vehicles. He is expected to use the PAC to reward candidates up for election in 2018." http://politi.co/2uudbRB

-- "In memo, Trump administration weighs expanding the expedited deportation powers of DHS," by WaPo's Abigail Hauslohner and David Nakamura: "The Trump administration is weighing a new policy to dramatically expand the Department of Homeland Security's powers to expedite the deportations of some illegal immigrants. Since 2004, the agency has been authorized to bypass immigration courts only for immigrants who had been living in the country illegally for less than two weeks and were apprehended within 100 miles of the border. Under the proposal, the agency would be empowered to seek the expedited removal of illegal immigrants apprehended anywhere in the United States who cannot prove they have lived in the country continuously for more than 90 days, according to a 13-page internal agency memo obtained by The Washington Post." http://wapo.st/2ul2zE7

THE JUICE ...

OUT AND ABOUT IN MARTHA'S VINEYARD - POOL REPORT from a Playbooker who attended the opening dinner last night of the DSCC's annual Martha's Vineyard retreat weekend -- the dinner, which featured a traditional lobster boil, was held at the Harbor View Hotel in Edgartown: "DSCC Chair Sen. Chris Van Hollen opened things up with a joke about how Democrats have higher standards than Republicans and Russian agents are prohibited from attending. Remarks included 2018 incumbent Sens. Tammy Baldwin, Sherrod Brown, Chris Murphy, and Debbie Stabenow. All of them railed against Republican attempts to take health care away from millions of Americans and highlighted personal stories of their constituents.

"Massachusetts host Sen. Ed Markey closed with an impromptu imitation of the Kennedy accent that won plaudits from the crowd -- as well as impassioned remarks against climate change that pointed out Martha's Vineyard would have been wiped out if Hurricane Katrina landed a few degrees differently. ... The setting looked like a party from a Hollywood movie with a fire pit, colored lights in the pool, and a giant pair of balls floating in the pool saying Love. ... A highlight of the night was the after-party at the home of Democratic donor Connie Milstein." 2018 incumbent Sens. Heidi Heitkamp (D-N.D.), Tim Kaine (D-Va.), Joe Donnelly (D-Ind.) and Elizabeth Warren (D-Mass.) spoke this morning at the DSCC breakfast at the same hotel.

SPOTTED: Sens. Mark Warner (D-Va.) (who also spoke), Amy Klobuchar (D-Minn.), Al Franken (D-Minn.), Maggie Hassan (D-N.H.), Catherine Cortez Masto (D-Nev.), Bob Casey (D-Pa.), and Gary Peters (D-Mich.), Jeff Merkley (D-Ore.), and Tom Carper (D-Del.), former Sen. John Breaux (D-La.), Heather Podesta, Tony Podesta, and various other big Democratic donors.

QUOTE OF THE DAY: "It's almost an embarrassment being an American citizen traveling around the world and listening to the stupid s--- we have to deal with in this country," JPMC's Jamie Dimon said responding to a question on an earnings call Friday. "Since the Great Recession, which is now 8 years old, we've been growing at 1.5 to 2 percent in spite of stupidity and political gridlock, because the American

business sector is powerful and strong," he said. "What I'm saying is it would be much stronger growth had we made intelligent decisions and were there not gridlock." http://cnb.cx/2vkwadN

Playbook Reads

PHOTO DU JOUR: French President Emmanuel Macron shakes hands with President Donald Trump with their wives, Brigitte Macron and Melania Trump, by their sides after the Bastille Day military parade on the Champs Elysees avenue in Paris on July 14. | Christophe Archambault/Pool/AP Photo

WHAT JAKE SULLIVAN IS UP TO THESE DAYS - "Lessons in disaster: A top Clinton adviser searches for meaning in a shocking loss," by WaPo's Greg Jaffe: "If all had gone as planned, and as most in Washington had expected, Jake Sullivan would be hard at work just steps from the Oval Office. ... Instead, Donald Trump won the presidency ... On a recent evening, he was pushing open a battered orange door, climbing stairs covered with fraying carpet and striding into a dimly lit apartment where two dozen Yale Law School students were waiting to hear from him. Most of them were desperate for some version of the life he had led in Washington.

"Sullivan, though, has never felt less certain about where both he and his country are headed. He divides his time between an empty think-tank office in Washington and Yale, where he lectures one day a week on law and foreign policy. Almost everything about his professional life is transitory, uncertain, unsettled. 'I feel a keen sense of responsibility for the outcome,' he told friends in the immediate aftermath of Clinton's defeat. Months later, the feeling had not faded." http://wapo.st/2vobEcb

THE LATEST ON THE TRAVEL BAN -- "Justice Department appeals latest travel ban setback to Supreme Court," by Ted Hesson: "The Justice Department on Friday appealed to the Supreme Court a federal judge's decision to allow grandparents, grandchildren, aunts, uncles and other relatives of people in the U.S. to circumvent the Trump administration's travel ban policy. The order, issued Thursday evening local time in Honolulu by Judge Derrick Watson in Hawaii, deals a temporary blow to one of the president's signature initiatives. It also prohibits the administration from blocking refugees with a commitment from a resettlement agency in the U.S., a move that could revive the flow of refugee admissions this year.

"In its appeal to the High Court, the Justice Department argues that Watson's interpretation 'empties the Court's decision of meaning,' because it includes 'not just "close" family members, but virtually all family members.' 'Treating all of these relationships as close familial relationship[s]' reads the term "close" out of the Court's decision.'" http://politi.co/2ug5EoL

WASHINGTON, INC. - "Is the most powerful lobbyist in Washington losing its

grip?" by WaPo's Steven Mufson: "This should be the U.S. Chamber of Commerce's moment. A businessman occupies the White House. ... Yet in recent months, the U.S. Chamber - historically one of the cornerstones of Washington politicking and policymaking - has been deeply shaken. Members are divided over the border-adjustment tax, health care and climate change. Some want the Chamber to more vigorously stand up to President Trump to protect free trade. ...

"General Electric ... has considered pulling out of the Chamber because it views the group as part of an antiquated Washington influence establishment, too exclusively aligned with the Republican Party, and no longer an effective advocate for GE's interests or views, according to people familiar with the company's thinking." http://wapo.st/2vnQIC5

MEDIAWATCH -- "WHCA elects ABC's Karl as '19-20 president," byCristiano Lima: "The White House Correspondents' Association announced Friday that ABC News' Jonathan Karl had been elected as their president for 2019-20. Karl, who received 104 of 265 votes on the way to sealing his victory, was also appointed to a 3-year term as an at-large member of the WHCA's board of directors, according to a White House press pool report from the group. ... Karl edged-out Todd Gillman of the Dallas Morning News, who earned 87 votes, for the role of president, but Gillman also notched a position on the board as a newspaper representative. The New York Times' Doug Mills, meanwhile, was elected to fill the photography seat on the board." http://politi.co/2tr2zOh

- "Trump Jr.'s Russia meeting a Democratic plot? Pro-Trump media wants you to think so," by CNN's Oliver Darcy: "Was the Russian lawyer who met with Donald Trump Jr., Jared Kushner and Paul Manafort in June of last year the first evidence of possible Trump campaign collusion with Russia -- or was she part of a sinister Democratic plot to entrap the Trump campaign? Over the past three days, members of the pro-Trump media have settled on their answer, characterizing the lawyer, Natalia Veselnitskaya, as a leftist with ties to the Obama administration. The idea quickly drifted upward to some of the most influential figures in right-wing media, and then ultimately to President Trump himself." http://cnnmon.ie/2uulfBS

-- NEW YORK MAGAZINE's cover story on climate change this week, "The Uninhabitable Earth," by David Wallace-Wells, is now the most-read article in the magazine's history, with 2.5 million readers so far: http://nym.ag/2tdMwYO... The magazine has published a new, annotated version, with 7k+ words of footnotes: http://nym.ag/2v0jA3T ... The magazine's 2nd most-read feature article was a May 2016 Andrew Sullivan piece, "Democracies end when they are too democratic. And right now, America is a breeding ground for tyranny": http://nym.ag/1X42nzY

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are

required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

SNEAK PEEK -- DAVID REMNICK in next week's New Yorker, "Trump Family Values: Amid revelations of Donald, Jr.,'s misguided meeting with two Russians, the President shows once again where his only loyalties lie": "The Republicans, the self-proclaimed party of family values, remain squarely behind a family and a Presidency whose most salient features are amorality, greed, demagoguery, deception, vulgarity, race-baiting, misogyny, and, potentially-only time and further investigation will tell-a murky relationship with a hostile foreign government." http://bit.ly/2v3rHMX

CLICKER - "The nation's cartoonists on the week in politics," edited by Matt Wuerker - ***12 keepers*** http://politi.co/2tdu7eV

GREAT WEEKEND READS, curated by Daniel Lippman, filing from Great Barrington, Massachusetts:

-- "Why You Need Emoji: Emojis are the body language of the digital age," ABOUT THE DEBT CEILING ... Even though the Wall Street Journal buried it on their homepage, Rich Rubin, Nick Timiraos and Kristina Peterson's debt ceiling story from yesterday afternoon is very important. They report: "Republicans are considering tying a must-pass increase in the federal debt limit to funding for a program that lets military veterans get medical care outside of Veterans Affairs facilities, people familiar with the idea said." A vet bill is a decent sweetener, but consider this: John Boehner coupled it with massive spending cuts when he was the speaker! In an all-GOP Washington, all they might get is the renewal of a veterans program that was already going to be renewed! ***Read Rubin, Timiraos and Peterson's story*** http://on.wsj.com/2utSHbz by Vyvyan Evans in Nautilus Magazine - per ALDaily's summary: "Digital text alone is impoverished and, on occasion, emotionally arid. It lacks the nonverbal cues - body language - of spoken communication. That's why we need emoji." http://bit.ly/2uu26Qg

-- "Mr. Ten Percent: The Man Who Built - And Bilked - American Soccer," by Ken Bensinger in BuzzFeed in June 2014: "As the World Cup opens, a tale about winning dirty: How a swindling suburban soccer dad [Chuck Blazer, who died this past week] pocketed millions as he helped make the sport in the U.S a booming success." http://bzfd.it/2t1vqta (h/t Longform.org)

-- **"Kremlin, Inc.: Why are Vladimir Putin's opponents dying?"** by Michael Specter in the Jan. 29, 2007, issue of The New Yorker: "The murder of Anna Politkovskaya was at once unbelievable and utterly expected." http://bit.ly/2tTLnV4

-- **"The C-word,"** by Paul Collier in the Times Literary Supplement - per The Browser's summary: "The only cure for corruption is an incorruptible leader, such as Lee Kuan Yew, willing to jail friends and enemies alike. Without such leadership, cultural norms defeat laws and institutions. Northern Italy is one of the most honest regions in Europe, southern Italy one of the most corrupt." http://bit.ly/2tqygrf

-- **"Did Airbnb Kill the Mountain Town?"** by Tom Vanderbilt in Outside Magazine: "Living the dream has never been easy in the West's most beloved adventure hamlets, where homes are a fortune and good jobs are few. But the rise of online short-term rentals may be the tipping point that causes idyllic outposts like Crested Butte, Colorado, to lose their middle class altogether-and with it, their soul." http://bit.ly/2v2zoD7 (h/t Longreads.com)

-- **"Does the World's Top Weed Killer Cause Cancer? Trump's EPA Will Decide,"** by Peter Waldman, Lydia Mulvany, Tiffany Stecker, and Joel Rosenblatt in Bloomberg Businessweek: "Roundup has revolutionized farming. Now, human health and Bayer's $66 billion deal for Monsanto depend on an honest appraisal of its safety." https://buswk.co/Monsanto

-- **"The Fallout,"** by Lacy M. Johnson in Guernica Magazine: "In St. Louis, America's nuclear history creeps into the present, leaching into streams and bodies." http://bit.ly/2v3m1mb

-- **"Rape Choreography Makes Films Safer, But Still Takes a Toll on Cast and Crew,"** by April Wolfe in LA Weekly: "While narratives of sexual assault are nothing new - everything from early Old West films to the various Renaissance-era depictions of 'The Rape of the Sabine Women' and Japan's 19th-century ukiyo-e prints (an art form that influenced anime today) depicts gendered violence - these storylines have become particularly common in film and TV lately." http://bit.ly/2tdrfyF

-- **"The Netflix Prize: How a $1 Million Contest Changed Binge-Watching Forever,"** by Dan Jackson in Thrillist: "Following the announcement ... 30,000 Netflix enthusiasts who downloaded the trove of information and set out to unlock the secrets of the recommendation algorithm. ... In a way, [Netflix CEO Reed] Hastings was a tech-age Willy Wonka letting any curious hacker into his digital Chocolate Factory. Instead of a chocolate river, he offered a gushing stream of data." http://bit.ly/2tdEGyp

-- **"A Team of Their Own,"** by Jessica Luther in Bleacher Report: "Meet the players on this all-girls travel squad who have bigger dreams than youth baseball-they want to become MLB stars." http://ble.ac/2tq2Y3G (h/t Longform.org)

-- **"An 18-Year-Old Girl Died From a Synthetic Opioid She Bought Online. Here's**

How Portland Police Cracked the Case," by Nigel Jaquiss in Willamette Week: "A fatal overdose in East Portland leads detectives into the Dark Web, where lab-created opioids are bought with Bitcoin." http://bit.ly/2upr2Yo

-- "1917: The Year of the Century," by Jeremy Black in Imperial and Global Forum - per The Browser's summary: "The greatest single event of the 20th century was arguably the overthrow of the Manchu dynasty in 1910-11, opening the way to China's modernisation. But 1917 was the pivotal year, bringing the Russian Revolution, America's entry into World War I, and the Balfour Declaration reshaping the Middle East. Hard to say now which was more consequential: The communist experiment, the assertion of America as world power, or the entailing of the West in the founding of modern Israel." http://bit.ly/2tVBzZb

Playbookers

OVERHEARD AT REAGAN -- Rep. Joe Courtney (D-Conn.), with a backpack, on the bus yesterday heading to Gate 35X at DCA to catch an American flight to Hartford (which got delayed an hour), talking to fellow airplane passengers about how the lobster catch in New England has declined because of climate change. He also said he was going to Fenway Park today to catch the Red Sox-Yankees game. Rep. John Larson (D-Conn.) was next to him on the bus wearing a green tie and talking on his cell phone.

SPOTTED: Justice Merrick Garland last night at the James Taylor concert at Nats Park ... Kellyanne Conway on the 6 a.m. Delta DCA to DTW flight -- former Rep. Mike Rogers was also on the flight ... former Delaware Gov. Jack Markell biking yesterday in Mitchell, South Dakota -- earlier this week he went through Badlands National Park. He's on a 3,680 mile cross-country bike ride from Oregon to Delaware (***map and pix:*** http://bit.ly/2upwfj0), his first big effort since leaving office. ***He's blogging about his trip on his Facebook page*** http://bit.ly/2uunWmY

WEEKEND WEDDING -- COLORADO POWER COUPLE: Brittany Pettersen, Colorado State Rep. and Democratic candidate for Colorado's 7th congressional district, recently married ProgressNow Colorado executive director **Ian Silverii** at the Colorado Governor's Mansion. Pool report from Gigi Sukin of Colorado Biz: "Pettersen and Silverii were wed by former speaker of the Colorado House of Representatives Dickey Lee Hullinghorst. Their wedding party included State Reps. Chris Kennedy and Faith Winter, and State Rep. Janet Buckner read EE Cummings' 'I carry your heart with me.' ... They met in Denver while Pettersen was clipboard-canvassing for nonprofit organizations on the corner of 13th and Sherman, one block south of the Capitol where they would then work together for four years." ***Pic*** http://bit.ly/2tUnkpd

SPOTTED: Sen. Michael Bennet (D-Colo.), Rep. Ed Perlmutter (D-Colo.), former Denver Mayor Wellington Webb, former Lt. Gov. Barbara O'Brien, current Lt. Gov. Donna Lynne, Colorado House Speaker Crisanta Duran, both of Pettersen's Democratic

primary opponents State Sens. Dominick Moreno and Andy Kerr, and Gordon Bronson.

BIRTHDAYS: Chris LaCivita is 51 ... WaPo's Paul Kane ... Gareth Rhodes, running for Congress against Rep. John Faso (R-N.Y.) and a former deputy press secretary to NY Gov. Cuomo, is 29 ... Arianna Huffington is 67 ... Jim Merrill of New Hampshire ... Jeremy Bird, 270 Strategies CEO and 2012 Obama for America field director (hat tip: Lynda Tran) ... Cecile Richards, president of Planned Parenthood Federation of America and Planned Parenthood Action Fund ... Penn Staples ... Liana Balinsky-Baker, Reuters tech, media and telecom M&A reporter and deals team leader in SF (h/t Emily Stephenson) ... Karin Johanson, the pride of New Jersey and Wisconsin (h/t Jon Haber) ... Zach Wahls ... Dan Hewitt, VP at Entertainment Software Association, is 41 (h/t Alex Slater) ... Svetlana Legetic, co-founder of Brightest Young Things ... Dr. David Lippman, a travel aficionado who also loves crosswords and playing tennis, soccer, ping pong and croquet, is 72 (h/t son Daniel) ... Amanda Fernandez, senior manager with development organization Palladium, visiting from Bogotá and celebrating this weekend with her parents, husband and kids at Rehoboth Beach (h/t Ben Chang) ...

... Heather Higginbottom, COO of CARE and former Obama deputy secretary of state ... Elliot Gerson, EVP at the Aspen Institute, is 65 ... Wallis Annenberg, president and chairman of the board of the Annenberg Foundation, is 78 (h/ts Jewish Insider) ... Andrew Usyk ... Rep. Ileana Ros-Lehtinen (R-Fla.) is 65 ... Rep. Mac Thornberry (R-Texas) is 59 ... Rep. David Cicilline (D-RI) is 56 ... Rep. Daniel Lipinski (D-Ill.) is 51 ... Rep. Chris Stewart (R-Utah) is 57 ... Chris Duffner ... Michael Francisco ... Taylor Lindman ... Seth Grossman ... Bloomberg's Jodi Schneider, now in Hong Kong ... Jackie Spinner ... Hilary Leighty ... Jason Wheeler ... Helen Hare ... Gwendolyn Ward ... Allison Steil ... Bekah Geffert ... Campbell Roth ... HFA alum Marisa McAuliffe ... Deb Rosen (h/t Teresa Vilmain) ... Erica Fein ... Babak Talebi is 38 ... Brunswick Group partner Mark Palmer ... Linda Ronstadt is 71 ... actor Brian Austin Green is 44 ... actress Diane Kruger is 41 (h/ts AP)

THE SHOWS, by @MattMackowiak, filing from Austin:

--**NBC's "Meet the Press":** Jay Sekulow ... Senate Majority Whip John Cornyn (R-Texas) ... Sen. Mark Warner (D-Va.). Panel: Tom Brokaw, Al Cardenas, Doris Kearns Goodwin and Danielle Pletka

--ABC's "This Week": Jay Sekulow ... Rep. Adam Schiff (D-Calif.) ... Sen. Susan Collins (R-Maine) ... HHS Secretary Tom Price. Panel: Matthew Dowd, Michael Caputo, Megan Murphy and Abby Phillip

--CBS's "Face the Nation": Sen. Mark Warner (D-Va.) ... Sen. Rand Paul (R-Ky.) ... Jay Sekulow ... author and TIME Magazine editor-at-large Jeffrey Kluger ("Apollo 8"). Panel: Jeffrey Goldberg, Ed O'Keefe, Susan Page and Ramesh Ponnuru

--CNN's "State of the Union": Jay Sekulow ... Sen. Mark Warner (D-Va.) ... Sen. Susan Collins (R-Maine). Panel: Bakari Sellers, CNN political commentator Alice

Stewart, CNN legal commentator and former Attorney General Ken Cuccinelli (R-VA) and Rep. Eric Swalwell (D-Calif.)

--"Fox News Sunday": Jay Sekulow ... Sen. Rand Paul (R-Ky.). Panel: Brit Hume, Julie Pace, Michael Needham and Dr. Ezekiel Emanuel

--CNN's "Reliable Sources": Jeff Mason, Tara Palmeri and Ken Kurson ... Carl Bernstein and Len Downie ... David Zurawik

--CNN's "Inside Politics": Margaret Talev, Karoun Demirjian, Jeff Zeleny and Manu Raju (substitute host: CNN's Nia-Malika Henderson)

--Fox News' "Sunday Morning Futures": Sen. Lindsey Graham (R-S.C.) ... former U.S. Attorney Bud Cummins ... Corey Lewandowski. Panel: Ed Rollins and James Freeman

--Fox News' "MediaBuzz": Gillian Turner ... Katie Pavlich ... Joe Trippi ... Anthony Scaramucci ... Ari Fleischer ... Carley Shimkus

--CNN's "Fareed Zakaria GPS": Iranian foreign minister Mohammad Javad Zarif

--Univision's "Al Punto": Sen. Tim Kaine (D-Va.) ... report from Univision News correspondent Luis Megid on how ICE conducts immigration raids ... Venezuelan human rights activist and Leopoldo Lopez's wife Lilian Tintori ... Mexican Senator (PAN) and presidential candidate Juan Carlos Romero Hicks ... singer-songwriter Natalia Lafourcade

--C-SPAN: "The Communicators": CTIA - The Wireless Association president & CEO Meredith Attwell Baker, questioned by Politico's Margaret Harding McGill ... **"Newsmakers":** Rep. Elliot Engel (D-N.Y.), questioned by Politico's Elana Schor and CQ Roll Call's Rachel Oswald ... **"Q&A":** Author and Saudi Arabian women's rights activist Manal Al-Sharif

--Washington Times' "Mack on Politics" weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at http://bit.ly/2omgw1D): former U.S. Sen. Jim DeMint (R-S.C.).

****** **A message from BMA:** Better Medicare Alliance is helping to build the future of care through Medicare Advantage. As a community of experts, we're leading the way on health care through research, policy, and grassroots advocacy. Together, we're creating a path forward for innovative, modern health care. Stand with us: http://www.bettermedicarealliance.org/special-needs-plans ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Thur 6/1/2017 2:04:23 PM
Subject: POLITICO's Morning Score: Montana GOP Senate primary heats up post-special election — Gibbons kicks off Senate primary against Mandel in Ohio — Trump to hold reelection fundraiser in June

By Elena Schneider | 06/01/2017 10:00 AM EDT

With Daniel Strauss, Scott Bland and Bianca Padró Ocasio

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

UP NEXT - "Montana GOP turns to next task: Taking on Tester," by Campaign Pro's Elena Schneider: "The moment Montana's controversial and expensive special House election finished, state Republicans refocused on their original 2017 to-do list: finding a candidate to take down Democratic Sen. Jon Tester next year. But Interior Secretary Ryan Zinke's departure for President Donald Trump's Cabinet not only set off the House special but 'threw a grenade' into the GOP's 2018 planning, said one national Republican who's worked in Montana and, like many, expected Zinke to run against Tester. Republicans are quick to tout their deep bench in the state, but the fallout from Zinke's decision to leave his House seat continues to affect his party. Attorney General Tim Fox is at the top of many Republicans' wish list - but it's also the worst-kept secret in Helena that he wants to run for governor in 2020, a door that appeared to open wider when Rep.-elect Greg Gianforte was charged with assaulting a reporter. Troy Downing, the CEO of AC Storage Solutions, recently started a campaign after encouragement from Zinke, a fellow veteran - but he has some of the same out-of-state liabilities that hampered Gianforte for the past year." **Full story.**

PRIMARY WATCH - "Gibbons kicks off Senate primary against Mandel in Ohio," by Campaign Pro's Daniel Strauss: "Ohio investment banker Michael Gibbons is jumping into the 2018 Senate race in his state, he told POLITICO on Wednesday. 'I have a pretty nice life and I have it easy. I looked at my kids and my grandkids and I said I gotta do this for them,' said Gibbons, who added that he will announce his campaign on Thursday." Gibbons will face "state Treasurer Josh Mandel, who was Republicans' 2012 nominee against Democratic Sen. Sherrod Brown. Mandel recently has been endorsed by Sens. Rob Portman and Ted Cruz, and he also has the backing of major conservative groups including the Club for Growth. But Gibbons was adamant that he has a clear path to the nomination. ... Gibbons said he was in contention for a job at the Department of Commerce in the Trump administration, but he is closing the door on that opportunity to run for Senate." **Full story.**

2020 FORESIGHT - "Trump to hold reelection fundraiser in June," by POLITICO's Alex Isenstadt: "President Donald Trump continues to prepare for his next election - in 2020. Trump is slated to headline a Washington, D.C. fundraising dinner on June 28 that will benefit Trump Victory, a joint fundraising agreement between Trump's campaign and the Republican National Committee, according to an invitation obtained by POLITICO. Funds raised at the event will be

split between the two accounts." **Full story.**

Days until the 2017 election: 158.

Days until the 2018 election: 522.

Thanks for joining us.You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

BIDEN HIS TIME? - "Biden launches PAC, keeping options open," by POLITICO's Edward-Isaac Dovere: "Former Vice President Joe Biden will launch a new PAC on Thursday, American Possibilities, giving him a way of supporting candidates and keeping his own options open for a potential 2020 presidential run. Officially, the group will be 'dedicated to electing people who believe that this country is about dreaming big, and supporting groups and causes that embody that spirit,' according to the PAC's launch materials. Biden has hired Greg Schultz, his political director during his second term as vice president, as the executive director of the PAC." **Full story.**

RUH ROH - "J.B. Pritzker sought political office from Blagojevich, 2008 FBI wiretaps show," by the Chicago Tribune's Todd Lighty, Jeff Coen and David Heinzmann: "J.B. Pritzker, a billionaire businessman with political ambitions, told Illinois Gov. Rod Blagojevich he was 'really not that interested' in the U.S. Senate seat the governor was dealing in late 2008. Instead, Pritzker offered his own idea: Would Blagojevich make him Illinois treasurer? ... Phone calls secretly recorded by federal agents - never before publicly revealed - captured that exchange and other conversations between the influential Democratic donor and the then-governor discussing politics, their futures and the ramifications of Blagojevich's authority to fill the Senate seat being vacated by President-elect Barack Obama. Although Blagojevich raised the idea of appointing Pritzker to the Senate, Pritzker expressed his preference for being state treasurer, a post he believed might soon be vacated by its occupant, Alexi Giannoulias, who was rumored to be in the running for a post in the Obama White House. In one conversation, Blagojevich asked Pritzker for a significant campaign contribution as the two discussed the possible treasurer's appointment." **Full story.**

TECH BEAT - "Hillary Clinton has harsh words for Democratic Party's 'horrible data deficit,'" by POLITICO's Nancy Scola and Li Zhou: "Hillary Clinton strongly criticized the data operation of the Democratic National Committee she encountered upon becoming the party's presidential nominee, saying today, 'I inherit nothing from the Democratic party. I mean, it was bankrupt, it was on the verge of insolvency. Its data was mediocre to poor, non-existent, wrong. I had to inject money into it to keep it going.'" **Full story.**

AIR WAR - New Northam radio ad stars Rep. Bobby Scott: "Thirteen-term Rep. Bobby Scott, one of Virginia's two black members of Congress, is starring in a new radio advertisement for Lt. Gov. Ralph Northam in the state's Democratic gubernatorial primary." **Full story.**

- New NRCC ad attacks Ossoff as soft on ISIS, Iran: "The NRCC's latest TV ad in the Georgia special election says "ISIS is infiltrating America," criticizes Democrat Jon Ossoff's support for the Iran nuclear deal, and ties Ossoff to national Democrats on the issue of Syrian refugees." **Full story.**

- Republican challenger to Warren airs radio ads: State Rep. Geoff Diehl, a GOP challenger to Massachusetts Sen. Elizabeth Warren, is out with new radio spot where he attacks Warren and promises to "make Massachusetts great again." **Watch it here.**

BUSH ON THE TRAIL - "Former President George W. Bush on Friday is attending a Jackson fundraiser for U.S. Sen. Roger Wicker," the Clarion-Ledger reports.

IN THE CROSSOVER DISTRICTS - Republican businessman John Chrin launched a campaign against Democratic Rep. Matt Cartwright in PA-17, PoliticsPA reported. President Donald Trump carried the seat with 53 percent of the vote in 2016 after former President Barack Obama won 53 percent there in 2012. "Chrin, a Easton native, has spent most of his career in the financial services industry. He became a Managing Director at JP Morgan Chase before spending three years teaching at Lehigh University. After teaching at Lehigh, Chrin joined his wife's investment advisory company Circle Wealth Management." **Full story .**

2018 WATCH - Sutton enters South Dakota race: Billie Sutton, the minority leader of the South Dakota Senate, entered the governor's race Wednesday. Sutton was an professional rodeo rider who was paralyzed from the waist down in an accident when he was 23. The GOP field includes Rep. Kristi Noem and Attorney General Marty Jackley. **Watch Sutton's announcement video here**.

ADMINISTRATION SPEED READ - "Comey Expected to Testify Before Senate, if He Isn't Blocked," by The New York Times's Matt Apuzzo and Michael S. Schmidt: "Senators expect the former F.B.I. director, James B. Comey, to testify next week about his conversations with President Trump, congressional officials said on Wednesday, setting up a test of the White House's willingness to cooperate with investigations into Mr. Trump's associates. Putting the highly anticipated hearing on the calendar would force Mr. Trump to decide whether to invoke executive privilege and try to prevent Mr. Comey from testifying. Mr. Comey is expected to be asked about several conversations he had with the president, including one in which he says Mr. Trump encouraged him to stop investigating his former national security adviser, Michael T. Flynn." **Full story.**

CODA - QUOTE OF THE DAY: "People in covfefe houses shouldn't throw covfefe." - Hillary Clinton, capping off a bizarre day on the internet, via POLITICO.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/06/01/montana-gop-senate-primary-heats-up-post-special-election-220611

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 7/25/2017 7:32:50 PM
Subject: EPA task force recommends steps to streamline Superfund program

By Alex Guillén

07/25/2017 03:29 PM EDT

An EPA task force today released a list of 42 recommendations for the agency's Superfund program, part of Administrator Scott Pruitt's focus on the long-criticized clean-up initiative.

Pruitt has been critical of what he called indecisiveness on Superfund issues by earlier administrations, although the White House's budget would slash funding from those clean-ups along with most other parts of the agency.

Topline proposals from the task force include creating a "top ten" list of sites to get "weekly attention" from the administrator; finding more third parties to act as investors in sites that could be reused for future projects; several steps to speed up ongoing remediation at Superfund sites; using new technologies to speed up site assessments; streamlining dispute resolution; and requiring "strict adherence to project deadlines."

Pruitt also signed a memo directing EPA leaders to adopt several specific actions immediately. They include prioritizing sites "where the risk of human exposure is not fully controlled," focusing more on sites with higher potential for new uses, and identifying as many sites as possible for deletion from the National Priorities List.

The task force was chaired by Albert Kelly, the former chairman of Oklahoma-based SpiritBank.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/epa-task-force-recommends-steps-to-streamline-superfund-program-091043

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 10/4/2017 8:38:31 PM
Subject: Oct. 4 -- Energy and Climate Report - Afternoon Briefing



Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Transportation Officials Move to Scrap Obama Climate Rule

Posted October 04, 2017, 10:59 A.M. ET

By Abby Smith

The Trump administration is working to roll back another Obama-era climate regulation—this time a provision that would require state transportation planners to account for greenhouse gas emissions.

The Federal Highway Administration is quickly moving to repeal the greenhouse gas provision, tucked into a broader Obama administration rule that sets new requirements for tracking the performance and conditions of roads. Trump officials previously suspended the measure, then reinstated it late last month after environmental groups and a coalition of eight states sued, arguing that the administration couldn't suspend without taking notice and comment.

The provision at issue would require state transportation officials to track on-road greenhouse gas emissions and set "locally appropriate" emissions targets on national highways. State officials face an Oct. 1, 2018, reporting deadline.

The Oct. 5 notice seeking the provision's repeal notes Transportation Department officials reviewed existing and pending regulations and "identified the [greenhouse gas] measure ... as being potentially duplicative of existing efforts in some States, and burdensome" (RIN: 2125-AF76).

The Federal Highway Administration will accept comments for 30 days on the provision's repeal.

Will Paris Without the U.S. Scuttle Climate Change Measures?

Posted October 04, 2017, 8:19 A.M. ET

By Chisaki Watanabe

Will the U.S.'s decision to pull out of the groundbreaking Paris climate change deal deflate efforts by governments, the private sector and investors to combat global warming?

Members of a panel at a conference hosted by Japan's Ministry of Economy, Trade and Industry Oc.t 4 discussed various policy options, trends, and what each party can do:

• Hiromichi Mizuno, chief investment officer for Japan's Government Pension Investment Fund, the world's largest pension fund, said the financial sector is committed to tackling climate change even after President Donald Trump said he'll pull the U.S. out of Paris. "So far, the impact of the decision has been zero or could be positive. Since his announcement, we received significantly more inquiries from other global asset owners including U.S. public pension funds. They want to work together with us to make sure the investor community continues to work in the same direction."

• Nobuo Tanaka, former executive director of the International Energy Agency, who moderated the panel, said of Trump's support for coal power, "I don't think that is feasible because there's so-cheap natural gas."

• Anneli Pauli, an adviser on climate action to the European Commission, said that coal has no future in Europe. "I think we go from low carbon to no carbon."

• Michael Liebreich, founder of Bloomberg New Energy Finance, said that Japan's private sector has enormous strength in technology related to electric vehicles, while he also questioned the outlook for hydrogen fuel cell vehicles. "Hydrogen for vehicles, I am not optimistic at all. Thinking about hydrogen when everybody else has already chosen the correct solution is a problem," Liebreich said. "If you do electrification of vehicles, it will free up the transformation of your electrical systems so Japan has an enormous amount to offer and I am also convinced Japan will be in the front row."

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Perry's Coal Proposal Seen Unlikely to Reverse Historic Decline

Posted October 04, 2017, 8:35 A.M. ET

By Tim Loh

U.S. Energy Secretary Rick Perry's plan to reward coal-fired power plants that keep large stockpiles of fuel won't be enough to reverse the industry's long-term decline, analysts say.

Perry has proposed extra payments for power generators with at least 90 days' worth of supplies on site, arguing that will make America's electric grid more "resilient" in the face of major supply disruptions.

While the measure will probably keep some coal plants open that would otherwise be forced to retire, it doesn't address the industry's core problem: namely, that overall U.S. electricity demand has flattened while natural gas, wind and solar power are stealing market share. To that end, industry experts doubt it'll be enough to make good on President Donald Trump's repeated vows to bring back coal.

"It doesn't solve some of the largest underlying structural challenges to coal demand in this country," Lucas Pipes, an analyst at FBR Capital Markets & Co., said in a phone interview. "We're in a no-growth market."

While any measure that prevents the further erosion of coal's market share would help the industry, Perry's proposal poses some complications for power generators. For one thing, utilities haven't been in the business of hoarding coal. With the U.S. coal sector oversupplied in recent years, power plant operators have preferred, when possible, to buy the fossil fuel "on-demand" rather than maintain large stockpiles, said Andrew Cosgrove, an analyst at Bloomberg Intelligence.

Environmental Costs

That's because stockpiling coal costs money. If left untreated, coal piles can spontaneously catch fire, something that's especially problematic for high-moisture coal from Wyoming and Montana's Powder River Basin, said Andy Blumenfeld, head of market analytics at Doyle Trading Consultants. There are also environmental costs associated with suppressing coal dust and handling runoff. Finally, the quality of stored coal degrades over time, Blumenfeld said.

For utilities participating in Perry's program, costs would go up as it "might require more personnel and equipment," Blumenfeld said.

In July, coal accounted for 32 percent of U.S. electricity generation, down from 47 percent a decade earlier, according to the U.S. Energy Information Administration. Gas was king, at 36 percent, up from 25 percent in July 2007.

In order to qualify, most power plants would also have to go out and buy coal. As of August, power plants holding Powder River Basin coal had an average of 75 days of supplies. Those with Illinois Basin coal had 91 days and those with Northern Appalachian coal had inventories in the low 70s, according to Pipes.

As long as the coal plants aren't expected to run all out, every day, then getting those stockpiles back over 90 days should be doable, said Matt Preston, a coal analyst at Wood Mackenzie Ltd. As recently as early 2016, America's coal plants had, on average, more than that on site.

It'd be much harder, though, if the plants were expected to have enough coal to run full-blast, around-the-clock, for three months straight. That would "require a significant increase in storage area at almost all plants," Preston said. "Some would definitely have to consider offsite storage which may or may not be economically feasible."

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Storms Spur $22 Billion Investment in Battery-Backed Grids

Posted October 04, 2017, 8:47 A.M. ET

By Christopher Martin

Growing demand for more resilient power supplies will spur $22.3 billion of global investment in battery-backed local energy systems over the next decade, according to Navigant Research.

Villages and homes in far-flung places will drive the expansion of microgrids, small-scale solar systems with batteries that can retain power until it's needed. Navigant expects 14.9 gigawatts to be in operation in 2026, up from 238 megawatts this year, according to a report Oct. 3.

North America and the Asia-Pacific region will get about three-quarters of the investment as developers find ways to use microgrids more efficiently, including providing energy-management services to utilities. North America will have 5.85 gigawatts of microgrid storage in operation by 2026 and Asia-Pacific will have 5.57 gigawatts. Declining battery costs and new financing methods will also boost deployment in areas like coastal communities in Florida and Texas exposed to flooding and frequent storms, said researcher Alex Eller.

"The storms helped raise awareness of what's available," Eller said in an interview. "For the next

couple years, remote microgrids will make up about half of global installations."

Puerto Rico, where the utility grid was knocked out by Hurricane Maria Sept. 20, has become a target for developers eager to showcase microgrid designs. These include solar panels, small wind turbines and backup diesel or propane generators that may be needed if a string of cloudy days reduces solar production and doesn't fully charge the batteries.

Suppliers including Tesla Inc., battery-maker Sonnen GmbH, and solar rooftop supplier Sunnova Energy Corp. have each begun shipping micro-grid equipment to Puerto Rico to help re-power the island following the storm.

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Dawn of Solar Age Declared as Sun Power Beats All Others

Posted October 04, 2017, 8:49 A.M. ET

By Anna Hirtenstein

Solar power blossomed faster than for any other fuel for the first time in 2016, the International Energy Agency said in a report suggesting the technology will dominate renewables in the years ahead.

The institution established after the first major oil crisis in 1973 said 165 gigawatts of renewables were completed last year, which was two-thirds of the net expansion in electricity supply. Solar grew by 50 percent, with almost half new plants built in China.

"What we are witnessing is the birth of a new era in solar PV," Fatih Birol, executive director of the IEA, said in a statement accompanying the report published Oct. 4 in Paris. "We expect that solar PV capacity growth will be higher than any other renewable technology through 2022."

This marks the sixth consecutive year that clean energy has set records for installations. Mass manufacturing and a switch by governments away from fixed payments for renewables forced down the cost of wind and solar technology.

The IEA expects about 1,000 gigawatts of renewables will be installed in the next five years, a milestone that coal only accomplished after 80 years. That quantity of electricity surpasses what's consumed in China, India and Germany combined.

The surge of photovoltaics in China is largely due to government support for renewables, which are being demanded by a population concerned about air pollution and environmental degradation that has led to deadly smogs. The country is seeking to reduce its reliance on coal and has become the world's largest market for renewables, particularly solar.

"The solar PV story is a Chinese story," said Paolo Frankl, head of the IEA's renewable energy division. "China has been for a long time the leader in manufacturing. What's new is the share in the market. This year, it was equivalent to the total installed capacity of PV in Germany."

The U.S. and India are among other nations pushing renewables. They along with China are projected to make up two-thirds of the clean-energy expansion worldwide. Despite President Donald Trump's vow to bolster coal's position in the power market, the U.S. is expected to be the second-

largest market for renewables.

The IEA also expects biofuels to take a larger role in the transportation industry, surpassing gains by electric vehicles.

"A lot of attention has been given in recent months to electric vehicles, and rightly so. They are increasingly globally, exponentially," Frankl said. "But I have to say, we should not forget the biofuels, which at the end of 2016 represented 96 percent of total renewable transport."

Electric vehicles numbers will double by 2022, but biofuels will still make up 93 percent of renewables consumed in the transport industry, the IEA estimates. The fuels are needed especially for heavier vehicles including planes and ships.

The organization recommends that governments put incentives in place to spur the development of biofuels made from non-edible plants, which would avoid diverting food crops into fuel tanks. The cost of biofuels currently is about double the global price of gasoline, Frankl said.

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Japan Regulator Clears Restart of World's Largest Nuclear Plant

Posted October 04, 2017, 9:07 A.M. ET

By Stephen Stapczynski

Tokyo Electric Power Co. Holdings Inc. moved a step closer to resuming operations of the world's biggest nuclear facility after Japan's atomic regulator gave its tacit approval, delivering a much-needed boost for a company still strapped with the cost to clean up its wrecked Fukushima plant.

Japan's Nuclear Regulation Authority Oct. 4 approved a preliminary report saying Tokyo Electric's No. 6 and 7 reactors at its Kashiwazaki-Kariwa power plant in Niigata prefecture meet post-Fukushima safety rules. Tepco, as the utility is known, must still get the endorsement of the prefecture's government, which currently opposes the restart.

Resuming operations at the two reactors "should displace a lot of coal and LNG, and hence impact the bottom line," Tom O'Sullivan, founder of Tokyo-based energy consultant Mathyos, said by email ahead of the decision. "The restarts would have additional significance as they improve the energy security of the east of Japan and Tokyo."

This is the first time Tepco has been cleared to operate a nuclear reactor since its Fukushima Dai-Ichi facility suffered a triple meltdown in 2011.

Under a turnaround plan released in May, Tepco said it expected the two units at Kashiwazaki-Kariwa to resume operations as soon as the fiscal year ending in March 2020. The No. 1 and 5 reactors at the plant could restart in 2022, while the No. 3 and 4 units could come online in 2025. The utility is aiming to restart the No. 2 unit a year later.

The Niigata plant, 220 kilometers (137 miles) northwest of Tokyo, consists of seven reactor units ranging from 20 years to 32 years in age, according to the NRA. The plant has a total operating capacity of about 8 gigawatts.

Four of Japan's 42 operable reactors are currently online.

Operating a single unit at Kashiwazak-Kariwa would cut costs by as much as 90 billion yen ($800 million) a year by reducing fuel imports, Tepco said in May.

The utility is seeking partnerships in its nuclear and electricity transmission and distribution operations to boost profitability as part of its latest 10-year turnaround plan.

After a 30-day public comment period, the report will then be subject to formal approval.

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Here's the Hot Canadian Oil Play You Probably Never Heard About

Posted October 04, 2017, 10:00 A.M. ET

By Robert Tuttle

There's a land grab quietly taking place in a little-known corner of the Canadian oil sands.

Just 200 kilometers (125 miles) southwest of the Fort McMurray oil-sands hub in northern Alberta, investors are rushing to secure rights to land that produces crude at much lower costs than the massive operations the region's known for. That's because beneath the area's characteristic oil-rich soil, which requires expensive extraction and refining techniques, there's crude trapped between layers of rock that can be pumped with conventional gear.

"It's definitely an emerging play," said Roger Tang, chief executive officer Deltastream Energy Corp., one of the companies that's producing oil in the area. "It's new and the production is quite respectable at this price."

The race to acquire drilling rights near the remote Slave Lake community comes as development of Canada's oil-sands, the world's third-largest crude reserves, grinds to a near halt with prices too low to justify the billions of dollars required to build new mines or steam-assisted production sites.

Located roughly between Alberta's Nipisi Lake and an area called Marten Hills, the drilling rights going for sale fall within the Clearwater shale and sandstone formation, with pockets of oil 600 to 700 meters (1,970-2,300 feet) below the ground, Tang said. Crude from the area can be produced for about C$10 ($8) a barrel.

The purchases have been flying under the radar because most of the buyers are closely held companies like Deltastream, which aren't required to disclose what they're up to like listed companies. But one purchase recently stood out.

Under the name Stomp Energy Ltd., the land company Scott Land & Lease Ltd. paid C$10.15 million, or C$1,101 per hectare, in a Sept. 13 provincial land offering for the rights to explore for hydrocarbons near Marten Hills for 15 years, along the far western edge of the Athabasca Oil Sands region.

While that may seem like very little when compared to the prohibitive prices paid for rights in the Permian Basin in Texas, it was the most paid for a single section of exploration land in Alberta since December 2011, provincial data show. And it came amid a flurry of other purchases in the same

area by other companies.

Companies including Deltastream, Cenovus Energy Inc. and Spur Petroleum Ltd. have begun drilling in the area over the past year.

Cenovus controls about a third of the play after acquiring drilling rights in the area over recent years, Harbir Chhina, executive vice president of oil-sands development, said in a conference call last June. While Cenovus has drilled a well in the area that produces about 300 barrels a day and plans to drill four or five wells in total, the company lists Marten Hills as a potential divestiture as it seeks to sell C$4 billion to C$5 billion by year end to help cover the cost of buying oil-sands assets from ConocoPhillips.

"We continue to assess what our drilling plans may look like for this property in the coming months," Reg Curren, a Cenovus spokesman, said in an email. "No decision has been made at this time."

Backed by a C$100 million equity line of credit led by ARC Financial Corp. and Wells Fargo & Co., Calgary-based Deltastream has drilled nine wells there since the second quarter, three of which are producing between 150 and 200 barrels a day, Tang said. The company plans to continue drilling new wells into next year.

Well Costs

The advent of multilateral drilling, in which multiple bores are drilled out of a single well hole, has made exploiting the Clearwater formation economically viable, Tang said. Each well costs C$1.1 million to C$1.5 million to drill and produces as much as four times more crude as a conventional horizontal well, he said. That makes the play viable at today's oil price of just over $50 a barrel, Tang said. By contrast, wells in Alberta's Duvernay Formation cost C$6 million to C$7 million.

Land companies such as Scott typically buy rights in oil-sands areas on behalf of energy producers who want to shield their names from the transaction. Scott declined to comment on the purchase when contacted by phone.

In addition to Scott and Deltastream, Synergy Land Services Ltd. also bought rights to a plot during the Sept. 13 bidding round. It payed C$1,571 per hectare, the most per hectare in the province in more than two years. In July, land company Britt Resources Ltd. paid C$2.99 million for three parcels in the same immediate area, and Scott bought three parcels nearby for C$4.97 million in June of last year.

The drilling rights sales "show you that quiet acquisitions can get hot very quickly," said Mark Oberstoetter, lead analyst for upstream research at Wood Mackenzie in Calgary.

But development of the Clearwater formation in the Marten Hills area is in its infancy and its full potential won't be known until more drilling takes place, Tang said. The Lesser Slave Lake River area that includes Marten Hills pumped just 1.46 million barrels in all of 2015, according to the most recent Alberta government data. But Tang says he's optimistic.

Well results are "looking very good," he said. "Although it's still early stage, you get some indication that it's very exciting."

—With assistance from Dave Merrill.

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Army of Women Tackles Electricity Thieves in Indian Slums

Posted October 04, 2017, 10:42 A.M. ET

By Bhuma Shrivastava

India's power companies have a problem largely responsible for $10 billion a year in losses. Slum dwellers steal electricity and refuse to pay their bills. But company officials often can't go in without being chased by mobs—and sometimes beaten, tied up, urinated on, even murdered.

So officials at Tata Power Co.'s joint venture with the Delhi state government came up with a solution that's turning out to be a model, not just for the rest of India, but for the world: It hired women living in the 223 slums it serves in the northern and northwest parts of the capital and called them "Abhas," from the Sanskrit word for light.

Tata Power Delhi Distribution Ltd.'s force of now 841 wives, mothers, and women as young as 20 go around the slums, knocking on neighbors' doors and persuading, coaxing, cajoling and nagging them to pay their power bills.

The result is a 183 percent increase in revenue over five years from the slums where Tata operates the project, with minimal cost to the company. Active power connections have risen 40 percent to 196,000—meaning that 56,000 previously freeloading homes have become active, bill-paying power customers.

"This gave us a way to get into these neighborhoods, rife with mafia and political influences," said Praveer Sinha, chief executive officer and managing director at Tata Power-DDL, which had started out operating literacy campaigns for slum women in 2010 as a way into the communities. "We thought educated women would give us a much better buy-in."

The success of Tata Power-DDL's initiative is inspiring imitation. Rival BSES Delhi, co-owned by the Delhi state government and Anil Ambani-controlled Reliance Infrastructure Ltd., engaged 40 women earlier this year in a pilot project in a west Delhi slum. Having resident women distribute bills and collect payment from neighbors produced "very encouraging results" that will now be used to expand the program, according to BSES spokesman Deepak Shankar.

The World Bank is trying out similar initiatives in Jamaica and Kenya, and is considering adapting it to other African countries. So far, Kenya Power & Lighting Co. has improved connection rates by doing more community engagement based on the Tata model that "has provided a lot of learning, which we are incorporating," Sunita Chikkatur Dubey, a Ghana-based World Bank consultant, said via email.

The slum in north Delhi known as Sanjay Basti, home to 4,000 people just 2 miles (3 kilometers) away from Tata Power-DDL headquarters, was once notorious for harassing power inspectors. Residents would threaten to pull away ladders when company officials climbed electricity poles to disconnect illegal hookups, said Amarjeet Kaur, who used to be an illiterate housewife before she was hired as an Abha in 2013.

"Residents would ask me: 'Why did you become a 'company person' when you are one of us?'" said Kaur, 39, as she walked through the slum's serpentine lanes filled with low-slung electricity cables that these days connect to almost all the brightly painted brick dwellings. "Now, women are in a

queue to take up this job. Even the boys want to become Abhas."

Abhas, whose numbers are expected to swell to 1,000 by next year, do more than just hand-deliver electricity bills and collect payments. They advise slum dwellers on power conservation and safe practices: Use LED bulbs, don't use old motors to pump underground water or it will spike your electricity bill, and most importantly, don't use power cables as clotheslines. The Abhas' newest mandate, Tata Power-DDL's Sinha says, is to encourage slum residents to make mobile payments, which reduces the need to handle and safeguard large amounts of cash.

Abhas make about 4,000 rupees ($60) a month on average, which is what some part-time domestic helpers can make. It includes a base salary plus extra pay based on securing full bill payment, partial payment or new meter installation. Abha managers, 25 in total, can make as much as 12,000 rupees a month—about the equivalent of a bus or van driver in Delhi.

Residents say they prefer dealing with women from their own communities—who personally deliver bills when they know neighbors are home and accept partial payment when money is tight—rather than outsiders. If their repeated cajoling and nagging doesn't result in payment, then power is disconnected. The Abhas have the support of the community leaders, known as pradhans, who weigh in if needed.

"Earlier if we weren't home when the company official came to deliver the bill, we'd miss paying and become defaulters," said Usha, 38, who goes by one name and lives in a 90-square-foot room with six other family members. She likes the convenience of dealing with people she knows, and laughs off any questions about feeling nagged. "If we consume electricity, we're supposed to pay for it!"

The scarcity of resources in slums ensures an interdependence among residents that means they're more likely to listen to one of their own, said Purnima Singh, a psychology professor at the Indian Institute of Technology in New Delhi.

"The social fabric is much tighter in slum clusters," said Singh. "An outsider will never match up in having this level of influence."

Tata Power-DDL started zeroing in on slums in 2009, considering them the last hurdle to paring losses. India's power companies lose revenue on about a fifth of the electricity they supply, or about $10.2 billion annually, due to problems including theft, meter tampering, billing issues and leakage due to faulty equipment, according to PricewaterhouseCoopers India estimates.

To thaw the hostility that Tata Power-DDL officials were encountering, it set up a special consumer group to start drug rehabilitation, provide medical vans, install drinking water stations and launch the women's literacy program. The idea to hire women surfaced in 2012 when, Sinha said, the women who had been studying to read and write started asking how to put their education to use.

"These women weren't allowed to go out and work by their families," said Manisha Wadhwa who now heads the group. "But they could always work in their own communities, choose their own hours and still give us better reach in their neighborhoods."

Wadhwa's group is still trying to tame 39 slums Tata Power-DDL serves that remain crime-prone and mafia-ridden, where the few Abhas the company has been able to hire haven't made much headway.

People pelt stones and pour hot water from the roofs" in one of the areas, Wadhwa said. "We are still trying to befriend them."

Still Tata Power-DDL has come a long way from the days before 2012 when officials had to remove their badges to keep from being identified when visiting slums. Now women like Kaur insist on having Tata Power identity cards, as it gives them status.

"We have learned from this initiative that we can work closely with communities to improve economic outcomes," said Sinha. "We don't need to do charity."

—With Rajesh Kumar Singh and Adrian Leung.

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Private Oil Made a Big Find in Mexico, Now State Oil Wants a Cut

Posted October 04, 2017, 10:37 A.M. ET

By Adam Williams

When private drillers struck oil off Mexico's coast this year, they didn't anticipate sharing it with the state oil company. It looks like they'll have to.

The discovery of as much as 2 billion barrels in July, by a group led by Houston-based operator Talos Energy LLC, grabbed the oil world's attention. Mexico's energy reformers celebrated. It was the first big find since the government opened the industry to investors in 2014—a controversial move in a country that kicked out foreign oil companies in the 1930s, and had mixed feelings about letting them back in.

The reformers were vindicated: Private capital could get results where Pemex, the cash-strapped state operator, couldn't. More would surely follow. Then a problem emerged. The crude deposit found by Talos, it turned out, spread beyond the boundary of the company's exploration bloc and into a neighboring one—owned by Pemex.

Now the government is rushing to put together a rulebook for how this find, and subsequent ones, get shared out. It could shape the future of the whole energy plan. The group—which includes Sierra Oil & Gas S de RL de CV and Premier Oil PLC—is said to be holding off on further investment pending the decision. Other drillers who bought exploration rights also want to see the government ruling before making financial commitments. The rush of enthusiasm that followed the July find has turned into a nervous wait.

'Most Important Issue'

"This is the single most important outstanding issue in the sector," said Raymundo Pinones, director of Mexico's Association of Hydrocarbon Companies. "It could delay activity until there is clarity. In place of drilling or continuing with development, the industry is waiting for this to be resolved."

Almost 70 companies have been given leases to explore for crude in Mexico. One of them, Italy's Eni SpA, reported a shallow-water find of at least 1.4 billion barrels this year, located beneath an existing Pemex well.

The field discovered by Talos, Sierra and Premier may be even bigger. From the start, in its July 12 press statement, the consortium said that the oil "could extend into a neighboring block." Weeks

later, in an interview with El Financiero newspaper, Pemex Chief Executive Jose Antonio Gonzalez Anaya said that his company, which has rights to that block, would fight for a share of the proceeds.

The Talos-led consortium already has to pay 83 percent of profits from its field, known as Zama-1, to the Mexican government, according to the Energy Ministry. Sharing with Pemex could push the figure even higher. So the group has temporarily halted investment and development of the massive find, according to a person familiar with the plans.

The entire industry in Mexico is affected by the delay in establishing the rules, Pinones said. "All the companies that need to plan investment, all those that need to have certainty when they go to their boards to respond to questions, in order for the approval of hundreds of millions of dollars."

'Global Standards'

Like BHP Billiton Ltd, which won rights to operate the Trion field near Mexico's maritime border with the U.S., estimated to hold the equivalent of about 485 million barrels. The Australian driller has identified at least four locations on the block that have exploration potential.

The new rules on sharing "would be of key interest to us there," Tim Callahan, BHP's Mexico president, said in an Oct. 2 interview. Mexican officials have already circulated a draft version to oil companies, and discussions are ongoing, he said. "We've been working very hard to try to help influence the secretary of energy to come up with a proposal that's more in accordance with global standards."

Even if the government is inclined to cut the Talos-led group some slack, there's a political obstacle. Mexico has a presidential election next year, and the early frontrunner is a fiery populist, Andres Manuel Lopez Obrador, who's campaigning against the energy reforms. Last month he reiterated a promise to review oil contracts if he wins. Concessions to foreign capitalists will be grist to his mill.

Deputy Energy Minister Aldo Flores points out that the problem confronting his government isn't unique to Mexico. The process of dividing up an oil find that spans different jurisdictions is known in the industry as unitization, and there are plenty of international precedents.

'Rule of Capture'

"In Mexico, we don't have a rule of capture as they do in Texas. It's not first-come, first-served," Flores said in an interview last month. "If there's enough evidence and certainty that the discovery extends into Pemex's block, then it would have to be shared."

But the legislation won't be written just for the state company's benefit, he said. Future finds will likely require collaboration between private companies with neighboring blocks, and the same rules will apply to them.

Still, since the first case does involve Pemex, it's extra-sensitive.

The industry has already flagged concerns about preferential treatment. Pemex missed a three-year deadline to meet minimum investment or work requirements in some of the 108 fields that it operated. But in August it was granted a two-year extension for 101 of them - including the one next-door to Talos's patch - by the Energy Ministry, which cited low oil prices as reasoning for granting additional time.

So if the international oil community thinks the sharing deal isn't fair, it could spook investors hoping to tap Mexico's 9 billion barrels of reserves.

"This isn't going to be a one-off situation," said John Padilla, managing director of energy consulting firm IPD Latin America. "If they don't get this right, they are going to jeopardize a lot."

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/24/2017 1:46:50 AM
Subject: [SPAM] May 24 -- Daily Environment Report

Daily Environment Report

May 24, 2017 - Number 99

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Leading the News

EPA
Budget Calls for 30-Year Low in EPA Staff Levels
EPA staffing would plummet to its lowest levels since the mid-1980s, according to the Trump administration's proposed fiscal year 2018 budget.

News

Air Pollution
Daimler Raided by Prosecutors in Emission-Manipulation Probe
Daimler AG offices across Germany were raided as part of a criminal investigation into diesel emission-manipulation allegations.

Air Pollution
Senate Takes First Steps in Uphill Battle to Delay Ozone Limits
Senate Republicans May 23 took what they hope was at least one small step forward in their uphill battle to delay the EPA's revision of its ozone standards to 2025, arguing that 10 years isn't much of a change for an agency that has repeatedly failed to meet a five-year statutory deadline for updating the pollution limits.

Air Pollution
U.S. Sues Fiat Chrysler for Diesel Emissions Test Violations
The U.S. Justice Department sued Fiat Chrysler Automobiles NV over claims its diesel-powered pickups and SUVs were outfitted with illegal software that allowed them to pass laboratory emissions tests (U.S. v Fiat Chrysler Automobiles N.V., E.D. Mich., No. 17-cv-11633, 5/23/17).

Budget

Budget Seeks Shutdown of 'Duplicative' Chemical Safety Board

The Trump administration kept its earlier promise to propose eliminating the U.S. Chemical Safety Board, describing the independent federal agency as "largely duplicative" of other government departments in its proposed budget released May 23, even as the board sent its own request for a small funding increase.

Budget

Civil, Criminal Environmental Enforcement Cut in Trump Budget Plan

President Donald Trump's proposed budget would reduce the EPA's civil enforcement program by 18 percent, criminal enforcement by 16.5 percent, and the forensics support that makes many of those cases possible by nearly 44 percent.

Budget

Cleanup Research of Contaminated Sites Gets Boost in Trump Plan

Toxin-eating bacteria and other remediation research projects would get a bump in funding under President Donald Trump's proposed budget, contrasting with agency-wide slashes in research and cleanup spending.

Budget

Climate Spending 'Crazy Stuff' Targeted in Trump Budget

President Donald Trump's first budget request to Congress would cut or eliminate a range of programs designed to reduce greenhouse gas emissions, as well those helping communities prepare for more intense flooding or hurricanes expected to result from climate change.

Budget

EPA Requests More Chemicals Staff, Paid in Part by Industry Fee

The staffing levels and appropriations for the EPA's chemicals office would get a boost under President Trump's fiscal year 2018 budget request—due, in part, to fees that chemical makers are expected to pay.

Budget

Hanford Nuclear Cleanup Budget Slashed in Energy Proposal

Washington state's Hanford Nuclear Reservation, scene of a recent collapse of a tunnel containing nuclear waste, would see its funding slashed under President Donald Trump's new budget proposal.

Budget

Proposed Interior Budget Boosts Onshore, Offshore Energy

Oil, natural gas and coal development would get a boost in the White House's proposed fiscal 2018 budget, despite a substantial 12 percent cut to the Interior Department's overall funding.

Budget

Trump Dumps 'Clean Coal' Research Despite Lauding Its Potential

President Donald Trump promised his administration would bring about "clean coal," but his budget proposed slashing research the industry says it needs to make that a reality.

Budget

Trump Proposes Selling Off Half the U.S. Strategic Oil Reserve

The White House plan to trim the national debt includes selling off half of the nation's emergency oil stockpile, part of a broad series of changes proposed by President Donald Trump to the federal government's role in energy markets.

Budget

Trump Seeks Pesticides Law Fix to Plug Budget Gap With Fees

President Donald Trump wants to trim the EPA's pesticide licensing budget by about 18 percent and have industry fees cover the shortfall.

Budget

Voluntary EPA Programs Get Ax in Budget Plan as Climate Work Halts

Voluntary EPA programs that encourage businesses to improve energy efficiency and curb greenhouse gas emissions would get the ax from a Trump administration that has already pledged to roll back climate change regulations.

Budget

White House Seeks $150M for Yucca, Nuclear Waste Storage

President Donald Trump's first budget proposal would provide $30 million for the Nuclear Regulatory Commission to restart work on licensing Yucca Mountain as a permanent repository for nuclear waste.

Chemicals

Composite Wood Makers Get More Time to Comply With EPA Rule

Companies making, importing, supplying and selling composite wood would get more time to comply with the Environmental Protection Agency's formaldehyde emissions limits under a direct final rule the agency is scheduled to publish May 24.

Chemicals

Minnesota Guide on Teflon Chemicals Addresses Water Supplies

The Minnesota Department of Health updated its health advisory values for two industrial chemicals for public water supplies and private wells in two residential areas.

Climate Change

'Everything on the Table' to Save Great Barrier Reef: Australian Official

Unprecedented damage to the Great Barrier Reef caused by climate change and cyclones means that previously untried methods should be considered to protect it, the official charged with the reef's management told Australian lawmakers.

Climate Change

Trillions on Yearly Infrastructure Spending Would Help Climate Goals: OECD

The world's biggest economies have to spend about $6.9 trillion a year on "smart" infrastructure through 2030 to be on track to keep global warming to safe levels, a new OECD report said.

Climate Policy

Merkel to Confront Climate-Change 'Doubters' Among G-20 Peers

German Chancellor Angela Merkel said she won't give up trying to persuade doubters among her global peers that climate change is real, signaling her message for a Group of Seven summit starting May 26.

Climate Regulation

EPA Applies Brakes on Landfill Methane Rules

The EPA took its first step toward reconsidering methane limits for landfills set by the Obama administration by freezing implementation of the rules for 90 days.

Energy

Clean Car Rules Lead to Jobs From Technology, Equipment
More than a quarter million U.S. jobs are tied to the use of technology and production of materials used to improve vehicle fuel economy, according to a report released May 23 by environmental groups.

Energy
David Jonas Tapped as Energy Department General Counsel
David S. Jonas, an expert in nuclear nonproliferation law, will be nominated by President Donald Trump as general counsel at the Department of Energy, the White House announced May 23.

Energy
Two Energy Professionals Chosen for Nuclear Commission
A former utility commission chairman and a Senate energy staffer were named by the Trump administration to fill two vacant Republican seats on the Nuclear Regulatory Commission.

Energy
Video: Advanced Energy Research Office Would Be Cut in Trump Budget
The Trump White House is proposing to eliminate a small Energy Department advanced energy research office under a fiscal 2018 budget proposal.

Fuel Efficiency
Toyota, Nissan, Honda to Lead Japan's Hydrogen Station Coalition
Eleven leading Japanese companies including Toyota, Nissan and Honda said they will collaborate to build more hydrogen stations to accommodate fuel cell motor vehicles in Japan.

Hazmat Transport
States, Industry at Odds Over Crude By Rail Pressure Standard
Six state attorneys general and petroleum industry groups are battling over a pressure standard for transporting crude oil by rail tank cars.

International Climate
China Joins EU, Canada in Backing Climate Deal Before Trump Plan
China, Canada and the European Union are joining forces to advance the Paris Agreement while President Donald Trump is still deciding whether the U.S. should stick with the landmark deal on climate change.

Natural Gas
Federal Energy Regulator Wins in Pennsylvania Pipeline Challenge
The Federal Energy Regulatory Commission did not violate federal laws by granting a conditional permit for a pipeline expansion in Pennsylvania before the state had completed its permits, a federal court said May 23.

Oil & Gas
'Gas Apocalypse' Looms Amid Power Plant Construction Boom
The glut of cheap natural gas from a single, gigantic, shale basin that straddles the Northeast, mid-Atlantic and Midwest has sparked a massive construction boom of power plants. Dozens have been built in the past two years alone.

Pesticides
EPA to Delay Farmworker Protections for Two Years: Budget
The EPA will delay the effective date of its rule to tighten farmworker pesticide precautions

by two years, according to an agency budget document.

Renewable Energy

Renewable Energy Powers Jobs for Almost 10 Million People

Renewable energy employed 9.8 million people last year, up 1.1 percent from 2015, led by solar photovoltaic at 3.09 million jobs, according to the International Renewable Energy Agency's annual report on the industry.

Renewable Energy

Speed Up Offshore Wind Projects, Industry Says

Massachusetts' timeline for building an offshore wind industry in the state over the next 10 years is too slow and should be cut in half, energy developers said May 23.

Science Policy

EPA Science Adviser Criticizes Pruitt on Capitol Hill

The head of an EPA science advisory panel criticized the agency's dismissal of several members of her panel during a May 23 hearing before a House Science subcommittee.

Sustainability

Smart-Beta Shoppers Going Green, Not Just for the Environment

Getting a gold star for saving the world isn't the top motivation for asset managers who are looking to become more socially conscious. Instead, they're hoping to avoid long-term risk, according to a study by FTSE Russell.

Water Infrastructure

Water Programs Not Spared in Trump EPA Budget

Water did not emerge from the president's first official budget request unscathed, with several EPA water programs up for large cuts or even elimination.

Water Pollution

EU Says Most European Beaches Safe for Swimming

Nearly all of Europe's coastal and inland recreational sites met water quality standards for swimming last year, the European Environment Agency said May 23.

CORRECTION

The May 19 story "Pesticide Rule Delay Unusual, But Not Necessarily Illegal" stated that a federal district court decision in North Carolina Grower's Association Inc. v. Solis created precedent for upholding a 10-day comment period. The decision did not create precedent. The online version has been corrected.

BNA Insights

Science Policy

Practitioner Insights: Taking the Science out of Federal Science Advisory Boards

Andrew Rosenberg: The Trump administration has given new definition to the term "conflict of interest," from political meetings at Trump-owned businesses to cabinet members who may financially benefit from hamstringing the agencies they now lead.

Regulatory Agenda

TODAY'S FEDERAL REGISTER

NOTICE. Daily Environment Report's Regulatory Agenda, Comment Deadlines, and Federal Register summaries are now published as part of EHS Federal Regulatory AlertTM http://news.bna.com/frmn/.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 9/14/2017 3:35:52 PM
Subject: Energy lobbyist: DOE should reject Vogtle loan guarantee increase

By Eric Wolff

09/14/2017 11:32 AM EDT

Mike McKenna, president of the lobbying firm MWR Strategies, says the Department of Energy should reject a request from Southern Co.'s Georgia Power to increase the loan guarantees for the long-delayed and over-budget nuclear reactor project at the Vogtle power station.

"There comes a time in every administration when you have to look your friends, and even not your friends, in the eye and say, 'bank's closed,'" he told the POLITICO Pro Policy Summit.

Under the Obama administration, DOE approved loan guarantees totaling $8.33 billion for the project's three owners, including $3.4 billion for Southern. The company is awaiting a DOE decision on its request to hike that amount.

But an official from Exelon Corp, which operates the biggest fleet of nuclear power plants in the U.S., defended its utility peer.

"I see Southern as a pretty good risk to invest in, in terms of loan guarantee," said David Brown, senior vice president for government affairs for Exelon.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/09/early-october-target-for-new-climate-rule-may-be-asprational-092912

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To: Maisano, Frank[frank.maisano@bracewell.com]
From: Maisano, Frank
Sent: Tue 5/30/2017 7:40:31 PM
Subject: May 30 PRG Energy Update: We will always have Paris...or Not

Friends,

Happy unofficial beginning of Summer… Pardon my grogginess, but I stepped off a red eye from LAX this morning Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

I hope everyone enjoyed the holiday weekend. Not much happening this week here, but the biggest news is the focus on President Trump's decision on the Paris Climate Agreement. Our friend Amy Harder reported over the weekend that some sources are saying Trump will back out. But after last week's international pressure from the G7 Leaders, it seems clear that much of the activity from the Senate, AGs and internal sources may be trying to counter some of that momentum. Andrew Light, a U.S. negotiator at the Paris deliberations, said of Trump's direction: "I really don't think you can tell from media reports now where Trump is on this or whether he is in fact telling different people different things." Industry leaders continue to suggest staying in will be an important factor to staying engaged international on the Paris process but also on how we are perceived in the world on other Issues as well. We are hearing a lot of different things so we are happy to discuss and find you some great resources.

Congrats to our friend Dino Grandoni, who is launching the *Washington Post's* Energy 202, a deeper dive on energy and environmental policy fashioned after the Post's mega-popular politics newsletter, The Daily 202. The Energy 202 will deliver scoops and smart analysis on energy and environmental policy while also highlighting Post and others quality reporting. You can sign up HERE.

The 2017 hurricane season officially begins on Thursday and while no one ever really seems to know what will happen, some say we may have a more active season. SEJ's TipSheet has sources and tools to help address questions about hurricane season.

Congrats to Indy 500 winner, 40-year-old Takuma Sato, who becomes the first Japanese driver ever to win the Memorial Day race classic. 11 days remaining before the 149th Belmont Stakes

at Belmont Park in Elmont, N.Y. Preview next week, but already Derby winner *Always Dreaming* and Preakness winner *Cloud Computing* are both out.

Finally, the *National Law Journal* has a great piece on my colleague Josh Zive and the new Bracewell podcast, the Lobby Shop. Check it out and sign up to receive it each week.

Call with questions…

Best,

Frank Maisano

(202) 828-5864

c. (202) 997-5932

FRANKLY SPOKEN

"With the University of Chicago's long-time commitment to economics and public policy, EPIC plays an important role in developing creative, market-based solutions to today's most important energy and environmental challenges. I'm eager to learn from the dedicated faculty and students at EPIC, and to share the lessons I have learned from more than 25 years of working on environmental and energy issues. I hope that this collaboration will lead to better informed regulations and policies that will allow us to reach our environmental goals and preserve access to affordable, reliable energy."

Bracewell's Jeff Holmstead regarding his new policy fellow appointment at the University of Chicago's Energy Policy Institute.

-

IN THE NEWS

ITC to Review Solar Petition – The U.S. International Trade Commission has initiated an investigation into the request by U.S.-based solar cell manufacturer Suniva for temporary trade tariffs to protect the manufacturing sector from lower-cost imports. The move, announced today, clears the first hurdle in the process.

SEIA Raises Questions about Petition – SEIA CEO Abby Hopper fired back on the ITC decision by the regarding Suniva's Section 201 filing: "The International Trade Commission's decision to consider Suniva's petition for a lifeline could be bad news for hundreds of thousands of American workers in the solar industry and may jeopardize billions of dollars in investment in communities across the country. Setting high price floors and exorbitant tariffs is a blunt instrument that would cripple one of the brightest spots in America's economy. While we respect the ITC's decision to evaluate this claim on its merits, SEIA will remain at the forefront of the opposition to Suniva's requested remedies. We encourage all members of the solar industry to assist the ITC if asked for information and to work with us to ensure your voice is heard. Our goal throughout this proceeding will remain focused on developing more equitable and sustainable ways to boost American solar manufacturing that benefit many companies instead of just a few and allows the entire solar industry to continue to grow in this country."

EPIC Launches Visiting Fellows Program with Holmstead, Tierney – The Energy Policy Institute at the University of Chicago (EPIC) announced that my colleague Jeff Holmstead, former Assistant Administrator of the U.S. Environmental Protection Agency (EPA) for Air and Radiation, and Susan Tierney, former Assistant Secretary for Policy at the U.S. Department of Energy (DOE), as EPIC's inaugural Visiting Fellows in Policy Practice. In this role, the two will provide invaluable perspectives and expertise in a series of events, workshops and public discussions, as well as serve as resources for students and the Institute. Earlier, Holmstead served on the White House Staff of President George H.W. Bush. As Associate Counsel to the President, he was involved in the passage and implementation of the Clean Air Act Amendments of 1990 and the creation of the United Nations Framework Convention on Climate Change (UNFCCC). Tierney is a highly-regarded expert on energy policy and economics, specializing in the electric and gas industries. As a former Assistant Secretary for Policy at DOE under President Bill Clinton among other roles, Tierney has deep and varied experience that allows her to provide invaluable knowledge on energy markets, as well as on economic and environmental regulation and strategy.

The National League of Cities Releases Autonomous Vehicle Guide –The National League of Cities, a nonprofit group of municipal leagues, recently released a guide on -- autonomous vehicles (AVs) – "Autonomous Vehicles: A Policy Preparation Guide" – for state and local

planners. It provides a rundown of different types of autonomous vehicles, public policy considerations, recommendations and other topics of interests to cities and companies dealing with the new technology. Topics covered include:

- Privacy concerns – the Alliance of Automobile Manufacturers and the Association of Global Automakers published ' Privacy Principles for Vehicle Technologies and Services' in 2014, but the guide recommends that cities should consider their own safety and privacy concerns that are not reflected in these principles;
- Anonymous data sharing – if properly developed and managed, the vast amounts of data received could be used for traffic control, public utilities monitoring, road safety evaluation, and identifying infrastructure needs;
- Public policy considerations – safety, insurance requirements and local approval of any proposed AV testing in a city;
- Municipal coordination and public outreach – assessment of existing laws and municipal codes that will impact any deployment of AV technology, coordination between city departments, and working with regional agencies;
- Infrastructure investment – policies should be considered that ensure diversified approaches to funding future infrastructure needs;
- Broadband needs – cities should be proactive in reaching out to the dominant provider in their region to plan the growth of infrastructure, so that future needs can be met.

The report recommends that cities begin planning now, as AV's are already a reality. Policies need to be developed, federal and state policy and legislative developments should be tracked so that cities can ensure they have input, and, plans for future infrastructure needs and building data and computing capacity need to be in place.

OMB Gets Coal Ash Rule – EPA has sent draft guidance for how states should craft permit programs for coal ash disposal to the White House for pre-publication review. OMB received the coal ash guide for review last Thursday. Interagency review of agency rules ahead of their publication in the *Federal Register* typically takes 90 days, but can take much more or much less time depending on the action under review.

ON THE SCHEDULE THIS WEEK

WRI to Host Forests Discussion – Today at 12:30 p.m., the World Resources Institute held a forum on political and policy issues surrounding forests. Efforts to achieve the Paris Agreement will not succeed if tropical deforestation continues business as usual. Protecting forests is among one of the most affordable, efficient strategies to curb greenhouse gas emissions and advance sustainable development. Frances Seymour, author of *Why Forests? Why Now?* and land rights expert Peter Veit will discuss the benefits and limitations of REDD+, the international

community's role in financing forest protection, and the challenges that Indigenous Peoples still face when registering their land.

WCEE May Happy Hour Set – The Women's Council on Energy and the Environment is hosting its May Happy Hour on tomorrow at 5:30 p.m. at Penn Commons. WCEE is a non-partisan, policy-neutral organization that focuses on women, energy and the environment.

Author to Discuss Cybersecurity Grid Issues – Leaders in Energy will host a forum Thursday in Arlington to discuss cybersecurity and power grid issues with Berlin-based author, Marc Elsberg, who is visiting the DC area to showcase his techno-thriller, "Blackout" and hear from other cyber and other energy specialists in these exciting and fast-moving fields. Reviewed as "fast, tense, thrilling – and timely", "Blackout" has been "highly recommended" by Lee Child, author of the bestselling Jack Reacher series. Other speakers include Arlington County Energy Manager John Morrill and former MISO chairman Paul J. Feldman.

SEIA Tax Forum Set for NYC – SEIA will hold a forum on June 1st and 2nd in New York City to navigate this very complicated and multi-faceted process in an effort to foster a strong solar industry. As the 115th Congress kicks into high gear, the event will feature an in-depth examination of where tax reform is going, and issues including tax rates, the Investment Tax Credit, and depreciation, and a discussion of how any potential revisions to federal tax policies such as these will affect tax equity markets.

IN THE FUTURE

-

Forum to Look at Security Implications of Climate – The Environmental and Energy Study Institute (EESI) and the Center for Climate and Security (CCS) will hold a forum next Monday at 2:00 p.m. discussing the role of climate change as a "threat multiplier" in the geopolitical landscape and the implications that has for U.S. national security. The briefing will explore the risk management and planning considerations facing the Department of Defense (DOD) as it seeks to maintain force readiness and bolster infrastructure resilience. The panel will also discuss the need for investments in preventive measures today to prepare for future needs concerning disaster assistance, the Arctic, and the displacement of vulnerable populations due to climate change. The speakers for this forum are US Army Brigadier General Gerald Galloway (former Dean of the Academic Board at West Point), former Deputy Undersecretary of Defense for Environmental Security Sherri Goodman, USAF General Ron Keys, US Navy Rear Admiral Ann Phillips, United States Navy and former Principal Deputy Undersecretary of Defense John Conger.

Forum to Host Fireside Chat With Ford – Next Monday at 2:00 p.m., the Atlantic Council hosts a fireside chat on the future of mobility and its global implications, featuring Executive Chairman of Ford Motor Company Bill Ford.

Forum to Look at Infrastructure – The Hudson Institute will host a timely conversation on June 8 at Noon about the importance of modernizing America's infrastructure to spur sustained economic growth and job creation and improve the quality of life for all Americans. U.S. Senator John Boozman will offer his perspective in opening remarks drawing on his experiences serving on the Committee on the Environment and Public Works and the Committee on Appropriations Subcommittee on Transportation, Housing and Urban Development. A panel discussion will follow the senator's remarks featuring the Aubrey Layne, Virginia's Secretary of Transportation;, former Federal Transit Administration chief counsel David Horner; former senior deputy mayor and COO of Indianapolis under Mayor Steve Goldsmith Skip Stitt, author of Hudson's recent report Infrastructure Spending and Public-Private Partnerships and Jennifer Aument, a commissioner for the Virginia Port Authority and Group General Manager, North America at Transubran.

Caucus to Host Building Efficiency Week – High Performance Building Week is next week on Capitol Hill from June 6th-9th. The week is an annual event sponsored by the High-Performance Buildings Caucus of the U.S. Congress. The Caucus was formed to heighten awareness and inform policymakers about the major impact buildings have on our health, safety and welfare and the opportunities to design, construct and operate high-performance buildings that reflect our concern for these impacts. Fundamental to these concerns include protecting life and property, developing novel building technologies, facilitating and enhancing U.S. economic competitiveness, increasing energy efficiency in the built environment, assuring buildings have minimal climate change impacts and are able to respond to changes in the environment.

Forum to Look at Europe Energy Issues – The Atlantic Council's Global Energy Center will hold a half-day conference on Wednesday June 7th at 8:45 a.m. looking at the implications of the changing global LNG market, progression of the European Energy Union concept, and priorities of the new administration in Washington, DC for Central and Eastern European energy security. Among the speakers will be Cheniere's Robert Fee, former State Department official Melanie Kenderdine, current State official Mary Warlick, Lithuanian Energy minister Simonas Šatūnas and Foreign Policy editor Keith Johnson, among others.

Security Experts to Address Methanol Policy Forum – The Institute for the Analysis of

Global Security (IAGS), the U.S. Energy Security Council (USESC) and the Methanol Institute will hold a Methanol Policy Forum on June 13th at the National Press Club. The Forum will include a special luncheon discussion: Energy Security through Fuel Choice, which features a conversation with the U.S. Energy Security Council experts like former National Security Advisor Robert C. McFarlane, former CIA Director James Woolsey, former President of Shell Oil Company John Hofmeister, former White House Counsel and Ambassador to the EU C. Boyden Gray and former Louisiana Senator and Senate Energy Bennett Johnston. Our friend Joe Cannon and other will speak on panels as well.

Senate to Look at RFS – The Senate Environment Committee Is expected to hold a hearing on the Renewable Fuels Standard in June 15th. More of this as it gets closer

CA Energy Forum Set – Advanced Energy Economy's (AEE) annual California energy policy event, Pathway to 2050, will be held on June 21st in Sacramento. The event brings together an influential group of advanced energy business leaders and state policy-makers to discuss opportunities to accelerate California's economy through the growth of advanced energy. Speakers will include our friends Caroline Choi of SoCalEd, Dan Morain of the *Sacramento Bee* and Greentech's Katie Fehrenbacher. Other speakers include SoCal Ed CEO Kevin Payne, GE's Deb Frodl, Cal Assembly Speaker Kevin de Leon, CPUC President Michael Picker, Cal Energy Commissioner Janea Scott and Tom Steyer.

EIA Energy Conference Set – The 2017 EIA Energy Conference is scheduled for June 26-27 in Washington, DC.

Smart Cities Conference Headed for Austin – The 2017 Smart Cities Connect Conference will be in Austin, TX at the Convention Center. The event convenes more than 200 global city leaders to prospect and partner with innovative technology and service providers.

Global Security Forum Set – The Center for a New American Security hosts its 2017 Annual Conference in partnership with The Washington Post on Wednesday, June 28th at The Mayflower Hotel. This year's conference will bring together U.S. national security policymakers and experts to highlight major divides and identify potential bipartisan solutions. CNAS is an independent and nonpartisan research institution that develops strong, pragmatic and principled national security and defense policies.

Congressional Renewable Expo Set – The 20th annual Congressional Renewable Energy and Energy Efficiency EXPO and Policy Forum will be held on Tuesday, July 11th from at 9:30 a.m. to 4:30 p.m. In Rayburn.

Community Solar Forum Set for Denver – The Coalition for Community Solar Access will host the first annual National Community Solar Summit in Denver on July 26 – 28. A few highlights for Denver include energy company CEOs including Tom Matzzie of CleanChoice Energy, Jesse Grossman of Soltage, Zaid Ashai of Nexamp, Rick Hunter of Microgrid Energy and Steph Spiers of Solstice. Other speakers include energy company leaders Hannah Masterjohn of Clean Energy Collective, Dan Hendrick of NRG Energy, Adam Altenhofen of US Bank, Adam Capage of 3 Degrees and Lori Singleton of Salt River Project.

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Wed 6/7/2017 10:39:11 AM
Subject: POLITICO Playbook, presented by Samsung: NEW TWIST: Trump asked Coats to intervene on FBI probe -- THE DAWSEY DOWNLOAD -- SCOOP: Details on proposed high-tech visa rules -- BUZZ: Dems plot new strategy to extract info from W.H. -- B'DAY: Mike Pence is 58

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Today's PLAYBOOK presented by Samsung
06/07/2017 06:36 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Good Wednesday morning. TODAY begins the most anticipated pair of Capitol Hill hearings in recent memory. Director of National Intelligence Dan Coats will testify today, and former FBI Director James Comey tomorrow. Additionally, the Coats hearing also features Deputy Attorney General Rod Rosenstein, NSA Director Michael Rogers and acting FBI Director Andrew McCabe. Start time: 10 a.m. Reporters are dying to get in. TV networks are expected to broadcast live. These 48 hours are certain to be a big part of the story of the Trump presidency. **THERE HAS ALSO BEEN AN UNCANNY** amount of news in the lead up to the Comey and Coats hearings.

A NEW PLOT TWIST -- WHAT WILL COME UP TODAY -- "Top intelligence official told associates Trump asked him if he could intervene with Comey on FBI Russia probe," by WaPo's Adam Entous: "The nation's top intelligence official told associates in March that President Trump asked him if he could intervene with then-FBI Director James B. Comey to get the bureau to back off its focus on former national security adviser Michael Flynn in its Russia probe, according to officials.

"On March 22, less than a week after being confirmed by the Senate, Director of National Intelligence Daniel Coats attended a briefing at the White House together with officials from several government agencies. As the briefing was wrapping up, Trump asked everyone to leave the room except for Coats and CIA Director Mike Pompeo.

"The president then started complaining about the FBI investigation and Comey's handling of it, said officials familiar with the account Coats gave to associates. Two days

earlier, Comey had confirmed in a congressional hearing that the bureau was probing whether Trump's campaign coordinated with Russia during the 2016 race. After the encounter, Coats discussed the conversation with other officials and decided that intervening with Comey as Trump had suggested would be inappropriate, according to officials who spoke on condition of anonymity to discuss sensitive internal matters." http://wapo.st/2rTQxjk

-- ONE THING TO REMEMBER: Yes, Coats is going to be forced to answer for this. But he's a former senator. So he probably will get a touch more deference than anyone else in his position would.

UPPING THE ANTE -- "Sessions offered to resign before Trump's trip abroad," by Tara Palmeri, Eliana Johnson, and Josh Dawsey: "Attorney General Jeff Sessions offered his resignation to President Donald Trump amid Trump's rising frustration with the series of events that culminated in the appointment of a special counsel to investigate his campaign's contacts with Russian officials during last year's election.

"Trump ultimately refused Sessions' offer, which came just before Trump embarked on his first international trip in late May, according to a person who regularly speaks with Sessions. This person said the attorney general offered to resign out of a sense of obligation because he was aware of how angered Trump was about his decision to recuse from the Russia investigations in March. ...

"Trump has continuously -- sometimes publicly -- expressed his frustration with Sessions' decision to formally step back from any investigation of Russian election interference. Sessions has said his decision came after he consulted extensively with Justice Department lawyers about what was appropriate. A second source close to Sessions described Trump as 'obsessed' with Sessions' recusal, describing it as an ongoing flashpoint ever since Sessions made the decision. 'I guess it's finally gotten out that Trump is pissed at Jeff,' this person said." http://politi.co/2r4vdDl

SIREN -- THE COMEY HEARING, 10 A.M. THURSDAY -- "Comey Told Sessions: Don't Leave Me Alone With Trump," by NYT's Mike Schmidt and Matt Apuzzo: "The day after President Trump asked James B. Comey, the F.B.I. director, to end an investigation into his former national security adviser, Mr. Comey confronted Attorney General Jeff Sessions and said he did not want to be left alone again with the president, according to current and former law enforcement officials. Mr. Comey believed Mr. Sessions should protect the F.B.I. from White House influence, the officials said, and pulled him aside after a meeting in February to tell him that private interactions between the F.B.I. director and the president were inappropriate. But Mr. Sessions could not guarantee that the president would not try to talk to Mr. Comey alone again, the officials said." http://nyti.ms/2qVsmxS

JOSH DAWSEY SCOOP: "Comey talked with Mueller's team ahead of testimony": "Former FBI Director Jim Comey's testimony Thursday is one of the most highly anticipated hearings in recent memory -- but his words are unlikely to surprise special

counsel Robert Mueller, whose team has been in contact with Comey, according to two of his associates. Friends of Comey say they expect the testimony to largely stick to his conversations with President Donald Trump and is unlikely to break ground on the investigation into potential collusion with Russia and any of Trump's associates. That is not surprising, legal experts say, because of the ongoing investigation that Mueller took over last month.

"These people say Comey is trying to be careful 'to just describe what happened with the president and how he felt about it,' in the words of one associate. But this person said Comey 'wants to correct the record, from his point of view, on certain things the president and his aides have said.' One Comey friend said 'there had been conversations' between Comey and Mueller's team before the testimony and 'Mueller won't be surprised.'" http://politi.co/2r4AhYU

THE COUNTER ATTACK -- "White House looks for ways to undermine Comey's credibility," by AP's Julie Pace and Julie Bykowicz: "Both White House officials and an outside group that backs Trump plan to hammer Comey in the coming days for misstatements he made about Democrat Hillary Clinton's emails during his last appearance on Capitol Hill. An ad created by the pro-Trump Great America Alliance - a nonprofit 'issues' group that isn't required to disclose its donors - casts Comey as a 'showboat' who was 'consumed with election meddling' instead of focusing on combating terrorism. The 30-second spot is slated to run digitally on Wednesday and appear the next day on CNN and Fox News.

"The Republican National Committee has been preparing talking points ahead of the hearing, which will be aired live on multiple TV outlets. An RNC research email Monday issued a challenge to the lawmakers who will question Comey. There's bipartisan agreement, the email says, that Comey 'needs to answer a simple question about his conversations with President Trump: If you were so concerned, why didn't you act on it or notify Congress?'" http://apne.ws/2r0RGX9 ... ***The ad*** http://bit.ly/2rKTD7l

INSIDE THE WEST WING -- WAPO'S BOB COSTA, ASHLEY PARKER AND PHIL RUCKER, "Trump, furious and frustrated, gears up to punch back at Comey testimony": "Alone in the White House in recent days, President Trump - frustrated and defiant - has been spoiling for a fight, according to his confidants and associates. Glued even more than usual to the cable news shows that blare from the televisions in his private living quarters, or from the 60-inch flat screen he had installed in his cramped study off the Oval Office, he has fumed about 'fake news.' Trump has seethed as his agenda has stalled in Congress and the courts. He has chafed against the pleas for caution from his lawyers and political advisers, tweeting whatever he wants, whenever he wants." http://wapo.st/2r0Nu9L

-- PERSONNEL NUGGETS: "The White House recently approached **Geoff Morrell** ... about coming inside the administration and overhauling the communications operation, according to three people with knowledge of the overture. Morrell declined to comment, but BP announced last month that Morrell would be moving to London this summer to

run government relations and communications for the company globally. **Scott Reed,** senior political strategist at the U.S. Chamber of Commerce, was also approached about taking a communications role within the White House ... In addition, Laura Ingraham ... discussed joining the White House but made clear to officials that she is more comfortable remaining outside as a vocal Trump ally because of her many broadcasting and media commitments."

THE DAWSEY DOWNLOAD: **WEST WING COUNTDOWN CLOCK DREAD --** "TVs are always on cable news in President Trump's West Wing, and several aides say they have watched the countdown clock to James Comey's nationally-televised testimony with dread.

"Inside the White House, some want to mount a forceful pushback to Comey's testimony if it's damaging to the president. Some strategies have been drawn up, and surrogates readied. Trump has mentioned the looming testimony to associates on several occasions and has told at least one person he might respond forcefully. But others are concerned that a forceful fight may only lead Comey to 'make it even worse,' one person said. There is a widespread belief in the White House that Trump poked Comey and started this whole thing by tweeting about 'tapes' of his conversations and saying the former FBI director told him he wasn't under investigation, according to several officials.

"So while Trump is traveling to Cincinnati -- and the White House is trying at all costs to show momentum for its beleaguered legislative agenda -- the clocks ticking on the TV are a reminder that 'nothing we do this week is going to matter,' in the words of one Trump adviser."

TRUMP AND PENCE'S DAY -- TRUMP will meet with "Obamacare victims" and speak about infrastructure in Cincinnati and **PENCE** is going to Houston to speak at the "2017 Astronaut Selection Announcement at the Lyndon B. Johnson Space Center."

COVERING THE COVERAGE: COMEY HEARING EDITION -- C-SPAN, which is pool for the Comey hearing, will be broadcasting the main event Thursday live in its entirety on the C-SPAN networks.

BIG PLAYBOOK SCOOP **-- BEHIND THE SCENES OF THE DISCUSSIONS ABOUT NEW HIGH-TECH VISA RULES** (with Morning Shift's Ted Hesson) -- The White House has been quietly working with the Justice Department on overhauling the H-1B program to better adhere to the administration's "Buy American, Hire American" order, sources told Playbook.

THE FEDERAL GOVERNMENT is considering forcing companies seeking employees under the H-1B visa program to advertise the jobs online first and hire U.S. workers before foreigners -- even for these high-tech roles. The Trump administration is also discussing reducing the cap and duration for these visas -- which would, in effect, make it more costly for companies to bring foreign workers from overseas.

OTHER REGULATIONS include forcing H-1B employers to submit a report every six months on duties performed by the foreign worker. The administration could also seek to cut back "optional practical training," which currently allows STEM graduates to work in the U.S. for three years after graduation. Justice and the White House did not respond to a request for comment.

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BUZZ -- THE NEW DEMOCRATIC STRATEGY -- Democrats are outraged over the Trump administration's policy to ignore information requests unless it comes from Republican committee or subcommittee chairs. So they are trying to find ways to publicly put pressure on Trump and congressional Republicans to cough up information. Under discussion: they might post all information requests to the administration for the public. Democrats are also considering sending each inquiry to Republican committee and subcommittee chairs and explicitly asking them to sign onto the requests.

-- HOMELAND SECURITY SECRETARY JOHN KELLY testified Tuesday that DHS will respond to all congressional inquiries. "We're leaning forward," Kelly told members of the Senate Homeland Security and Governmental Affairs Committee. "Regardless of who the letter comes from, and it doesn't have to just come from a ranking member or chairman, we'll respond to any congressional inquiry." http://politi.co/2r4SBRt

THE NEW DEBT CEILING REALITY -- House Republican leaders said yesterday that Treasury Secretary Steven Mnuchin will handle debt ceiling negotiations. **WHAT'S THAT MEAN?**: That Congress is going to need to pass a clean debt-ceiling hike, which was an anathema to the party when they took the House majority in 2011, and remains an anathema to the conservative House Freedom Caucus. Many senators are more open to it. **WHAT SHOULD HAPPEN** : Republican leaders should make sure President Trump knows that he should push a quick debt-ceiling hike -- and be perfectly happy when it's passed with dozens of Democrats in the House. **BE AWARE**: The House Freedom Caucus is NOT going to like this and it could harm legislating for the rest of the year. **THE CASE TO DO IT SOON** : Democrats are much less likely to support a clean debt-ceiling hike as it gets closer to the end of the year. Even now, Democrats are going to make noise about Republicans needing to pass this on their own.

THINK OF THIS (h/t our former colleague, CNN's **@mkraju**): "Real chance this Congress could pass a clean debt ceiling hike, keep Planned Parenthood money, fail to repeal ACA, fail to reform tax code" ... **AND** fail to pass an infrastructure package.

OBAMACARE SPLIT -- "GOP Senators' Medicaid Clash Jeopardizes Health Deal," by WSJ's Kristina Peterson, Stephanie Armour and Louise Radnofsky: "Republican

senators left their first decision-making meeting on overhauling the nation's health-care system Tuesday deeply divided over the fate of Medicaid, a fissure that threatens to thwart their ambitions to dismantle the Affordable Care Act. The divide among Senate Republicans over Medicaid was wide enough that some GOP lawmakers and aides said they now believe it may be impossible to broker a deal to unwind the health law known as Obamacare. Some senators are already preparing to move to another goal, an overhaul of the tax code. 'It's more likely to fail than not,' Sen. Lindsey Graham (R., S.C.) said of the health bill, citing the GOP's hardening factions over how to handle the expansion of Medicaid ushered in by former President Barack Obama's 2010 health law. 'We need to bring this to an end and move to taxes.'" http://on.wsj.com/2r4NMHV

NEVER GONNA HAPPEN, BUT GOOD POLITICS -- "Freedom Caucus: Cancel August recess," by Rachael Bade: "The House Freedom Caucus on Tuesday night called on Republican leadership to cancel the August recess to continue work on tax reform and other GOP priorities. The group of several dozen conservative hardliners during their weekly meeting took the official position to work through the break, which is quickly drawing near as Republicans scramble to pass President Donald Trump's agenda. 'We need to work through August recess to get everything done,' said Freedom Caucus Chairman Mark Meadows (R-N.C.), coming out of the meeting. 'We believe that we need to stay through August to get through tax reform... and get our appropriations done.'" http://politi.co/2r4ClzT

-- REALITY CHECK: The House isn't even staying in town this whole **WEEK**. House Republicans canceled their Friday session. Convenient: it allows them to skip talking about Comey!

COMING ATTRACTIONS -- "Texas Democrat intensifies Trump impeachment push," by Heather Caygle and John Bresnahan: "Rep. Al Green is drafting articles of impeachment against President Donald Trump, saying the president should be forced from office for firing FBI Director James Comey in the middle of the bureau's ongoing Russia investigation. The articles of impeachment, which Green will officially announce Wednesday, follow increasing calls from some rank-and-file Democrats for Trump to be booted from office. 'Obstruction of justice by the president is the problem,' Green (D-Texas) said in a statement announcing his plan late Tuesday. 'Impeachment by Congress is the solution.'" http://politi.co/2r0spfS

-- "Talks heat up on Senate vote to sanction Russia," by Elana Schor: "Senior senators in both parties are making headway in a push for a vote on sanctioning Russia when the upper chamber takes up a bipartisan Iran sanctions bill later this week, according to a Senate source. ... Talks are ongoing over the details of the Senate's potential Russia sanctions amendment, which could include additional punitive measures against Vladimir Putin's government or a conversion of existing sanctions into law to make it harder for Trump to roll them back, the Senate source said." http://politi.co/2rzYQ3e

SUSAN B. "SCOOP" GLASSER in POLITICO Magazine, "The 27 Words Trump

Wouldn't Say: Here's the commitment the president refused to deliver at NATO headquarters": "'We face many threats, but I stand here before you with a clear message: the U.S. commitment to the NATO alliance and to Article 5 is unwavering.' This was what President Donald Trump was supposed to say in his May 25 address to NATO leaders in Brussels as a way of reassuring them about his evolving views toward the European collective-security pact that he once dismissed as 'obsolete.' A senior administration source today provided me the language from the deleted sentence, which was part of the final version of the speech signed off on by the Pentagon on May 23; the National Security Council and State Department approved similar language." http://politi.co/2sRYqTN

FOR YOUR RADAR -- "Islamic State claims attacks on Iran parliament, shrine," by AP's Amir Vahdat and Nasser Karimi in Tehran: "The Islamic State group claimed a pair of attacks Wednesday on Iran's parliament and the shrine of Ayatollah Ruhollah Khomeini, which have killed two security guards and wounded more than 30 people, with the siege at the legislature still underway. It marks the first attack in Iran claimed by the extremist group, which is at war with Iranian-backed forces in Syria and Iraq. In a message posted through its Aamaq News Agency, the IS group claimed its fighters were behind the assaults." http://apne.ws/2r1andu

NEW POLITICO/MORNING CONSULT POLL -- "Voters have a clear message for President Donald Trump: Stop tweeting," by Steven Shephard: "A new POLITICO/Morning Consult poll shows the vast majority of voters, 69 percent, say Trump uses Twitter too much. Fifty-nine percent say the president's use of Twitter is a bad thing, and even a majority of voters say Trump's tweets hurt U.S. national security.

"Even Trump's own base wants him to curb his Twitter use. A 53-percent majority of GOP voters say Trump tweets too much - though slightly more Republicans say Trump's use of Twitter overall is a good thing (41 percent) than a bad thing (37 percent)." http://politi.co/2rUjDis

THE JUICE ...

-- FIRST IN PLAYBOOK: A number of prominent Democratic strategists are starting a group called the CHORUS Agency to provide pro-bono help for progressives looking to run for Congress or statehouse. The group, started by Kate Catherall, will attempt to help candidates who are committed to values of "equity, opportunity, inclusion, and justice." Senior advisers for the group include Marlon Marshall, Betsy Hoover, Reggie Cardozo, Lisa Conn, Max Wood, Luis Avila, Gabby Seay, Amy Chiou, Geoff Berman, and Saumya Narechania. ***The new group's website*** http://bit.ly/2sSjn0C

Playbook Reads

JOSH MEYER: "What Mueller's NFL probe means for Trump: Critics say former FBI

director let Commissioner Roger Goodell off the hook in his domestic violence investigation" http://politi.co/2s3nY3Y

TOM DeLAY IS BACK! Per Theo Meyer's Politico Influence: "Former House Majority Leader Tom DeLay has returned to lobbying, nearly four years after shedding his last lobbying client. DeLay's firm, First Principles, has registered to lobby for the HAPPE Corporation, a firm based in rural Coolin, Idaho, not far from the Canadian border, that has never hired a lobbyist before. ... DeLay will lobby on the American Health Care Act as the Senate takes up the bill. The firm is DeLay's first lobbying client since he stopped lobbying for Argus Global in 2013."

WEST COAST WATCH -- "Jimmy Gomez wins Los Angeles congressional election to replace Xavier Becerra," by L.A. Times' Christine Mai-Duc: "State Assemblyman Jimmy Gomez was elected as Los Angeles' newest member of Congress on Tuesday, defeating attorney Robert Lee Ahn in a sharply contested battle for the 34th Congressional District. Gomez will take the seat vacated by Xavier Becerra, who became state attorney general earlier this year, and will represent one of the poorest, most immigrant-heavy districts in the state, where the effects of President Trump's policies on immigration and healthcare will be acutely felt." http://lat.ms/2sCrTSe

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years. Today, we employ more than 18,500 people across the country, covering nearly every state. Samsung Austin Semiconductor (SAS) hosts 6,000+ manufacturing and engineering jobs and has become a $17bn investment - making it one of the largest single FDI's in the U.S. We're also committed to building strong communities through citizenship and support of programs for children's health, STEAM education, veterans and military families. Visit Samsung.com/VisionForTomorrow for more. ******

THE RESISTANCE -- "Cuomo and Pelosi rally in push for House seats," by New York Playbooker Jimmy Vielkind: "House Democratic leader Nancy Pelosi said she is targeting eight seats in New York in next year's midterm elections, urging several thousand people at a Manhattan rally with Gov. Andrew Cuomo Tuesday to organize for 2018. 'Republicans in Washington are trying to drag our country back, but New York Democrats will lead us forward, armed with the strength of our values,' Pelosi said during an event at the Javits Center. 'There are eight Republican seats we can and must win in November 2018. Defeating in 2018 means laying the foundation for victory right now, and we have a powerful ally in this fight with Governor Andrew Cuomo.'" http://politi.co/2rTJBD0

-- THE JOINT APPEARANCE came out of "a desire to bring people together around a common mission statement and give direction on how to mobilize. For the party to be successful in the future, it isn't enough to just put up a resistance, we need to unify around the common goal of taking the House as a first step in 2018. That is concrete and attainable," a Cuomo ally emails.

FUN STORY -- "Vice president's wife installs beehive at official residence," by AP's Darlene Superville: "The new hive has between 15,000 and 20,000 honeybees, said Larry Marling of Eco Honeybees, the Virginia-based company that was hired to install the beehive. The bee population could grow to between 40,000 and 50,000 bees by the end of the season, he said. The bees at the Pence's residence will help the flower and vegetable gardens on the property, where kale, lettuce, tomatoes, herbs and radishes grow. The honey they produce will be given away as gifts." http://apne.ws/2r0Lcra

WOMEN RULE PODCAST: In an interview with former presidential candidate and business woman, Carly Fiorina sits down with POLITICO editor Carrie Budoff Brown to discuss the unique challenges women face when running for public office. "I was scrutinized, caricatured, criticized differently than a man would be." Fiorina also shares her thoughts on Hillary Clinton's loss, "...as much as I did not want her to be president of the United States because of her policy positions, I have empathy for Hillary Clinton." And she has one message to President Trump: Stop tweeting. http://politi.co/2qW6NNo ... ***Listen and subscribe*** http://apple.co/2p6Tp8I

POLITICO EUROPE has the latest poll numbers for tomorrow's U.K. Election. ***Available for iPhones*** http://politi.co/2sl4gN1

Playbookers

SPOTTED: Jennifer Palmieri leaving Yafa Grill by McPherson Square yesterday ... Eric Holder on the Amtrak platform in Newark, waiting for a southbound train ... Kevin McCarthy in the lounge at Trump Hotel last night

OUT AND ABOUT -- Friends of newly appointed POLITICO CEO Patrick Steel - Kristin Mannion and HP Goldfield, Ambassador Capricia Marshall and Dr. Robert Marshall, Diana and Michael Allen - hosted a reception at the newseum toasting Steel's new position on his 30th day on the job. **SPOTTED:** Sen. Roy Blunt (R-Mo.) and Abby Blunt, Ambassador to the Republic of Panama Riviera Gonzalez, UAE Ambassador Yousef al Otaiba, Lee Satterfield, Mack McLarty, Jeremy and Robyn Bash, Peter Scher, Erin Streeter, Liz Robbins, Robert and Elena Allbritton, John Harris, Carrie Budoff Brown, Poppy MacDonald, Susan Glasser, Peter Baker, Tom Donilon, Margaret Carlson, Linda Douglass, Rich White, Michael Tongour, Loran Aiken, Norm Brownstein, Susan lasalla, Clyde tuggle, former Sen. Norm Coleman (R-Minn.) and Rob Chamberlain.

-- FORMER U.S. SEN. JAY ROCKEFELLER (D-W.VA.) celebrated his 80th birthday Tuesday evening at his Rock Creek Park home joined by about 150 of his former staff and friends from his days as two term governor of West Virginia and five terms in the Senate. He was feted with a chocolate cake and happy birthday songs. **SPOTTED:** WVU President Gordon Gee, former chiefs of staff Tamera Luzzatto, Ira Shapiro and Lane Bailey; press secretaries Tim Gay, Scott Widmeyer, Laura Quinn and Linda

Arnold; Patrick Robertson, Norwood Bentley, Jack Canfield, former West Virginia Democratic Party chair George Carenbauer; David Leiter; Ann Harkins.

OUT AND ABOUT IN NYC - NBC News' Lester Holt and Roy Price of Amazon were honored at the annual Museum of the Moving Image dinner in NYC last night. Roy was toasted by Jeffrey Tambor while Lester was toasted by Noah Oppenheim. Pool report: "Lester talked about how something remarkable has happened over the last five months that hasn't happened in his 38 years in journalism: people are thanking journalists. Stopping them in the street to thank them for asking the tough questions. 'There is a renewed sense of appreciation for the role of free and independent journalism in our democracy.'

"He was introduced by NBC News President Noah Oppenheim, who talked about how unflappable Lester is: the higher the stakes the more Lester is at ease. He referenced the presidential debate -- the team was backstage pacing and stress eating, meanwhile Lester was in an adjacent room watching an old Julia Roberts movie. Because 'He does the work, he's always prepared and he knows it.'" **SPOTTED:** Harvey Weinstein at the Amazon table, David Corvo, Liz Cole and Nightly News EP Sam Singal.

TRANSITIONS -- Bravo Group, the largest PR firm in Pennsylvania, is opening a D.C. office, which will be led by senior director **Jessica Ennis**. She's the former political director for the 2016 Rubio campaign and an NRSC, FP1 Strategies, Romney 2012 and RNC alum. ... WaPo alum **Amit Paley** yesterday was named CEO of LGBTQ advocacy group The Trevor Project, the world's largest suicide prevention and crisis intervention organization for LGBTQ youth.

...Denise Feriozzi is joining Civitas Public Affairs Group as a principal. She most recently served as the deputy executive director of EMILY's List. http://politi.co/2s3BS61 ... **Peter Stehouwer** has joined Bayer as deputy director for federal relations and policy. He was previously legislative director for Rep. Billy Long (R-Mo.). He also worked for Michigan Reps. Bill Huizenga and Pete Hoekstra.

BIRTHWEEK (was yesterday): Emily Murry

BIRTHDAY OF THE DAY: conservative columnist **Myra Adams.** How she's celebrating: "Today, husband David and I will be enjoying 'flyover country' bound for San Francisco to celebrate my stepgrandson's third birthday tomorrow and mine too, one day late. My stepson works for Google and when we visit he helps us better utilize our various devices since we were born in ancient times." Read his Playbook Plus Q&A: http://politi.co/2rKU0ys

BIRTHDAYS: Vice President Mike Pence is 58 ... Elizabeth Eberhardt Thorp, editor-in-chief at PYPO, founder of Poshbrood and a Capitol File alum ... Obama WH alum Keith Maley ... Mick Foley (hat tips: Tracy Sefl and RAINN) ... Rep. Ben Ray Lujan (D-N.M.) is 45 ... Rep. Alex Mooney (R-W.Va.) is 46 ... Lizzie Fine ... Tina Dupuy ... Micheál Keane

... Politico's Christina Animashaun ... James Day ... Emily Greenhouse, managing editor at The New Yorker (h/t Jon Haber) ... Lars Anderson, founding partner at BlueDot Strategies and a FEMA alum ... Tracy Schmidt ... Politico Europe's Geoffroy Vitoux ... William Kaplan of Joliet, Ill. ... Matt Borges, former Ohio Republican Party chairman ... Admiral Brian Peterman, U.S Coast Guard (Ret.) (h/ts Ed Cash) ... Alexander Mooney, associate at Gibson, Dunn ... Colyer Woolston ... Ryan Lynch ... Stephanie Reichin, VP at SKDKnickerbocker (h/t Liz DeBold) ...

... Chris Ortman, VP of corporate comms at MPAA ... Chicago and Aspen-based billionaire Lester Crown is 92 (h/t Jewish Insider) ... Jerry White, CEO of Global Impact Strategies ... Sema Emiroglu ... Franklyn Palau ... Sulome Anderson ... Ryan Tarinelli ... Isaac Luria ... Katie Mulhall ... David Kim is 3-0 ... Danielle Piacente ... Laura Pereyra ... Javier De Diego, supervising producer at CNN, working with Jamie Gangel ... Paul Booth, spending his day watching the fabulous documentary "Heather Booth: Changing the World" ... Katie Boyce ... Eric Tabor ... Eric Blackwell (h/ts Teresa Vilmain) ... Amy Tewes ... Mary Cory ... Bruce Colburn ... Anne Sayers ... Robert Gruber ... Andy Alexander ... Bradley Warren ... Vija Udenans ... Chilli Amar ... Bea González ... Kevin Peraino is 41 ... Josh Jones ... Liam Neeson is 65 ... Bear Grylls is 43 ... actor-comedian Bill Hader is 39 ... Anna Kournikova is 36 ... Iggy Azalea is 27 ... Fetty Wap is 26 (h/ts AP)

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years. Today, we employ more than 18,500 people across the country, covering nearly every state. Samsung Austin Semiconductor (SAS) hosts 6,000+ manufacturing and engineering jobs and has become a $17bn investment - making it one of the largest single FDI's in the U.S. We're also committed to building strong communities through citizenship and support of programs for children's health, STEAM education, veterans and military families. Visit Samsung.com/VisionForTomorrow for more. ******

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Sent: Tue 7/11/2017 7:18:46 PM
Subject: House appropriators release Interior and EPA funding measure

By Annie Snider

07/11/2017 03:15 PM EDT

The House Appropriations Committee has released its spending bill for the Interior Department and EPA, which would provide the agencies $31.4 billion — $824 million less than fiscal 2017, but $4.3 billion more than the president's budget request.

The measure is here.

WHAT'S NEXT: The House Appropriations Committee's subpanel overseeing the agencies' budgets meets Wednesday to mark up the measure.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/house-appropriators-release-interior-and-epa-funding-measure-090304

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 11/22/2017 6:02:55 PM
Subject: Playbook Power Briefing, presented by the Peter G. Peterson Foundation: TRUMP at one of his golf courses today -- CNN says P.R. HURRICANE death toll at least nine times higher than official count -- POLITICO/MC Poll: Voters want Franken to resign

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Today's Playbook Power Briefing presented by the Peter G. Peterson Foundation

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Wednesday afternoon. SPOTTED: Interior Secretary Ryan Zinke wearing jeans in coach on an Alaska Airlines flight this morning from DCA to LAX. He was carrying a copy of "Rough Riders: Theodore Roosevelt, His Cowboy Regiment, and the Immortal Charge Up San Juan Hill," and is on his way to "float on a boat" in Santa Barbara, he told us. ... **Sen. Ted Cruz** (R-Texas) hanging out in the lounge area of the Avila Bay Athletic Club in Avila Beach, California.

MUST READ -- HUGH HEWITT interviews **HILLARY CLINTON -- *Transcript and audio*** http://bit.ly/2jNUcgC **HUGH** tried to end the interview, and Clinton said: "Well you know, Hugh, I'm really enjoying this. I can go for a few more minutes, if you want to."

VALLEY TALK -- "Facebook to inform users of content they saw from Russian trolls," by John Hendel: "Facebook announced Wednesday it will unveil a tool by year's end allowing users to learn of any Facebook or Instagram contact they may have had with Russian internet trolls leading up to and following the 2016 U.S. election.

"The social media giant 'will soon be creating a portal to enable people on Facebook to learn which of the Internet Research Agency Facebook Pages or Instagram accounts they may have liked or followed between January 2015 and August 2017,' it said in a blog post Wednesday. 'This tool will be available for use by the end of the year in the Facebook Help Center.' The Internet Research Agency is a St. Petersburg, Russia-based firm with ties to that country's government." http://politi.co/2iG2HqP

-- FCC Chair Ajit Pai's full order on dismantling Obama-era net neutrality rules http://bit.ly/2iHGWXr

PROGRAMMING NOTE: Power Briefing will be off tomorrow and Friday. As always, expect Playbook in your inbox in the morning.

NEW POLITICO/MORNING CONSULT POLL -- "Poll: Half think Franken should resign," by Steve Shepard: "A majority of voters think the Senate Ethics Committee

should investigate Sen. Al Franken (D-Minn.), and half think Franken should resign from the Senate, according to a new POLITICO/Morning Consult poll.

"The poll was conducted after radio personality Leeann Tweeden alleged that Franken groped her in 2006, prior to his Senate tenure -- but before a second woman, Lindsay Menz, said that Franken touched her inappropriately while he was a senator in 2010. Still, 66 percent of voters said the ethics panel should probe Franken's conduct, while only 15 percent think the committee should not look into the matter. Fully 50 percent of voters think Franken, who has served in the Senate since 2009, should resign, and 22 percent think he should not resign.

"The Franken results, though, underscore a partisan divide in how voters view allegations of sexual misconduct against political figures. Democratic voters are more likely to find allegations against Democrats credible and endorse significant punishments than Republican voters are when it comes to allegations against GOP lawmakers and candidates." http://politi.co/2iHLtt1

-- "Poll: Plurality supports House tax plan, but many expect to pay more," by Toby Eckert: "A plurality of voters supports the tax overhaul the House passed last week, though many also believe it will raise their taxes, according to a new POLITICO/Morning Consult poll. Based on what they've seen, read or heard about the bill, 39 percent of those surveyed said they 'strongly' or 'somewhat' support it, while 31 percent oppose it and the rest are undecided. Support ticked up to 41 percent and opposition dropped to 29 percent after respondents were told about key details of the plan.

"However, 36 percent expect to pay more federal, state and local taxes under the plan, despite Republicans touting it as a tax cut for most Americans. Twenty percent say it would lower their taxes and 19 percent say they would stay about the same. Twenty-five percent weren't sure what affect it would have on them or offered no opinion." http://politi.co/2iH3pUq

BIG STORY -- CNN's John D. Sutter, Leyla Santiago and Khushbu Shah: **"We surveyed 112 Puerto Rican funeral homes to check the accuracy of the hurricane death toll. This is what we found":** In general, 'indirect' hurricane deaths -- in which a person likely would be alive if not for the storm and its aftermath -- should be part of the official death toll, according to Puerto Rico's Department of Public Safety, which oversees the count. The list of 55 deaths attributed to the hurricane includes ones from heart attacks and suicides that were precipitated by a storm that shook even the sturdiest of the 3.4 million American citizens who live on this Caribbean island. ...

"Those funeral homes identified 499 deaths in the month after the storm -- September 20 to October 19 -- which they say were related to Hurricane Maria and its aftermath. That's nine times the official death toll. And, again, it represents only about half of funeral homes." http://cnn.it/2hKjKa4

HUH? -- @DavidWright_CNN: ".@JohnBerman: 'Are you saying Gary Cohn faked a

bad connection to get the president off the phone?' @SenatorCarper: 'Well, I wouldn't -- I don't want to throw him under the bus, but yes.' (@CNNnewsroom)" ... "White House spokesperson tells @CNN: 'Senator Carper's claim is completely false. Gary Cohn left the room and continued to speak with the President privately for several minutes before they concluded the call.'" ***Video*** http://bit.ly/2B35DEE

DETROIT NEWS -- "Nassar pleads guilty to raping underage gymnasts," by Kim Kozlowski: "For the first time, a disgraced Michigan State University and USA Gymnastics doctor admitted Wednesday that he sexually assaulted girls under the guise of a medical treatment.

"Larry Nassar, 54, made the admission when he pleaded guilty to seven counts of first-degree criminal sexual conduct in Ingham County Circuit Court as many of his other alleged victims stood in the courtroom and watched. Nassar plans to plead guilty to three counts of first-degree criminal sexual conduct in Eaton County court next Wednesday, avoiding a trial that was set for Dec. 4, Michigan Assistant Attorney General Angela Povilaitis said Wednesday. This brings the the total to 10 first-degree criminal sexual conduct counts involving nine victims.

"Each of the counts is punishable by 25 to 40 years in prison. All victims can give impact statements at Nassar's sentencing, including 125 victims who reported incidents to Michigan State University. Nassar agreed to lifetime electronic monitoring as part of the plea deal." http://detne.ws/2jNYZyG

PRESIDENT TRUMP is at the Trump International Golf Club in West Palm Beach today, per pooler Ali Schmitz of USA Today Network.

POOL REPORTS DU JOUR -- From WaPo's Jenna Johnson **at 7:56 a.m.**: "Lindsay Walters briefly addressed the pool and said that the president has been briefed on the Navy aircraft crash. She also said that the president plans to make a number of calls his week, especially related to tax reform, and that the White House will provide readouts of those calls. Otherwise, she expects a 'low-key day.' ... **at 8:06 a.m.:** "A correction to the earlier pool report: While the White House communications staff expects the press pool to have a 'low-key day,' the president will NOT have a low-key day and has a full schedule of meetings and phone calls."

****** **A message from the Peter G. Peterson Foundation:** As Washington debates tax reform, there's talk of tax cuts that will give trillions of dollars back to American taxpayers. That sounds great. But if these tax cuts aren't paid for, future generations will be stuck with the bill. Congress, tax reform should grow the economy. Not the debt. www.pgpf.org/tax-reform. ******

DAILY MAIL -- "Steve Bannon's Navy Seal security guard lunged at 5ft 2in author and had to be 'calmed down by the ex-Trump strategist' after she snipped 'I hope you get what you deserve' as they rode in a hotel elevator together" http://dailym.ai/2mRM4Nb

ON THE WORLD STAGE -- "U.S. declares 'ethnic cleansing' against Rohingya in Myanmar," by the AP's Josh Lederman: "The United States declared the ongoing violence against Rohingya Muslims in Myanmar to be 'ethnic cleansing' on Wednesday, putting more pressure on the country's military to halt a brutal crackdown that has sent more than 600,000 refugees flooding over the border to Bangladesh. Secretary of State Rex Tillerson blamed Myanmar's security forces and 'local vigilantes' for what he called 'intolerable suffering' by the Rohingya. Although the military has blamed Rohingya insurgents for setting off the crisis, Tillerson said that 'no provocation can justify the horrendous atrocities that have ensued.'" http://bit.ly/2B2Wzzy

-- "'Butcher Of Bosnia' Ratko Mladic Guilty Of Genocide, Crimes Against Humanity," by NPR's Teri Schultz: "On Wednesday morning, judges at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague handed down a guilty verdict for one count of genocide, five counts of crimes against humanity and four counts of violations of the laws or customs of war, out of the 11 counts against 74-year-old Ratko Mladic, for his role as a general in the Yugoslav army and chief of staff of the Army of Republika Srpska, the ethnically Serb entity in Bosnia.

"The three-judge panel found him not guilty on one of the two counts of genocide and sentenced him to life imprisonment. ... In a summary of the verdict, Judge Alphons Orie said the crimes 'rank among the most heinous known to humankind, and include genocide and extermination as a crime against humanity.'" http://n.pr/2iGCqsb

ATTENTION TRAVELERS -- "With TSA on the ropes, holiday travel may be a bear," by Stephanie Beasley: "The Transportation Security Administration has bad news for tens of millions of Thanksgiving holiday travelers: Lines at airports may be even longer than usual as the agency tries once again to plug security holes in its baggage screening.

"TSA is scrambling to respond to yet another damning investigation of its screening effectiveness, for the second time in little more than two years. And the agency is already phasing in revised security procedures -- including those for passengers' electronic devices -- that could cause 'a slight increase in wait times,' new TSA Administrator David Pekoske said in an interview. 'The procedure is new,' Pekoske said. 'It's new to passengers. It's somewhat new to our screeners.'" http://politi.co/2ildVev

-- FOR WHAT IT'S WORTH: DCA was pretty easy this morning.

PROTECTING THE PRESIDENT -- "Coast Guard encountered more than 1,200 boats during Trump's 2017 stays," by the Palm Beach Post's Eliot Kleinberg: "More than 1,200 boaters off Palm Beach County had their day interrupted earlier this year by an encounter with a Coast Guard boat letting them know they'd gotten a little too close to the president of the United States. As President Trump returned to South Florida on Tuesday evening for the long Thanksgiving weekend, the first of potentially several winter visits, the Coast Guard activated its security zones, which stay in place through

late Sunday." http://bit.ly/2B2aUMs

IT BEGINS ... -- "Congressional Black Caucus member: Conyers should step down as top Dem on House panel," by CNN's Juana Summers: "Rep. Gregory Meeks, a New York Democrat and a member of the Congressional Black Caucus, said Wednesday that his colleague Rep. John Conyers of Michigan should leave his post as the top Democrat on the House Judiciary Committee as he is the subject of a House Ethics Committee investigation.

'"No one is exempt from bad behavior, and I think that he's agreed and I clearly see where Leader Pelosi has said there will be an immediate ethics committee, a review,' Meeks told CNN's John Berman and Poppy Harlow. 'I really think that probably the appropriate thing right now is that he should step down as the ranking member of the Judiciary Committee and be subject to this ethics investigation.'" http://cnn.it/2B3jTNv

MARK YOUR CALENDAR -- POLITICO is partnering with women-led businesses in the D.C.-metro area to offer a full week of exclusive perks in conjunction with the 5th annual Women Rule Summit! Join the fun at participating businesses during Women Rule Week (Nov. 27 - Dec. 1) for exclusive deals (http://politi.co/2zbbyXM) and tweet using #WomenRule for a chance to win two free tickets to the Summit on Dec. 5.

-- NEW WOMEN RULE PODCAST -- Anna talks with Cindi Leive who is in her 16th and final year at the helm of Glamour, which has been consumed with discussion of sexual misconduct. And even as she leaves her post, Leive is still talking about it: from Joe Biden's handling of Anita Hill's testimony to Leive's own desire to interview President Trump about "his history -- or non-history -- of sexual assault." Hear Leive weigh in on her legacy at the helm of Glamour, what she wishes she'd done differently and what's next for the departing editor-in-chief in this week's Women Rule podcast. http://politi.co/2iH7ZlH

AFTERNOON READS -- "Anita Hill and her 1991 congressional defenders to Joe Biden: You were part of the problem," by WaPo's Annys Shin and Libby Casey: " Now, in the wake of the Harvey Weinstein sexual-assault scandal, Biden has faced renewed scrutiny over Hill's treatment during the 1991 hearings. At an event hosted by Glamour magazine on Nov. 13, he said he was 'so sorry' for what she went through. A few days later, at our gathering -- which was set up for a forthcoming issue of The Washington Post Magazine, in which we're asking a number of political and cultural figures to revisit their roles in seminal Washington moments -- Hill said 'some part of' Biden's recent remarks was a real apology, 'but I still don't think it takes ownership of his role in what happened.' ... Over the course of a 90-minute conversation moderated by Post reporter Libby Casey, Hill spoke about her experiences testifying, and the lawmakers talked about their advocacy for Hill." http://wapo.st/2B3TnDV

-- JUST POSTED: JASON ZENGERLE in the N.Y. Times Magazine, **"The Voices in Blue America's Head:** For years, liberals have tried, and failed, to create their own version of conservative talk radio. Has Crooked Media finally figured it out?": "More than

1,600 political podcasts -- most of them anti-Trump - have appeared since the 2016 election, according to RawVoice, a podcast hosting and analytics company. 'Pod Save America,' with nearly 120 million downloads to date, is the undisputed king of the field. ... With a shoestring budget and no organizational backing, its hosts seem to have created something that liberals have spent almost two decades, and hundreds of millions of dollars, futilely searching for: the left's answer to conservative talk radio.

"... [A]ssuming standard industry rates, Crooked Media is most likely bringing in at least $50,000 in advertising revenue for each episode of 'Pod Save America' -- which at two episodes a week is about $5 million a year. That has allowed the company to turn away the many investors who have approached it." http://nyti.ms/2B2u05e

FUN VIDEO -- The Senate Republican Conference has released a Thanksgiving-themed video titled "The Pardoned Turkey" featuring Sen. Tim Scott (R-S.C.) and Senate Republican Conference Chair Sen. John Thune (R-S.D.). ***1-min. video*** http://bit.ly/2zbK3x7

THE YEAR-END LISTS BEGIN - "The Top 10 Non-Fiction Books of 2017 ," by Time's Claire Howorth: "10. 'The Vanity Fair Diaries,' Tina Brown ... 9. 'The Evangelicals,' Frances Fitzgerald ... 8. 'The Meaning of Michelle,' Veronica Chambers ... 7. 'Blind Spot,' Teju Cole ... 6. 'Hunger,' Roxane Gay ... 5. 'The Rules Do Not Apply,' Ariel Levy ... 4. 'Homo Deus,' Yuval Noah Harari ... 3. 'Killers of the Flower Moon,' David Grann ... 2. 'We Were Eight Years in Power,' Ta-Nehisi Coates ... 1. 'What Happened,' Hillary Clinton." http://ti.me/2zYlyqL

TRANSITIONS -- Cindy Cerquitella has been named executive director of America's Future Foundation and **Richard Lorenc** has been named chairman of the board. ... **Cassie Boehm** is joining the Wine & Spirits Wholesalers of America as manager of advocacy communications. She was previously Rep. Tom Rice's (R-S.C.) communications director. ... **Matt Dailer** has been promoted to political strategy director at the RNC. He was previously national field director. Dailer's deputy **Carrie Brown** will be promoted to national field director

WELCOME TO THE WORLD - Abby McCloskey, an economist and founder of McCloskey Policy and a Rick Perry, Jeb and AEI alum, and **David McCloskey,** an engagement manager at McKinsey, email friends and family: "We are thrilled to announce the arrival of Leo David McCloskey, born on a beautiful November 20th in Dallas and weighing in at 7 lbs 3 oz. Leo and Abby are doing great. Miles was also excited by his little brother's arrival and enjoyed some quality time with him [Monday] night at the hospital." ***Pic*** http://politi.co/2AncGM1

****** **A message from the Peter G. Peterson Foundation:** Washington is debating tax reform. There's talk of substantial tax cuts that will give trillions of dollars back to American taxpayers. That sounds great. But if these tax cuts aren't paid for, future generations will be stuck with the bill. Congress is right to pursue tax reform - the code is outdated, complex and unfair. Tax reform done right should be permanent, because

businesses and individuals need certainty to plan and invest. It should be based on realistic, independent projections and assumptions about the effect on our economy and our fiscal outlook. And it should enjoy bipartisan support, so that it's durable over time. Lawmakers should use the valuable opportunity presented by tax reform both to improve our fiscal outlook and strengthen the economy at the same time. Congress, tax reform should grow the economy. Not the debt. Learn more at www.pgpf.org/tax-reform.
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Daily Environment Report

October 06, 2017 - Number 193

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Leading the News

Climate Regulation
Trump Administration Set to Argue Clean Power Plan Rule Violates Law
The Trump administration will formally propose repealing former President Barack Obama's sweeping plan for curbing greenhouse gas emissions from power plants by arguing it went beyond the bounds of federal law, according to documents obtained by Bloomberg News.

EPA
Trump Taps Former Inhofe Staffer For EPA's No. 2 Slot
Another former member of Oklahoma Sen. James Inhofe's (R-Okla.) team could soon be joining the EPA's leadership.

Endangered Species
Interior Sets Stage for Revisiting Sage Grouse Protections
The Interior Department will not go ahead with a proposal to block new mining claims in 10 millions acres of prime habitat for greater sage grouse.

Water Pollution
Sewer Spills into Niagara River After Storm Draw Probe
The millions of gallons of raw sewage and stormwater that a treatment plant spilled into the Niagara River after a recent storm was "wholly unacceptable," according to New York officials probing violations of state water quality standards.

News

Air Pollution
China's Steel Curbs for Pollution Risk Too Bullish Outlook

Moves by China to limit air pollution over winter by curbing steel to aluminum production threaten to create a distorted impression of true demand as market seasonality becomes more intense, according to Australia's government.

Air Pollution

EPA Could Do More to Address Delaware's Ozone Concerns: Judge

Federal regulators have not done enough to address Delaware's concern that giving the areas surrounding Philadelphia more time to clean up their air pollution will burden the state, a federal appeals court judge says.

Biotechnology

Monsanto Doubles Down on Soy Seeds After Herbicide Crop Loss

As unhappy farmers lodge complaints about crop damage associated with a new generation of soybean seeds being sown in the U.S., Monsanto Co. is ramping up its marketing push for the genetically altered product by offering growers more training and incentives, including some free equipment.

Chemicals

Bayer-Monsanto Merger Review Delayed as EU Hunts for Deal Data

Bayer AG's takeover of Monsanto Co. risks further delays as European Union regulators stopped the clock on their probe to hunt for more information on how it will affect competition for key products used by farmers.

Chemicals

Chemours Knew N.C. Discharges Toxic, Landowner Charges in Suit

DuPont Co. and the Chemours Co. knew they were discharging toxic substances into the water at their Fayetteville, N.C., facility, a North Carolina property owner alleges.

Chemicals

Rhode Island Joins States to Ban Flame Retardants in Furniture

Furniture suppliers have two years to stop delivering products to Rhode Island that contain flame retardants banned by a new state law.

Climate Change

Dutch Regulator Tasks Banks and Insurers on Climate-Change Risk

Banks, insurers, and other financial institutions must do more to take into account the risks posed by climate change to their business, a Dutch Central Bank study said.

Energy

Eighty-Two-Year-Old Glassmaker Eyes Future in Next-Gen Batteries

Ohara Inc. sees batteries playing a bigger role in its future.

Energy

Energy East Death Pins Oil Sands Hopes on Two Troubled Pipelines

TransCanada Corp.'s cancellation of the Energy East pipeline leaves Canadian oil producers more dependent than ever on the Keystone XL and Trans Mountain proposals, two projects facing ardent opposition in their own right.

Energy

Federal Regulators Criticize Energy Rule for Distorting Markets

Two of the three members of the Federal Energy Regulatory Commission have publicly criticized an Energy Department proposal that aims to subsidize nuclear and coal plants in the wholesale markets, suggesting it could "destroy" the markets.

Energy

How Energy-Rich Australia Ended Up With World's Priciest Power

A bungled transition from coal to clean energy has left resource-rich Australia with an unwanted crown: the highest power prices in the world.

Energy

Obama's Energy Chief Sees Hard Path Ahead for Perry's Coal Plan

Former U.S. Energy Secretary Ernest Moniz doubted whether the nation's top energy regulator will be able to satisfy a government request to craft new rules to prop up struggling coal and nuclear power generators.

Energy

Utilities Rebuke Theresa May's Plan to Cap Power Tariffs

Britain's utilities hit back at Prime Minister Theresa May's vow to cap energy costs, saying the measures would unsettle the industry at a time when government is seeking investment to replace aging power plants.

Food

Whiskey Fungus Claims Against Kentucky Distiller Revived

A Kentucky distiller can't rely on the Clean Air Act to dismiss state-law tort claims that its bourbon-aging plant fouled a neighbor's property with fungus, the Kentucky Supreme Court ruled (Brown-Forman Corp. v. Miller, Ky., No. 2014-SC-000717-DG, 9/28/17).

Insurance

Trump's Bid to Slash Flood Insurance Debt Faces Conservative Opposition

Conservative public policy groups and some congressional Republicans are objecting to the Trump administration's proposal to forgive $16 billion of debt estimated to be incurred by the National Flood Insurance Program as a result of recent hurricanes.

Oil & Gas

Norway Takes Hard Look at Climate Risk for Oil, Gas Riches

What is 47 billion barrels in oil and gas really worth in an age where renewable sources are increasingly filling the world's energy needs?

Oil & Gas

Oil Drillers May See Big U.S. Tax Cut—If Deductions Survive

U.S. oil explorers could see a multibillion-dollar benefit from a move to slash the U.S. corporate tax rate but some of the industry's biggest tax breaks could also be under fire.

Oil & Gas

TransCanada Ends Pipeline Project, Sees $801 Million Charge

TransCanada Corp. has scrapped its Energy East Pipeline and Eastern Mainline projects, oil and natural gas conduits that have faced regulatory hurdles in Canada and stiff opposition from environmental groups.

Oil & Gas

Trump Administration Illegally Delayed Methane Rule: Court

A federal court ruled the Trump administration illegally froze Obama-era requirements aimed at reducing the amount of natural gas from federal land wasted through venting, flaring, and leaking.

Regulatory Policy

20 Chemicals Added to Washington Kids' List Reporting

Manufacturers of children's products sold in Washington state will have to report the presence of 20 more compounds, many of them flame retardants linked to cancer that are used in furniture, baby carriers and car seats.

Regulatory Policy

Energy Department, Pipeline Nominees Sail Through Senate

The Energy Department's reliability office will get new leadership as Secretary Rick Perry pushes a plan to reward power plants—particularly coal and nuclear—that keep 90 days' worth of fuel on site.

Renewable Energy

U.K. Power Grid Trials Real-Time Data to Deal with Renewables

National Grid Plc for the first time measured the stability of the U.K.'s power network in real time, allowing it to more confidently manage the system as intermittent renewable energy generation jumps.

Renewable Energy

U.K. Seeks Brexit Boost for Renewables, but Onshore Wind Taboo

Britain wants a slice of the $30 trillion needed to clean up the world's energy supply—so long as those funds don't go into wind farms in the countryside.

Renewable Energy

U.S. Trade Dispute Scaring Companies From Buying Solar Power

A trade dispute over solar imports has stalled clean-energy projects across the U.S.

Renewable Energy

Wind in Land of Oil Prompts Surprise Boost in Renewable Spending

Seven giant wind-power projects, including one in the oil-rich U.S. state of Oklahoma, prompted a surprise investment increase for renewable energy in the third quarter.

Solid Waste

Local Control of Garbage Handling Trashed in North Carolina

Local governments in North Carolina will have limited ability to manage the flow of garbage in their communities thanks to a new state law enacted over the governor's veto.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 9/8/2017 11:56:23 PM
Subject: Sep. 11 -- Daily Environment Report

Daily Environment Report

September 11, 2017 - Number 174

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Leading the News

Emissions Trading
Carbon Allowance Prices Jump as Cap to Tighten in Northeast
Power companies saw a 72 percent jump in the price of greenhouse gas emissions allowances in the first auction after the Northeast's trading program announced plans to ratchet down the emissions cap.

Emissions Trading
New Jersey Eyes Rejoining Northeast's Carbon Trading Program
New Jersey is on the cusp of rejoining the Northeastern greenhouse gas trading program it spurned in 2011, which could be a boon for power companies such as Consolidated Edison Inc. and Public Service Enterprise Group Inc. that have utilities across the region.

News

Chemicals
Hurricane Irma's Chemical Fallout Could Be Worse Than Harvey's
Before flames and smoke leaped into the sky over the Arkema chemical plant in Crosby, Texas, last week, Jolyn Masters was hunkered down at home on a Hurricane Harvey-flooded street a mile away. Then came a knock. A National Guard evacuation boat was waiting because of what was expected at Arkema.

Climate Policy
Merkel Warned That Failure to Hit Climate Goal May Hurt Germany
Chancellor Angela Merkel's ambition to lead Europe's fight against global warming is at risk of backfiring and tarnishing Germany's climate credentials, according to researchers.

Congress

EPA Bill Restoring Trump Cuts Nears House Passage

The EPA would see its budget trimmed but avoid the deep 31 percent spending cut sought by President Donald Trump in fiscal year 2018 under a spending bill the House expects to wrap up the week of Sept. 11.

Dumping/Countervailing Duties

Chinese Solar Products to Face Lowered Anti-Subsidy Duties

Imports of solar products from China will, for the most part, face lower countervailing duties, the Court of International Trade affirmed Sept. 8 (Changzhou Trina Solar Energy Co. v. United States, Ct. Int'l Trade, No. 15-00068, 9/8/17).

EPA

Air Office Nominee Could Help EPA Rewrite Obama Rules

President Donald Trump's pick to lead the EPA's air office would bring a deep knowledge of the agency, which former Bush-era officials say could help advance the administration's efforts to rewrite Obama-era regulations.

EPA

Trump Plans to Cut EPA Programs Could Hurt Post-Storm Rebuilding

Residents of Florida and other states in the path of Hurricane Irma may have a rude awakening after the winds die down and the rain and storm surge stop.

Emergency Response

U.K. Amec Sees Hurricane Changing Design of U.S. Chemical Plant

Amec Foster Wheeler Plc, the U.K. company helping to build a $604 million methanol plant for Yuhuang Chemical Inc. in Louisiana, expects the damage wrought by Hurricane Harvey to alter the planning and design of chemical facilities in regions at risk from natural catastrophes.

Energy

Turf Battle Looms as House Energy Leaders Plan DOE Overhaul

Plans by a key House Republican to retool the Energy Department's core functions are in for a turf battle.

Enforcement

California Window Plant Sued for Illegal Stormwater Discharges

Runoff from JELD-WEN's window and door manufacturing plant in Vista, Calif., is illegally polluting downstream creeks that empty into the Pacific Ocean, a San Diego environmental group said in a lawsuit.

Forests

Forest Management Bills Wander Through Political Woods

Wildfires scorching the West may put the heat on lawmakers to revamp management of federal forests and funding of wildfire suppression.

Hazardous Waste

EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

The Trump administration is applying lessons from Hurricane Harvey's drenching of southeast Texas as it secures toxic waste sites in the path of Hurricane Irma, U.S. environmental chief Scott Pruitt said.

Oil & Gas

Montana Rule on Radioactive Oil Waste Disposal Criticized as Weak

Oil and gas companies in the Bakken Formation of western North Dakota routinely truck their radioactive drilling waste to a disposal facility roughly three hours away in Montana.

Pesticides

Monsanto Gets Home Court Advantage in Dicamba Lawsuit

Monsanto won home court advantage in a lawsuit over damages caused by its weedkiller dicamba which was sent to St. Louis where the company is headquartered.

Pesticides

Monsanto Seeks to Block Arkansas Pesticide Ban

Monsanto Co. called on the Arkansas governor to reject a recommendation to curb spraying of the herbicide dicamba during a key part of crop-growing season, saying the proposal is backed by "unsubstantiated" theories.

TCE

GE Wins Match in Golf Course Groundwater Contamination Claim

General Electric Co. won't be required to conduct further investigation of contamination that is already the subject of a state cleanup agreement, the Northern District of Illinois ruled (Lajim, LLC v. Gen . Electric Co., 2017 BL 315015, N.D. Ill., No. 13-CV-50348, 9/7/17).

Water Resources

Florida's Largest Lake Likely to Flood Over Dike From Irma

Hurricane Irma could cause a dike holding back Florida's largest lake to spill over, spreading rock and debris from three construction sites at the site, a U.S. Army Corps of Engineers official said.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Sat 6/10/2017 1:55:20 PM
Subject: POLITICO Playbook, presented by Samsung: TRUMP to rollback some of Obama's Cuba policies -- FIRST IN PLAYBOOK: Kellyanne complains about West Wing colleagues -- REMEMBERING Zbig Brzezinski -- ASHCROFT hired by Qatar -- KATY TUR profile – B'DAY: Zeleny

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Today's PLAYBOOK presented by Samsung
06/10/2017 09:52 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

Good Saturday morning. THE BELMONT STAKES is 6:37 p.m. tonight on NBC.

WE HEAR ... PRESIDENT DONALD TRUMP is going to roll back some of Barack Obama's changes to Cuba policy next week. He discussed the changes at a dinner with members of Congress earlier this week -- the dinner included Florida Sen. Marco Rubio, who was sharply critical of Obama's policy change. The White House didn't respond to a request for comment, but Marc Caputo and Sergio Bustos -- our POLITICO colleagues in Florida -- report he'll make the announcement in Miami and also note: "Many expect that Trump will not reverse Obama's decision to open a U.S. embassy in Havana or reinstate the 'wet-foot/dry-foot' policy that allowed Cuban immigrants who touched U.S. shores to become legal residents." http://politi.co/2rX4B9K

YOUR DAILY HEAD SNAP -- "Trump seems to undercut Tillerson's remarks on Qatar," by WaPo's Karen DeYoung and Sudarsan Raghavan: "Secretary of State Rex Tillerson called on a Saudi Arabia-led bloc of Arab nations Friday to immediately ease their blockade of Qatar and urged all involved in the week-long Persian Gulf dispute to quickly resolve their differences, remarks that President Trump seemed to undercut less than an hour later.

"Trump began a Rose Garden news conference with the visiting president of Romania by saying that the Saudi-led action against Qatar was 'hard but necessary.' He said he had been consulted in advance by nations that 'spoke to me about confronting Qatar,' a country he said historically has been a 'funder of terrorism at a very high level.' He said he had decided, along with Tillerson and 'our great generals and military people, the time had come to call on Qatar to end that funding ... and its extremist ideology.'

"Earlier, in a brief, formal statement at the State Department, Tillerson had called on Saudi Arabia, the United Arab Emirates, Bahrain and Egypt to ease their blockade, warning that it was causing humanitarian hardship in Qatar, harming U.S. and international business, and hindering U.S. military actions against the Islamic State." http://wapo.st/2r549oV

-- ANOTHER STRANGE MOMENT from Friday's press conference with**TRUMP** and Romanian President Klaus Iohannis. **REPORTER:** "Thank you. Mr. President, were there any discussion about the Visa Waiver Program for Romania? Is there a time frame for including our country in this program? Thank you." **TRUMP:** "We didn't discuss it --" **IOHANNIS:** "Yes --" **TRUMP:** "We didn't discuss it. But there would be certainly -- it would be something we will discuss. Mr. President." **IOHANNIS:** "I mentioned this issue, and I also mentioned it during other meetings I had, because this is important for us, it's important for Romanians who want to come to the United States. And you see more and more people come, President Trump, from Romania to the United States. Some come as tourists. Some come for business. And those who come for business should be encouraged."

FOR MARC KASOWITZ -- "James Comey is a 'leaker' - but that doesn't make him a criminal," by WaPo's Matt Zapotosky: "'He can fairly be criticized for whether that was the best way for him to address his discomfort with his conversation with the president,' said Barry J. Pollack, a white-collar criminal-defense attorney at Miller & Chevalier who has been involved in leak cases. 'But that's all a matter of how he conducts his job, and what his relationship is with the president is not a legal question.'

"Prosecutors who bring charges against people for sharing informationwith the public can do so only when classified or other national security material is at issue. Material cannot be classified to conceal legal violations or prevent embarrassment, according to an executive order from President Barack Obama. Telling a reporter nonclassified information of public interest is not only legal, but it's often the right thing to do." http://wapo.st/2rcaqTH

-- JOSH GERSTEIN: "The FBI's standard employment agreement reads: 'I will not reveal, by any means, any information or material from or related to FBI files or any other information acquired by virtue of my official employment to any unauthorized recipient without prior official written authorization by the FBI.'" http://politi.co/2rgDRip

-- A DEFIANT TRUMP , via Julie Hirschfeld Davis and Glenn Thrush: "President Trump on Friday accused James B. Comey, the fired F.B.I. director, of lying under oath to Congress, saying he would gladly provide sworn testimony disputing Mr. Comey's charge that the president forced him out because of his handling of the investigation into the Trump campaign's possible collusion with Russia. ... Asked whether he would be willing to provide his version under oath, Mr. Trump responded, '100 percent.' He said of Mr. Mueller, 'I would be glad to tell him exactly what I just told you.'" http://nyti.ms/2rXgFrP

-- WHAT'S NEXT: "Comey associate has been in contact with Senate Judiciary about memos," by Kyle Cheney: "Dan Richman, a longtime friend and adviser to former FBI director James Comey, has been in contact with the Senate Judiciary Committee regarding a series of memos that Comey authored about his private conversations with President Donald Trump from January through April. A source familiar with the discussions says Richman connected with the Senate panel via the office of special counsel Robert Mueller ... The source says the matter will be addressed on Monday." http://politi.co/2sovUMU

-- BLOCKBUSTER RATINGS: "More than 19 million saw Comey testimony on TV," by Hadas Gold: "According to Nielsen ratings, ABC topped all networks, bringing in 3.295 million overall viewers, with CBS close behind with 3.286 million viewers. Fox News was next with 3.096 million viewers, followed by CNN with 3.049 million, NBC with 2.723 million viewers and MSNBC with 2.719 million viewers. ... Twitter, which partnered with Bloomberg to stream the hearing, said 2.7 million viewers tuned in." http://politi.co/2s7XFce

--PER FACEBOOK: There were 89 million views of videos related to Comey's testimony. Those videos had nearly 8 million comments, reactions and shares. There were also 26 million views of Comey-related live video on Facebook.

ABOUT THOSE TAPES -- @tripgabriel: "Personal anecdote: Candidate Trump once said he had taped a call with me, after disputing how he was quoted. I asked to hear it. Never did." ... **@mikiebarb** replies: "This happened to me as well. He always acted as if he was recording it."

****** **A message from Samsung:** Samsung has announced more than $10 Billion in US Growth since 2016, including our March 2017 acquisition of HARMAN International, a commitment of $1.2 Billion in U.S.-based IoT Investment and R&D, and a $1B expansion of our Austin, TX Semiconductor Manufacturing Facility. Visit Samsung.com/VisionForTomorrow for more. ******

THROWING SHADE -- @lloydblankfein: "Just landed from China, trying to catch up.... How did 'infrastructure week' go?"

FIRST IN PLAYBOOK -- WHO MNUCHIN MET WITH IN CANADA - Treasury Secretary Steven Mnuchin made his first official solo foreign trip yesterday to Canada. Mnuchin, who met with Canadian Finance Minister Bill Morneau on the one-day trip to Ottawa, was seeking to highlight the importance of the U.S.-Canada strategic and economic alliance, according to Treasury. Deputy national security advisor Dina Powell and Treasury chief of staff Eli Miller accompanied Mnuchin. They also met Canadian foreign minister Chrystia Freeland, Canadian Ambassador to the U.S. David Mac Naughton and attended a cabinet meeting with top ministers. They discussed a variety of topics including the upcoming G-20 agenda, trade and economic issues and national security challenges. Mnuchin also met with a group of more than 20 CEOs who do

business in both the U.S. and Canada, including the heads of Ford Canada, GE Canada and TD Bank. More foreign trips by Mnuchin are in the works, according to our Treasury source.

DAVID A. FAHRENTHOLD in WaPo, "New York attorney general 'looking into' Eric Trump's foundation": "New York Attorney General Eric Schneiderman is 'looking into' a charitable foundation founded by Eric Trump, a spokesman for Schneiderman said, after Forbes magazine raised questions about whether President Trump's son had made misleading statements about how the foundation spent its money. ... One item at issue, the attorney general's office said, was that the Eric Trump Foundation has rebranded itself 'Curetivity' and held a fundraiser under that name. But, after a query from The Washington Post on Friday morning, the attorney general's office said the charity had not officially changed its name with New York charity regulators." http://wapo.st/2t5KuWr

ROMNEYSTOCK - ALEX ISENSTADT'S HARDSHIP ASSIGNMENT to Deer Valley, Utah: "Romney reveals that Clinton nudged him to consider Trump's secretary of state overture": "Romney, appearing before a group of major Republican Party donors here, said that he reached out to Clinton last year after getting a phone call from then-Vice President-elect Mike Pence informing him that he was on the shortlist for secretary of state. ... Romney ... was golfing in Hawaii when he received the call ... He then turned to former secretaries of state, including the just-defeated Clinton, to ask whether he should consent to the offer. 'In each case, each of them said, "Please, please take that job if it's offered to you. We'd very much like to see you serve in that capacity,"' Romney said." http://politi.co/2seggUP

--"Biden encourages 2012 foe Romney to run for the Senate": "During a closed-door appearance with Romney here on Friday evening, Biden said Romney should consider a Senate bid. The remark came during the second day of the E2 Summit, an annual Romney-hosted donor conference. Attendees were gathered to hear a dialogue between the two men, who were on opposite sides of the 2012 election. Romney, according to two sources present, offered little by way of response other than to smile. ... There has been considerable speculation that Romney may seek the seat of longtime Utah Sen. Orrin Hatch should he forego reelection. Neither Romney ... nor his aides have denied interest in the seat should it become open." http://politi.co/2s7YMbU

MITCH MCCONNELL'S LATEST HEADACHE -- "Conservatives near revolt on Senate health care negotiations," by Burgess Everett: "As Obamacare repeal talks enter crunchtime with a vote as soon as this month, the Senate bill continues to tilt toward more moderate members of the GOP on keeping some of Obamacare's regulatory structure and providing a more generous wind-down of the law's Medicaid expansion. The movement has made Republicans increasingly pessimistic that two critical conservative senators, Mike Lee of Utah and Rand Paul of Kentucky, will be able to vote for the GOP's ultimate agreement on healthcare, according to senators and aides." http://politi.co/2s7Z42l

COMING ATTRACTIONS -- "Trump Will Meet With Tech Leaders To Talk About Emerging Tech Like Drones," by BuzzFeed's Ryan Mac: "The White House is planning a second gathering of technology leaders later this month, in which President Donald Trump is expected to meet with venture capitalists and entrepreneurs from emerging tech firms. Three sources confirmed to BuzzFeed News that the Office of Science and Technology Policy (OSTP) is organizing the event, scheduled for June 22 - three days after Trump is expected to meet with the likes of Apple CEO Tim Cook, Amazon CEO Jeff Bezos, Oracle co-CEO Safra Catz and technology executives in Washington. ... [T]he second meeting ... will address emerging technologies trends including the Internet of Things, commercial drones and the funding of those companies." http://bzfd.it/2rgABUf

REMEMBERING ZBIGNIEW BRZEZINSKI -- "Washington Remembers Brzezinski, and a Very Different Era," by NYT's Matt Flegenheimer: "One after another, the mourners filed into the stately Cathedral of St. Matthew -- ambassadors, cabinet secretaries, television hosts, a president -- hunkering together behind the grand doors, at least for a little while, to consider a man and a capital from a bygone political moment most seemed to prefer. The occasion was the funeral of Zbigniew Brzezinski ... 'He was a realistic optimist,' one eulogizer, the former Secretary of State Madeleine Albright, said of Mr. Brzezinski, recalling his commitment to human rights, his belief in the power of considered diplomacy and his fierce wariness of Russia. The crowd nodded. ... [F]or two hours on Friday, the city's beleaguered establishment seemed to revel in a collective embrace, capping a week in which it rallied to defend some treasured Washington traditions -- congressional oversight, the independence of the F.B.I. -- in the face of persistent executive chaos." http://nyti.ms/2s8bvLr

-- Hundreds of people attended the funeral, at St. Matthew's Roman Catholic Cathedral in Washington. President Jimmy Carter, Madeline Albright, John Hamre, and Ian, Mark and Mika Brzezinski all gave remarks. Albright read a note from John Kerry and Hamre read a note from Henry Kissinger. **SPOTTED:** Jonathan Capehart, Chris Licht, Robin Wright, Andrew Schwartz, Al Hunt, Bob Gates, Ambassadors from Finland, China, Japan, Sweden, Italy, and UAE, Carl Bernstein, Kathy Kemper, Maureen Orth, Bob Schieffer, Margaret Carlson, Boyden Gray, Katty Kay, House Minority Leader Nancy Pelosi, Susan Rice, Chuck Todd, Ernest Moniz, and Margaret Warner.

TRUMP'S WEEKEND -- The president is at his golf club in Bedminster, New Jersey. **PENCE** is in Milwaukee, where he'll talk to small businesses with Gov. Scott Walker and give a speech about Obamacare. He'll return to D.C. and speak at the Faith & Freedom Coalition's Patriot's Gala.

THE JUICE ...

-- @rchammond: "The President has announced his intent to nominate Eric Ueland of Oregon to serve as Under Secretary of State for Management. @StateDept". Ueland is Republican staff director of the Senate Budget Committee, worked on the Trump transition and earlier in his career was chief of staff to former Senate Majority Leader Bill

Frist.

-- FIRST IN PLAYBOOK: FROM HADAS GOLD: KELLYANNE CONWAY was overheard Thursday night talking about her West Wing co-workers to fellow revelers at a party. Conway was having an off-the-record conversation with a group of reporters and other attendees at the British Embassy at their election-night watch party. She said President Donald Trump told her to "go out there and say 'Jim Comey is going to have to wait and see about the tapes.'"

"I mean, that's basically the same thing as 'no comment,'" she said. Conway also mimicked Reince Priebus urging White House aides to stop leaking, and wondered aloud what Marc Short -- the legislative director -- does all day. She also said she is "the one catching the slings and arrows in the West Wing." The source who heard Conway created a Twitter account about the evening, naming it @kellyanneleaks and posting photos and tweets from the event. Two other sources confirmed Conway's remarks.

White House Press Secretary Sean Spicer said Conway disputed the account, explaining that she is very close to Short. Spicer said Conway was not mocking Priebus, but rather reporters for palace intrigue stories "and how wrong they've been." Spicer disputed that Conway had pushed back on the presidents request on how to comment about Comey, saying that she was simply explaining what the lawyers said the White House can say.

Playbook Reads

PHOTO DU JOUR: President Donald Trump is pictured with Romanian President Klaus Werner Iohannis during their joint news conference in the Rose Garden of the White House on June 9. | Pablo Martinez Monsivais/AP Photo

JOHN ASHCROFT'S FIRM HIRED BY QATAR - "Singled Out by Trump, Qatar Hires Former Top Law Man to Lobby," by Bloomberg's Bill Allison: "Qatar hired Ashcroft Law Firm, LLC for 90 days, agreeing to pay it $2.5 million to help the Persian Gulf nation comply with U.S. money laundering and counterterrorism financing regulations and to stress its efforts to combat global terrorism, according to disclosures filed under the Foreign Agents Registration Act. ... The contract cites the 'urgent need to commence work immediately' which will be 'a top priority' for the firm. ...

"Aschroft's firm promised to provide crisis response and management, program and system analysis, media outreach and advocacy, stressing Qatar's efforts to combat global terror, according to the contract. As part of that effort, the firm plans 'a comprehensive legal and government relations strategy,' one that will communicate broadly and to 'certain domestic agencies and leaders.'" https://bloom.bg/2rcumWs

WHAT DAN SCAVINO IS READING -- "Inside The Chaotic Battle To Be The Top Reply To A Trump Tweet," by BuzzFeed's Charlie Warzel: "[S]econds after the president sounds off to his 31 million-plus followers, he's bombarded with replies -- almost all of them extreme. There are breathless condemnations of Trump policy; cries for his speedy impeachment; furious demands for his administration to admit its role in any number of global and political conspiracies; #Resist-ers; #TrumpTrain conductors and passengers; impassioned defenses of his character; praise for Trump as chessmaster-in-chief, 10 steps ahead and constantly outwitting enemies. There are comedians, actors, doctors, scientists, admirers, goons, politicos, activists, journalists, and trolls. ... And within seconds they're all just a few pixels below the president's missive - yelling, arguing, and looking to be the one Donald Trump sees when he checks his Twitter feed." http://bzfd.it/2r57m7T

-- "Dan Scavino is the other @realdonaldtrump," by Eliana Johnson: "The White House is brimming with aides, lawyers, and communications gurus who are begging President Donald Trump to stop tweeting. The lone exception is Dan Scavino, the president's former golf caddy who now oversees the White House's messaging on social media. Scavino is in many ways the president's mini-me, a man whose bombast, impulse control, and instinct for a good punch match those of his boss.

"After Trump last weekend blasted London Mayor Sadiq Khan after a terror attack that killed eight people, Scavino posted a message citing Khan's own 2016 criticism of Trump's rhetoric on Muslims and terrorism-complete with a Trumpian, all-caps 'WAKE UP!!!!' And like his boss, Scavino has ignored warnings from high-level White House officials to tone down his tweets. Scavino was reprimanded on Friday for violating the Hatch Act, which prohibits senior executive branch officials from using their authority to interfere with elections, by calling in April for the ouster of Michigan Republican Justin Amash." http://politi.co/2s7Uz7X

TRUMP INC. -- "Trump Can Take Payments From Foreign Governments, U.S. Says," by Bloomberg's Bob Van Voris: "George Washington did it, so Donald Trump can too. That's the Justice Department's take on why the 45th president isn't violating the U.S. Constitution by accepting payments for goods and services from foreign governments without congressional approval. The foreign emoluments clause of the Constitution doesn't apply to fair-market commercial transactions, such as hotel bills, golf club fees, licensing payments and office rent, the Justice department argued Friday in a filing." https://bloom.bg/2sNKISx

--@EricLiptonNYT: "Among DOJ's arguments why Trump emoluments suit should be dismissed. 'Ten Facts about the Gristmill, George Washington's Mount Vernon'"

NEW POLITICO SERIES - "5 things Trump did while you weren't looking: Behind the scandal-of-the-day news, the White House really is changing American policy. A new series from The Agenda explains how," by Danny Vinik: "1. A boost for Uber and McDonald's. ... 2. A trade war with Mexico averted-for now. ... 3. The end of a DOJ 'slush fund.' ... 4. A win for nursing homes. ... 5. Get THAAD out of here."

http://politi.co/2rWYsum

2018 WATCH -- "Senate Democrats try to spark rural comeback in 2018," by Maggie Severns: "While many voters in rural areas complained that Democrats forgot them in 2016, and party strategists rush this year to find a new message to bring them back in the fold, Democratic senators up for reelection in 2018 have little time to spare to fix their party's issues. These battleground-state Democrats are quick to note that they got elected in the first place by tending to voters outside their states' biggest population centers. And they are focused this year on winning back voters their party has failed to connect with since the last time they appeared on the ballot." http://politi.co/2rWX22Z

LUNCH WITH THE FT -- BERNIE SANDERS in DUBLIN! -- by Simon Kuper: "Sanders' car pulls up (brilliantly, his Irish driver is called Bernie Saunders) and the senator clambers out, his shoulders hunched, his suit crumpled, his strands of white hair unkempt, not the standard American politician with Botox and a hair transplant. Today he is tieless, too: he has been assured that Irish president Michael D Higgins won't mind. The tiny Higgins appears, dispensing handshakes and hugs.

"'I think Trump is actually quite smart -- in his own way and for his own reasons. He may not know a lot about foreign policy or healthcare, but he is not a dumb man by any means. I think what Trump is doing is filling the agenda of people like the Koch brothers: essentially doing away with every major programme passed since Franklin D Roosevelt that would help working people, the elderly, children, the sick and the poor, and at the same time providing massive tax breaks to the rich and large corporations. In this budget, Trump did not propose cuts to social security [the American retirement programme], but I have zero doubt that will be coming down the pike.'" http://on.ft.com/2sobq70

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years, and we announced more than $10 Billion in US Growth since 2016. This year, we're proud to have added HARMAN International and its 3,500 U.S. employees to the Samsung workforce in America, and just as enthusiastic about our common vision, the similarities in our culture of innovation, and the added value we can create for customers. Learn more about our partnership at Samsung.com/VisionForTomorrow for more. ******

KATY TUR PROFILE -- AND SHE'S A PHISH FAN! -- COVER OF NYT SUNDAY STYLES -- "Katy Tur Is Tougher Than She Looks: The NBC correspondent's swift and surprising rise at the network mirrored that of the presidential candidate she covered and occasionally battled with," by Luisita Lopez Torregrosa: "Mr. Trump's sudden rise mirrors that of Ms. Tur's. Just two years ago she was a foreign correspondent for NBC, living in London. But she happened to be in New York when the future president announced his candidacy, on June 16, 2015. 'How would you like to spend the summer in New York?' an NBC News executive asked her. 'We want you on Trump's campaign. It will be six weeks, tops. But hey, if he wins, you'll go to the White

House.'

"A year or so later, she had captured national attention. Colleagues rallied around her, thousands tweeted #iamwithtur, magazines came calling, and HarperCollins engaged her to write a book on the 2016 campaign; 'Unbelievable' is due out in September. Then there is the afternoon anchor slot, which MSNBC gave her in January. In April, she received a Walter Cronkite Award for excellence. And this month she will become a contributor to the much publicized new NBC News program 'Sunday Night With Megyn Kelly.'" http://nyti.ms/2t5S6Z4

MEDIAWATCH -- "10 months ago, Univision bought Gawker in a fire sale, and it's been messy ever since," by Business Insider's Maxwell Tani: "CEO Raju Narisetti ... is leading GMG through the media company's merger with Fusion Media Group, which is owned by the Spanish-language juggernaut Univision. According to the CEO, the transition has been a success. But conversations with over a dozen current and former employees painted a starkly different picture. Since the deal, the six former Gawker Media sites -- Gizmodo, Jezebel, Deadspin, Kotaku, Jalopnik, and Lifehacker -- have struggled with indecision, a dysfunctional bureaucracy, and an exodus of top leadership and institutional knowledge that gave Gawker Media its editorial bite." http://read.bi/2rLXwKQ

-- DANIEL HALPER, former D.C. bureau chief for the N.Y. Post who recently was hired by Matt Drudge, quietly joined the Washington Free Beacon as a contributing editor recently, Hadas Gold tells us. Halper and the Free Beacon did not respond to requests for more details.

CLICKER - "The nation's cartoonists on the week in politics," edited by Matt Wuerker -- ***14 keepers*** http://politi.co/2sbxstY

DESSERT -- HOW MANY HAVE YOU SEEN? - "The 25 Best Films of the 21st Century So Far," by NYT's Manohla Dargis and A.O. Scott: "1. There Will Be Blood ... 2. Spirited Away ... 3. Million Dollar Baby ... 4. A Touch of Sin ... 5. The Death of Mr. Lazarescu ... 6. Yi Yi ... 7. Inside Out ... 8. Boyhood ... 9. Summer Hours ... 10. The Hurt Locker." ***With in-depth discussions of each film on the list*** http://nyti.ms/2t5lkG7

GREAT WEEKEND READS, curated by Daniel Lippman:

--"Why Men Don't Live as Long as Women," by Richard G. Bribiescas in Nautilus Magazine - per The Browser's description: "Are we at peak male testosterone? Testosterone raises the sex drive, builds muscle and burns fat. It also shortens the lifespan by encouraging recklessness, weakening the immune system, and raising the risk of prostate cancer. The reproductive payoff favoured high testosterone in ancient times: More children meant more surviving children. But now, thanks to monogamy and medicine, the trade-off is less clear. The evolutionary advantage may be passing to fathers who live longer." http://bit.ly/2sKN0lp

--"America's Hidden H.I.V. Epidemic," by Linda Villarosa in the NYT Magazine: "Why do America's black gay and bisexual men have a higher H.I.V. rate than any country in the world?" http://nyti.ms/2sLamrg (h/t Longreads.com)

--"The Real Story Behind Elon Musk's $2.6 Billion Acquisition Of SolarCity And What It Means For Tesla's Future-Not To Mention The Planet's," by Fast Company's Austin Carr: "The Tesla CEO's merger with his cousins' sustainable-energy company, SolarCity, is totally logical-and hugely risky. With eyes now on the private sector for environmental leadership, can Musk pull off another miracle?" http://bit.ly/2scvObB

--"Soccer for Intellectuals," by Bécquer Seguín in Public Books: "Any baseball or boxing narrative can be easily embodied in the momentary struggle between two individuals. Soccer, on the other hand, isn't wedded to the fate of individuals. Its beauty is most often in the battle between two ideas, two philosophies, two tactical approaches." http://bit.ly/2t2yox5

--"Challenging Mainstream Thought About Beauty's Big Hand in Evolution," by NYT's James Gorman: "Are aesthetic judgments about mates invariably tied to traits we see as adaptive and worth passing on? Or, does beauty just 'happen'?" http://nyti.ms/2s4QxNz (h/t ALDaily.com)

--"Bill Maher Knows Exactly What He's Doing: Just Ask Him," by Stephen Rodrick in Esquire: "Real Time's format is a throwback to a seventies talk show -- with a monologue, an interview, a panel discussion, some jokes, and a closing argument -- but here everything is done without the benefit of breath-catching commercial breaks. This setup sometimes leads to what can feel, in the moment, like a random car wreck, but Maher's been doing comedy for forty years. He's addicted to provocation, and more often than not, he's driving his show into a brick wall by design." http://bit.ly/2s52a7h

--"Proust and Dreyfus," by Joachim Kalka in Tablet Magazine: "In an excerpt from the newly translated 'Gaslight,' by German writer Joachim Kalka, an examination of how the scandal that rocked France bled into European literature." http://bit.ly/2rJ7bl6

--"Who Do You Want Elisabeth Moss to Be?" by Emily Gould in Elle Magazine: http://bit.ly/2rlYAyU

--"Welcome to the Green Machine," by John Nova Lomax in the June issue of Texas Monthly: "My son was jobless, directionless, and apartmentless. So when he decided to join the Army, we were just glad he was out of the house. What we didn't know was just how much the military would change him-and us." http://bit.ly/2sL0TAb (h/t Longform.org)

--"The horrors of getting hit by a pitch," by Tim Kurkjian in ESPN on Aug 3, 2012: "When that baseball is flying directly at a hitter at 95 mph, and that batter can hear the ball spinning, like the sound of a giant bee attacking, and then it hits that batter and those red seams bore into the skin like the teeth of a buzz saw, well, the elegance and

romance of that pearl is replaced by piercing, pulsating, primal pain. It is pain that can last for weeks, it can leave a hideous mark that can last for months and it can instill a fear that can last forever." http://es.pn/2t2UsI6

--"The Impossible Profession," by Janet Malcolm in the November 24th, 1980 issue of The New Yorker: What it's like to be a psychoanalyst in NYC. http://bit.ly/2smxM8L

--"Athens, Sparta and Rome: the Ancient election," by Mary Beard in The Times Literary Supplement: "Voters individually picked out their ballot slips (wax on wood, probably) from a basket as they walked across some form of bridge, then wrote the name of their candidate in the wax as they walked, and finally dropped it into the ballot box." http://bit.ly/2sbKsQt

--"The White Wedding Dress Industrial Complex," by Helena Fitzgerald in Racked: "A fantasy of wealth beyond reality or responsibility is built into the details of these dresses, all the way down to the tiny rows of covered buttons. Mostly when we spend too much money, we pretend that the money isn't real. This is why part of the point of the dress is that you can't wear it again - it becomes a perfect object, distilled and frozen in time, lifted out of the ordinary cycles of use and value and repetition." http://bit.ly/2r2ZS5k

--"How 'Eureka' Moments in Science Happen," by Cathy Newman in NatGeo: "From bathtubs to falling apples, find out what really drives some of the iconic tales of 'light bulb' moments in science." http://bit.ly/2r3tYFR

SUMMER BUCKET LIST -- WAPO: "The 40 most essential D.C. restaurant dishes of 2017" http://wapo.st/2sNLwXz

Playbookers

SPOTTED: Sen. Rand Paul (R-Ky.) last night watching the Cavs/Warriors game at the Trump Hotel.

OUT AND ABOUT - PATRICK STEEL and LEE SATTERFIELD's 50th birthday celebration last night at the Meridian International Center: Virginia Gov. Terry McAuliffe, Robert and Elena Allbritton, Dan and Rhoda Glickman, Nancy Bagley and Soroush Shehabi, Rob and Capricia Marshall, Ann Stock, Tony Blinken and Evan Ryan, Elizabeth Bagley, Jonathan Capehart and Nick Schmit, Kiki McLean, Melissa Moss, Adam and Tracy Bernstein, H.P. Goldfield and Kristin Mannion, Kim Cubine, Joel Johnson and Sara Latham, Debbie Fine, Erick Mullen and Kelly Craighead, Karen Finney, Stuart and Gwen Holliday, Kimball Stroud, Dan and Aviva Rosenthal, Linda Moore, Neal Wolin and Nicole Elkon

BIRTHDAYS: Jeff Zeleny, CNN's senior Washington correspondent and the pride of

Exeter, Nebraska, celebrating with a 29-hour birthday: breakfast in London and dinner in DC ... Sasha Obama is 16 ... Louisiana Gov. Bobby Jindal is 46 ... John Edwards is 64 ... Eliot Spitzer is 58 ... Jeff Greenfield is 74 ... F. Lee Bailey is 84 ... Sidewire's Meredith Carden, a Michelle Obama alum, the pride of Chicago and a birthday bride today! (h/ts Herbie Ziskend and boss Tucker Bounds) ... Joe Trippi, political consultant, Fox commentator, author, digital strategist, believer ... Stef Weiss (h/ts Jon Haber) ... John DiBiase ... Rep. Lynn Jenkins (R-Kans.) is 54 ... NBC's Kate Snow ... Carlos Elizondo (h/t Marc Adelman) ... Joe Nolan ... Chad Rhoades, general counsel for Sen. Tillis ... Politico Europe's Simon Marks ... AAJ's Paula J. Burris, the pride of Arlington, Va., and the best office manager in the USA (h/t Randy White) ... Politico's Javier Ruiz ... Nicole Hager, Sen. Inhofe's press assistant (h/t Daisy Letendre) ... Jennifer Donnelly, a senior associate on the organizing and campaign management team at Precision Strategies (h/t Tom Zigo) ... Rob Morello, Romney and RNC alum, now co-founder of Fraym, is 3-0 (h/t wife Rachel Sorensen) ...

... David O'Brien, senior comms manager at CRAFT, is 31 ... Google's Cameron Foxgrover ... John Yoo ... Daryn Iwicki ... Obama DOJ alum Shirlethia Franklin ... Thomas Showalter ... Al Mottur, shareholder of Brownstein Hyatt, is 5-0 (h/t Stewart Verdery) ... Semonti Mustaphi Stephens, a Michelle Obama alum and the pride of Crystal, MN ... Charmion Kinder, director of comms at My Brother's Keeper Alliance ... WSJ's Corinne Ramey ... Suzy Vilmain ... Louisa Wachs ... Jim Wisley (h/ts Teresa Vilmain) ... John Pearson ... Courtney Pearson Drake ... Jan Ruckman ... Pete Slover (h/t Dick Keil) ... Chris Merriman ... Teryn Norris ... Prince Philip is 96 ... Elizabeth Hurley is 52 ... Kate Upton is 25 (h/ts AP)

THE SHOWS by @MattMackowiak, filing from Austin:

--**ABC's "This Week":** Former U.S. Attorney Preet Bharara ... Alan Dershowitz ... Sen. Mike Lee (R-Utah) ... Sen. Joe Manchin (D-W.Va.). Panel: Alex Castellanos, Matthew Dowd, Donna Brazile, Rep. Keith Ellison (D-Minn.) and Sara Fagen

--**CBS's "Face the Nation":** Sen. Lindsey Graham (R-S.C.) ... Senate Minority Leader Chuck Schumer (D-N.Y.) ... Sen. James Lankford (R-Okla.). Panel: Julie Pace, David Ignatius, Susan Page and Ed O'Keefe

--**"Fox News Sunday":** Sen. Jack Reed (D-R.I.) ... RNC Chairwoman Ronna Romney McDaniel. Panel: Karl Rove, former Rep. Donna Edwards (D-Md.), Newt Gingrich and Charles Lane

--**CNN's "State of the Union":** Sen. Dianne Feinstein (D-Calif.) ... Sen. Susan Collins (R-Maine). Panel: Rep. Luis Gutierrez (D-Ill.), former Rep. Mike Rogers (R-Mich.), Neera Tanden and David Urban. ***Dana Bash is anchoring***

--**NBC's "Meet the Press":** Preempted for French Open coverage

--CNN's "Reliable Sources": Panel: Jeff Greenfield, Clara Jeffrey and Matt Lewis ...

Adam Goldman ... Andy Borowitz ... Tim O'Brien

--**CNN's "Inside Politics"** with John King: Panel: Jackie Kucinich, Carl Hulse, Manu Raju and Sara Murray

--**Fox News' "Sunday Morning Futures":** Rep. Peter King (R-N.Y.) ... House Majority Whip Steve Scalise (R-LA) ... Texas Attorney General Ken Paxton ... Steve Hilton ... Bud Cummins. Panel: The Daily Beast's Betsy Woodruff and Rich Lowry

--**Fox News' "MediaBuzz":** Former Bush and Obama national security council staffer Gillian Turner ... Mollie Hemingway ... Juan Williams ... Ed Henry ... Amy Holmes ... Jessica Tarlov ... Carley Shimkus

--**CNN's "Fareed Zakaria GPS":** R. James Woolsey ... Elizabeth Foley and Laurence Tribe ... Canadian foreign affairs minister Chrystia Freeland

--Univision's "Al Punto": Panel: Former Treasurer of the U.S. Rosario Marin and Adolfo Franco ... journalist and independent Mexican presidential hopeful Pedro Ferriz de Con ... "Compassion & Choices" national Latino communication manager Patricia Gonzalez-Portillo and mother of a child with a deadly form of brain cancer Nilsa Centero ... actress Salma Hayek

--C-SPAN: "The Communicators": Part 1 of discussion with Recode editor at large and columnist and The Verge executive editor and columnist Walt Mossberg ... **"Newsmakers":** NRCC chairman Rep. Steve Stivers (R-Ohio), questioned by The Hill's Scott Wong and Politico's Scott Bland ... **"Q&A":**Franklin D. Roosevelt Presidential Library & Museum director Paul Sparrow

-- **Hearst / Sony's "Matter of Fact"** with Soledad O'Brien: Sen. Jerry Moran (R-Kan.) ... Sen. Al Franken (D-Minn.) ... report on the Trump administration's $200 billion infrastructure proposal ... author and Auschwitz survivor Michael Bornstein ... discussion about ISIS internet recruitment efforts with RAND Center for Applied Network Analysis and System Science co-director and Rand Corporation engineer Elizabeth Bodine-Baron ... a tribute to journalists who give their lives covering conflicts around the world

--Washington Times' "Mack on Politics" weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at http://bit.ly/2r37J6h): Sen. Mike Lee (R-Utah).

****** **A message from Samsung:** Samsung's footprint in the U.S. has been growing for nearly 40 years, and we announced more than $10 Billion in US Growth since 2016. This year, we're proud to have added HARMAN International and its 3,500 U.S. employees to the Samsung workforce in America, and just as enthusiastic about our common vision, the similarities in our culture of innovation, and the added value we can create for customers. Learn more about our partnership at Samsung.com/VisionForTomorrow. ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 10/4/2017 8:29:06 PM
Subject: Draft EPA strategic plan drops all reference to climate change

By Alex Guillén

10/04/2017 04:26 PM EDT

The Trump administration has dropped all mention of climate change or rules to reduce carbon emissions from a strategic plan outlining EPA's priorities for the next four years, according to a draft obtained by POLITICO.

The draft was circulated around EPA for comment earlier today along with an accompanying one-page graphic.

The document creates a new framework for EPA's mission that reflects the management style of Administrator Scott Pruitt. It defines EPA's "core mission" as ensuring clean air, water and land. It calls for more "cooperative federalism" to empower state governments. And it touts the "rule of law and process," which is meant to "refocus the Agency on its statutory obligations under the law."

The draft was released to EPA employees just days after Pruitt missed a key statutory deadline to implement the 2015 ozone standard. EPA has offered no update on that issue.

"I believe this draft Plan provides the foundation for a more efficient and effective agency, enabling us to accelerate progress and deliver real, tangible results for the American people," Pruitt wrote in an email to EPA staff today.

The previous strategic plan released by the Obama administration in 2014 listed climate change as "goal one," along with broader air quality issues. The new draft plan makes no mention of climate change, though it does address non-climate air issues, as well as a litany of other regulatory, permitting and administrative goals for EPA.

WHAT'S NEXT: EPA will publish the draft plan in Thursday's Federal Register and take comments through Oct. 31.

Lorraine Woellert contributed to this report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/draft-epa-strategic-plan-drops-all-reference-to-climate-change-093937

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/24/2017 12:08:53 AM
Subject: [SPAM] May 23 -- Energy and Climate Report



Energy and Climate Report

May 23, 2017 - Number 98

News

Budget
Civil, Criminal Environmental Enforcement Cut in Trump Budget Plan
President Donald Trump's proposed budget would reduce the EPA's civil enforcement program by 18 percent, criminal enforcement by 16.5 percent, and the forensics support that makes many of those cases possible by nearly 44 percent.

Budget
Climate Spending 'Crazy Stuff' Targeted in Trump Budget
President Donald Trump's first budget request to Congress would cut or eliminate a range of programs designed to reduce greenhouse gas emissions, as well those helping communities prepare for more intense flooding or hurricanes expected to result from climate change.

Budget
Hanford Nuclear Cleanup Budget Slashed in Energy Proposal
Washington state's Hanford Nuclear Reservation, scene of a recent collapse of a tunnel containing nuclear waste, would see its funding slashed under President Donald Trump's new budget proposal.

Budget
Proposed Interior Budget Boosts Onshore, Offshore Energy
Oil, natural gas and coal development would get a boost in the White House's proposed fiscal 2018 budget, despite a substantial 12 percent cut to the Interior Department's overall funding.

Budget
Trump Dumps 'Clean Coal' Research Despite Lauding Its Potential
President Donald Trump promised his administration would bring about "clean coal," but his budget proposed slashing research the industry says it needs to make that a reality.

Budget
Trump Proposes Selling Off Half the U.S. Strategic Oil Reserve
The White House plan to trim the national debt includes selling off half of the nation's emergency oil stockpile, part of a broad series of changes proposed by President Donald Trump to the federal government's role in energy markets.

Budget
Voluntary EPA Programs Get Ax in Budget Plan as Climate Work Halts
Voluntary EPA programs that encourage businesses to improve energy efficiency and curb

greenhouse gas emissions would get the ax from a Trump administration that has already pledged to roll back climate change regulations.

Budget

White House Seeks $150M for Yucca, Nuclear Waste Storage

President Donald Trump's first budget proposal would provide $30 million for the Nuclear Regulatory Commission to restart work on licensing Yucca Mountain as a permanent repository for nuclear waste.

Climate Change

'Everything on the Table' to Save Great Barrier Reef: Australian Official

Unprecedented damage to the Great Barrier Reef caused by climate change and cyclones means that previously untried methods should be considered to protect it, the official charged with the reef's management told Australian lawmakers.

Climate Change

Trillions on Yearly Infrastructure Spending Would Help Climate Goals: OECD

The world's biggest economies have to spend about $6.9 trillion a year on "smart" infrastructure through 2030 to be on track to keep global warming to safe levels, a new OECD report said.

Climate Policy

Merkel to Confront Climate-Change 'Doubters' Among G-20 Peers

German Chancellor Angela Merkel said she won't give up trying to persuade doubters among her global peers that climate change is real, signaling her message for a Group of Seven summit starting May 26.

Climate Regulation

EPA Applies Brakes on Landfill Methane Rules

The EPA took its first step toward reconsidering methane limits for landfills set by the Obama administration by freezing implementation of the rules for 90 days.

EPA

Budget Calls for 30-Year Low in EPA Staff Levels

EPA staffing would plummet to its lowest levels since the mid-1980s, according to the Trump administration's proposed fiscal year 2018 budget.

Energy

Clean Car Rules Lead to Jobs From Technology, Equipment

More than a quarter million U.S. jobs are tied to the use of technology and production of materials used to improve vehicle fuel economy, according to a report released May 23 by environmental groups.

Energy

David Jonas Tapped as Energy Department General Counsel

David S. Jonas, an expert in nuclear nonproliferation law, will be nominated by President Donald Trump as general counsel at the Department of Energy, the White House announced May 23.

Energy

Two Energy Professionals Chosen for Nuclear Commission

A former utility commission chairman and a Senate energy staffer were named by the Trump administration to fill two vacant Republican seats on the Nuclear Regulatory Commission.

Energy

Video: Advanced Energy Research Office Would Be Cut in Trump Budget

The Trump White House is proposing to eliminate a small Energy Department advanced energy research office under a fiscal 2018 budget proposal.

International Climate

China Joins EU, Canada in Backing Climate Deal Before Trump Plan

China, Canada and the European Union are joining forces to advance the Paris Agreement while President Donald Trump is still deciding whether the U.S. should stick with the landmark deal on climate change.

Motor Vehicles

Toyota, Nissan, Honda to Lead Japan's Hydrogen Station Coalition

Eleven leading Japanese companies including Toyota, Nissan and Honda said they will collaborate to build more hydrogen stations to accommodate fuel cell motor vehicles in Japan.

Natural Gas

Federal Energy Regulator Wins in Pennsylvania Pipeline Challenge

The Federal Energy Regulatory Commission did not violate federal laws by granting a conditional permit for a pipeline expansion in Pennsylvania before the state had completed its permits, a federal court said May 23.

Oil & Gas

'Gas Apocalypse' Looms Amid Power Plant Construction Boom

The glut of cheap natural gas from a single, gigantic, shale basin that straddles the Northeast, mid-Atlantic and Midwest has sparked a massive construction boom of power plants. Dozens have been built in the past two years alone.

Renewable Energy

Renewable Energy Powers Jobs for Almost 10 Million People

Renewable energy employed 9.8 million people last year, up 1.1 percent from 2015, led by solar photovoltaic at 3.09 million jobs, according to the International Renewable Energy Agency's annual report on the industry.

Sustainability

Smart-Beta Shoppers Going Green, Not Just for the Environment

Getting a gold star for saving the world isn't the top motivation for asset managers who are looking to become more socially conscious. Instead, they're hoping to avoid long-term risk, according to a study by FTSE Russell.

Speed Up Offshore Wind Projects, Industry Says

Massachusetts' timeline for building an offshore wind industry in the state over the next 10 years is too slow and should be cut in half, energy developers said May 23.

Practitioner Insights

Science Policy

Practitioner Insights: Taking the Science out of Federal Science Advisory Boards

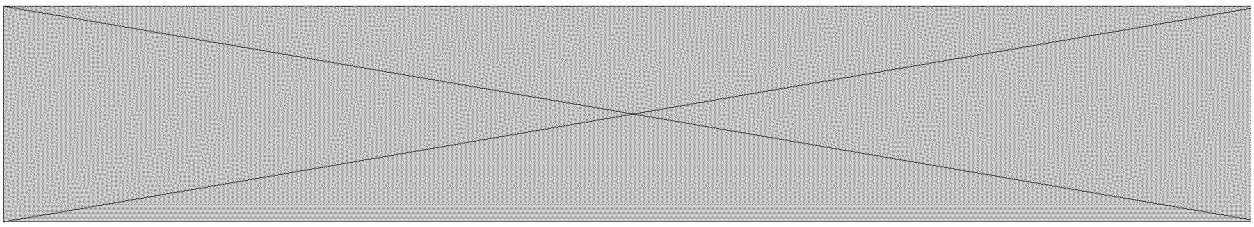
Andrew Rosenberg: The Trump administration has given new definition to the term "conflict of interest," from political meetings at Trump-owned businesses to cabinet members who may financially benefit from hamstringing the agencies they now lead.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Wed 6/7/2017 10:06:55 AM
Subject: AEI Today: This week's shot to undo the harm of Dodd-Frank

. This week's shot to undo the harm of Dodd-Frank



AEI's daily publication of independent research, insightful analysis, and scholarly debate

AEI

This week's shot to undo the harm of Dodd-Frank

Peter J. Wallison | AEI

The Choice Act, a bill that would repeal or substantially modify large portions of the 2010 Dodd-Frank Act, is on the House floor this week. There are good reasons for every one of the dozens of provisions in the bill, but first it's important to understand two significant things about the ideologically driven Dodd-Frank law: It is primarily responsible for the historically slow recovery of the US economy since 2008, and, most important, it was completely unnecessary.

Twenty20

The ultimate bipartisan compromise for paid family leave

Aparna Mathur and Isabel Sawhill | Time

Last year, a group of bipartisan experts joined forces under the umbrella of AEI and the Brookings Institution to explore paid family leave in the United States. The group, comprised of many people with government experience in both Democratic and Republican administrations, didn't agree on every question, such as how generous benefits should be. But everyone agreed on one key point: A paid family leave policy is needed in America.

Reuters

Republicans, ignore the CBO at your own political peril

James C. Capretta | Real Clear Health

The Congressional Budget Office (CBO) has been criticized often by both parties since it began issuing cost estimates for legislation in the 1970s. So it was not surprising to hear the Trump administration complain when the agency released an unflattering assessment of the American Health Care Act. The CBO has gotten plenty of things wrong over the years, but you would be hard-pressed to find an agency with more useful feedback on the GOP's path to reform.

Reuters

5 things to watch in tomorrow's British general election

Dalibor Rohac | AEIdeas

Tomorrow, British citizens will vote in a snap election called by UK Prime Minister Theresa

May. When she called the election in April, the decision looked like a masterstroke: The Labour Party was hitting historic lows in the polls, losing constituencies it had dominated since the 1930s. But a month and a half is a long time in politics, and the picture days ahead of the vote looks far less certain — in no small part because of the latest attack in London.

More from AEI

'Financialization' of the US economy may be a problem, but it didn't start with Reaganomics
James Pethokoukis | AEIdeas

Conservatives, let's scrap regulations in favor of a carbon tax

Alex Brill | CNBC

The polls on political correctness: Are young people really turning against free speech?

Karlyn Bowman and Eleanor O'Neil | Forbes

Watch: Ziad Asali offers a Palestinian perspective on the Six-Day War's 50th anniversary

Danielle Pletka | AEI Viewpoint video

A list of what the CBO got wrong about the Republican health bill — and, most important, what it got right

Joseph Antos and James C. Capretta | Health Affairs

Report: Paid family leave is an issue whose time has come

Aparna Mathur, Isabel Sawhill, Angela Rachidi et al. | AEI-Brookings Working Group on Paid Family Leave

. . . On the other hand: The dark side of paid parental leave

James Pethokoukis | The Week

Watch live this morning: Deaths of despair and the opioid crisis

Nicholas Eberstadt and Sally Satel | AEI event today at 10:30 AM ET

AEI's Values & Capitalism project is now accepting applications for the 2017–18 Young Scholar Award

Academic Programs team | AEI

The term 'trade deficit' reflects defective language and deficient thinking. Let's call it a 'stuff surplus.'

Mark J. Perry | AEIdeas

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Mon 7/24/2017 5:27:16 PM
Subject: Star Tribune: EPA's Pruitt signals welcome support for Great Lakes restoration project

The Minneapolis Star-Tribune

EPA's Pruitt Signals Welcome Support for Great Lakes Restoration Project

Editorial
July 21, 2017
http://www.startribune.com/epa-s-pruitt-signals-welcome-support-for-great-lakes-restoration-project/435922323/

Environmental Protection Agency Secretary Scott Pruitt's visit to Minnesota last week yielded an unexpected boon for those who care about clean water. In an interview with a Star Tribune reporter, Pruitt affirmed his support for federal funding of the Great Lakes Restoration Initiative, which provides landmark protections for Lakes Huron, Erie, Michigan, Ontario and, most treasured by Minnesotans, Superior.

The work that went into creating the multistate compact was years in the making, uniting governors and legislators of both parties in an unprecedented and legally binding pledge to preserve the interconnected freshwaters that touch the borders of eight states and Canada.

Republican Gov. Tim Pawlenty signed the compact for Minnesota in 2007, and DFL Gov. Mark Dayton continued the work. Republican President George W. Bush made it federal law, with bipartisan support in Congress, and Democratic President Barack Obama committed the necessary federal funding.

It's fitting that the EPA recognize and support the work and goals of those state and U.S. leaders. Pruitt, who made a mission out of suing the EPA in his home state of Oklahoma, was expected to come in as something of an anti-EPA warrior. And some of his actions have given cause for concern, including planned agency layoffs, rejection of climate change and rollbacks on some regulations.

But there also are glimmers of recognition that states face daunting environmental problems that cannot be wished away. The Great Lakes compact is significant in large measure because states from here to Pennsylvania set aside partisan differences, found common ground and committed to long-term, mutual cooperation.

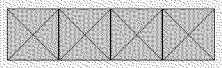
A U.S. House appropriations committee also has recognized the compact's worth. It voted for a budget that, while unfortunately trimming overall EPA funding, would preserve the $300 million for the Great Lakes. Pruitt's support for the compact is especially notable because the Trump administration's budget would have essentially zeroed out funding for the project.

Pruitt, who met with Dayton while he was here, is touring other states. Let's hope he'll gain an even greater appreciation for the environmental challenges ahead. Interestingly, he has said that upon arriving in Washington he found a "lack of urgency" at the agency on fighting major pollution. He said

40 percent of Americans live in areas that fail to meet air quality standards, a percentage he calls “unacceptable.”

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Thur 7/6/2017 2:04:33 PM
Subject: POLITICO's Morning Energy, presented by ExxonMobil: Energy big focus for Trump in Poland — Proposed RFS has something for everyone — Perry tours West Virginia coal site today

By Anthony Adragna | 07/06/2017 10:00 AM EDT

With help from Sara Stefanini, Anca Gurzu and Eric Wolff

TRUMP'S LNG PITCH: President Donald Trump is in Warsaw, Poland, this morning, where he said in a press conference alongside Polish President Andrzej Duda that the U.S. "stands ready to help Poland and other European nations diversify their energy supplies so that you can never be held hostage to a single supplier, or as we sometimes we call it, a monopoly."

Poland received its first shipment of U.S. LNG last month and Trump said there are "many more coming." Asked when more LNG shipments should be expected to arrive in Poland, the U.S. president said the two nations could sign a contract "within the next 15 minutes." Duda, however, pointed out that the contract won't be signed by the Polish and U.S. presidents, but by companies.

Trump later used a meeting of the 12 countries on the Baltic, Adriatic, and Black Seas to make a pitch for U.S. gas exports, saying the U.S. would be a "faithful and dependable partner" in helping the nations achieve energy security. "We are sitting on massive reserves of energy and we are now an exporter of energy, so whenever you need energy just give us a call," he told the Three Seas Initiative conference.

He took another shot at Russia there, though he never mentioned the country by name. "Let me be very clear about one crucial point: The United States will never use energy to coerce your nations, and we cannot allow others to do so. You don't want to have a monopoly or a monopolistic situation," he said. Trump then reiterated that theme during an outdoor speech in Warsaw: "We are committed to securing your access to alternate sources of energy, so Poland and its neighbors are never again held hostage to a single supplier of energy," he said.

Thomas Wright, a senior fellow at the Brookings Institution, writes in POLITICO Agenda the Three Seas meeting is an effort by those nations to figure out how to create the regional infrastructure to reduce their energy dependence on Russia, and that there are hopes for a deal on exports of LNG that could undermine the proposed Nord Stream 2, the controversial German-Russian energy pipeline.

After he finishes up his whirlwind 16 hour-trip to Poland, Trump heads over to Hamburg where he'll meet with German Chancellor Angela Merkel ahead of the two-day G-20 summit that starts Friday. Both leaders held an "extensive" conversation earlier this week on topics including climate change, and Merkel has warned previously that the gathering will "not be easy talks," a not-so-veiled jab at the U.S.

EU reaffirms Paris commitment: The EU will reassure its G-20 partners it "remains steadfastly

determined" to implement the Paris Accords and speed up efforts to cut emissions and move toward green energy, the heads of the European Council and Commission said in a letter to EU heads of state and government Wednesday. For the EU, the Paris deal is a "corner stone" of global efforts to fight climate change and implement the U.N.'s Sustainable Development Goals, and "cannot be renegotiated," Council President Donald Tusk and Commission President Jean-Claude Juncker said. The EU will also support an ambitious joint action plan on climate and energy that was prepared in the run-up to the summit, and welcome further work on green finance and ways to improve resource efficiency.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and the Bagley Group's Jack Bagley was the first of many to identify Columbia as the state capital that shares its name with a NASA space shuttle. For today: Which state capital shares its name with a tunnel underneath the Hudson River, an American luxury automobile brand, and a DC restaurant? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

SOMETHING FOR EVERYONE TO CHEER/WORRY ABOUT RFS PROPOSAL: EPA gave a little bit to everyone when it proposed how much biofuel would go into the nation's fuel system in 2018 on Wednesday. Big RFS backer Iowa Sen. Chuck Grassley called the proposal "a mixed bag" in his statement. Pro's Eric Wolff breaks down who got what.

Ethanol gets...15 billion gallons! All ethanol producers wanted for Independence Day was a continuation of the Obama administration's requirement that 15 billion gallons of ethanol go into the nation's fuel system, and EPA Administrator Scott Pruitt gave it to them. "It's a strong signal to the marketplace, and it reaffirms the commitment the president made on ethanol," Growth Energy's Chris Bliley told ME. Team Ethanol is banking on a major market opening up in China, so a stable domestic market promises to keep it on stable footing.

Oil gets... a 40 million gallon reduction!: Pruitt, a long time ally of the oil industry, made one change since June when the volumes were supposed to go out: Instead of increasing the required volume of advanced biofuels, he decided to cut them by 40 million gallons, reducing the overall amount of biofuel required under the program. Oil interests decided to score that shift (of about four days' worth of gasoline consumption) as a win. "We are pleased the Environmental Protection Agency has, for the first time in the history of the RFS, proposed a reduction in the amount of biofuels that must be used in the U.S.," Chet Thompson, CEO of American Fuel and Petrochemical Manufacturers, said in a statement.

Advanced biofuels get... rocks: Pruitt reduced overall advanced biofuels in 2017, kept advanced biodiesel steady in 2019, and cut by about a quarter the cellulosic ethanol mandate for fuels from agricultural products that have a much smaller carbon footprint. That set off alarm bells for advanced biofuel promoters like Brooke Coleman, who said EPA risked "fumbling the cellulosic ball."

Shadows on the horizon: Eric reports that Pruitt also opened the door to significant changes down the road, launching an analysis for a "reset" of the volumes allowed under the law, asking for comment on imported ethanol and biodiesel, and for an examination of the market for zero

percent ethanol.

It's only a proposal: EPA often modifies its proposed volumes when it issues a final rule. Now the agency has until Nov. 30 to take comment and produce a final rule. The clock is ticking.

TAKING THE LONGVIEW: Energy Secretary Rick Perry makes his first official to West Virginia today where he'll tour the 700-megawatt Longview power plant and the National Energy Technology Laboratory in the Morgantown area. But he won't be alone on his tour: West Virginia Sens. Joe Manchin (D) and Shelley Moore Capito (R), as well as Rep. David McKinley (R), are expected to participate as well.

Manchin previewed the visit on West Virginia radio Tuesday. "We will show him a clean power plant and what it can do and why it works so well with the energy mix that we need," he told MetroNews Talkline with Hoppy Kercheval. Manchin added that while the Trump administration has been "very good on energy, trying to find a pathway forward," the U.S. has "got to be careful to find that balance between the environment and economy. You can't throw caution to the wind with either one." (Discussion occurs around 55:30 mark of the recording here).

TWO STATES SUE OVER BLM'S METHANE STAY: The attorneys general of California and New Mexico sued Interior Wednesday over what they said is the "illegal" postponement by BLM earlier in June of certain portions of its methane waste rule. Both states argue the Trump administration violated the Administrative Procedure Act in delaying certain compliance dates associated with the rule indefinitely because the overall regulation had already taken effect in January 2017. The Senate came up short in its bid to block the regulation using the Congressional Review Act back in May.

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ME FIRST - LAWSUIT FILED FOR NOAA RECORDS: Cause of Action Institute, a non-profit that advocates for limited government, is filing a lawsuit this morning seeking NOAA guidance on retention of instant messaging records, as well as specific employee communications during an April New England Fishery Management Council meeting. The group argues the agency has failed to adequately respond to two FOIA requests within statutory deadlines. "NOAA appears to have created an internal messaging platform to hide records from public disclosure," Julie Smith, the group's vice president, said in a statement. "Any directive to make certain communications be considered 'off-the-record' clearly violates transparency laws."

ZINKE'S SCHEDULE RELEASED: Glancing through Interior Secretary Ryan Zinke's calendar shows a bevvy of meetings with fossil fuel industry groups and companies, members of Congress and governors, Pro's Esther Whieldon reports. Among the highlights: a half-hour May 22 meeting with officials from the American Petroleum Institute and sessions with nearly a dozen lawmakers, including Senate Environment and Public Works Chairman John Barrasso (R-

Wyo.), House Energy and Commerce Chairman Greg Walden (R-Ore.). Zinke also met with Oregon Gov. Kate Brown, a Democrat, and Sens. Angus King (I-Maine), Susan Collins (R-Maine) and Catherine Cortez Masto (D-Nev.), among others.

LCV HITS GOP ON MONUMENT REVIEW: The League of Conservation Voters is launching a $75,000 campaign across various media, including Snapchat, Instagram and Facebook, urging Republican Sens. Dean Heller, Jeff Flake, Jim Risch and Mike Crapo to reject efforts to alter national monuments in their states. Samples of the Instagram and Facebook ads here and here.

MAIL CALL! GROUPS URGE CLEAN SPENDING BILLS: A broad coalition of 173 groups, including environmental advocates Oceana, Defenders of Wildlife, Clean Water Action and Union of Concerned Scientists, sent a letter to members of Congress Wednesday urging them to pass spending bills without policy riders. "Contentious poison pill riders are intended to advance the priorities of special interest donors and supporters and should not be included in funding bills," they wrote.

HAPPY BIRTHDAY! The National Renewable Energy Laboratory celebrates its 40th anniversary this week. "Your work shows it's possible to grow our economy and protect natural resources at the same time," Perry tweeted Wednesday. NREL released a list of its accomplishments in honor of the anniversary.

SHOULD I STAY OR SHOULD I GO NOW? New York Magazine published an interesting look from six federal employees, including one from EPA, about how they're handling their duties and whether they've considered leaving in the Trump era. "Kind of surprisingly, nobody has said, 'I can't take it,' and left," the EPA employee involved in research and policy matters said. "I really love my job, and I thought I would just stay. But now that I've started interviewing for stuff, it just feels like, if I don't really sell myself and get out sooner rather than later, I might be stuck." A DOE employee described the situation as "quite depressing" and warned of "hearing about the potential for losing the next generation of scientists and engineers."

EXPLORING CASE STUDIES ON COAL'S DECLINE: The Wilderness Society is out with a report this morning examining four cases studies of what it says are the social and environmental costs of burning publicly owned coal and why it's unlikely the industry can ever recover. The report looks at the Reid Gardner Generating Station in Nevada, the Valley Power Plant in Milwaukee, the J.T. Deely Station in San Antonio, and C.P. Crane Generating Station in Baltimore. "The reduction in demand for coal from plants like these, coupled with cost competitiveness from alternative forms of energy like solar, wind and natural gas, propels an inevitable decline in coal mining on our public lands," it concludes.

MOVERS, SHAKERS: David Asmus has joined Sidley Austin LLP as co-leaders of the firm's energy practice. He's past president of the Association of International Petroleum Negotiators and a past chair of the Institute for Energy Law. Also joining the firm as a partner is Brian Bradshaw. "Their reputations in the energy field globally bring an important added dimension to our energy practice," Kevin Lewis, co-managing partner of Sidley's Houston office, said in a statement.

QUICK HITS

- Democrat Tackles Climate Change Issues, Defying GOP Leadership. Scientific American.

- Millions in environment settlements could be diverted under Christie's stealth veto. NorthJersey.com.

- Oil pipeline developer ends private security in North Dakota. AP.

- Interior chief: New offshore drilling funds should pay for parks. The Hill.

- Two Nations, One Aquifer: 'I am going to be out of water'. Albuquerque Journal.

- 'There is no way back': China seeks to move away from coal as leaders embrace the science of climate change. Seattle Times.

THAT'S ALL FOR ME!

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Sent: Tue 7/11/2017 7:11:53 PM
Subject: Murkowski pushing for energy bill action this work period

By Anthony Adragna

07/11/2017 03:08 PM EDT

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told reporters today she's hoping a broad energy package S. 1460 (115) can secure some floor time during the current work period — which Senate Majority Leader Mitch McConnell says will extend into the middle of next month.

McConnell announced this afternoon that the Senate would cancel the first two weeks of its August recess to give Republican lawmakers more time to work through their daunting to-do list, which includes repealing Obamacare and raising the debt limit.

"We have a bipartisan product that's ready to go, and why wouldn't you want to take it up?" Murkowski said, urging lawmakers to consider the package "in these spaces that we have."

She acknowledged she'd need Democratic cooperation to prevent the legislation — which is largely unchanged from a version that passed the Senate 85-12 in April 2016 — from being bogged down by procedural hurdles.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/murkowski-pushing-for-energy-bill-action-this-work-period-090296

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 10/6/2017 12:17:25 AM
Subject: Oct. 05 -- Energy and Climate Report

Energy and Climate Report

October 05, 2017 - Number 193

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News

Climate Change

Dutch Regulator Tasks Banks and Insurers on Climate-Change Risk

Banks, insurers, and other financial institutions must do more to take into account the risks posed by climate change to their business, a Dutch Central Bank study said.

Climate Regulation

Trump Administration Set to Argue Clean Power Plan Rule Violates Law

The Trump administration will formally propose repealing former President Barack Obama's sweeping plan for curbing greenhouse gas emissions from power plants by arguing it went beyond the bounds of federal law, according to documents obtained by Bloomberg News.

EPA

Trump Taps Former Inhofe Staffer For EPA's No. 2 Slot

Another former member of Oklahoma Sen. James Inhofe's (R-Okla.) team could soon be joining the EPA's leadership.

Endangered Species

Interior Sets Stage for Revisiting Sage Grouse Protections

The Interior Department will not go ahead with a proposal to block new mining claims in 10 millions acres of prime habitat for greater sage grouse.

Energy

Eighty-Two-Year-Old Glassmaker Eyes Future in Next-Gen Batteries

Ohara Inc. sees batteries playing a bigger role in its future.

Energy

Energy East Death Pins Oil Sands Hopes on Two Troubled Pipelines

TransCanada Corp.'s cancellation of the Energy East pipeline leaves Canadian oil producers more dependent than ever on the Keystone XL and Trans Mountain proposals, two projects facing ardent opposition in their own right.

Energy

Federal Regulators Criticize Energy Rule for Distorting Markets
Two of the three members of the Federal Energy Regulatory Commission have publicly criticized an Energy Department proposal that aims to subsidize nuclear and coal plants in the wholesale markets, suggesting it could "destroy" the markets.

Energy
How Energy-Rich Australia Ended Up With World's Priciest Power
A bungled transition from coal to clean energy has left resource-rich Australia with an unwanted crown: the highest power prices in the world.

Energy
Obama's Energy Chief Sees Hard Path Ahead for Perry's Coal Plan
Former U.S. Energy Secretary Ernest Moniz doubted whether the nation's top energy regulator will be able to satisfy a government request to craft new rules to prop up struggling coal and nuclear power generators.

Energy
Utilities Rebuke Theresa May's Plan to Cap Power Tariffs
Britain's utilities hit back at Prime Minister Theresa May's vow to cap energy costs, saying the measures would unsettle the industry at a time when government is seeking investment to replace aging power plants.

Insurance
Trump's Bid to Slash Flood Insurance Debt Faces Conservative Opposition
Conservative public policy groups and some congressional Republicans are objecting to the Trump administration's proposal to forgive $16 billion of debt estimated to be incurred by the National Flood Insurance Program as a result of recent hurricanes.

Oil & Gas
Norway Takes Hard Look at Climate Risk for Oil, Gas Riches
What is 47 billion barrels in oil and gas really worth in an age where renewable sources are increasingly filling the world's energy needs?

Oil & Gas
Oil Drillers May See Big U.S. Tax Cut—If Deductions Survive
U.S. oil explorers could see a multibillion-dollar benefit from a move to slash the U.S. corporate tax rate but some of the industry's biggest tax breaks could also be under fire.

Oil & Gas
TransCanada Ends Pipeline Project, Sees $801 Million Charge
TransCanada Corp. has scrapped its Energy East Pipeline and Eastern Mainline projects, oil and natural gas conduits that have faced regulatory hurdles in Canada and stiff opposition from environmental groups.

Oil & Gas
Trump Administration Illegally Delayed Methane Rule: Court
A federal court ruled the Trump administration illegally froze Obama-era requirements aimed at reducing the amount of natural gas from federal land wasted through venting, flaring, and leaking.

Regulatory Policy
Energy Department, Pipeline Nominees Sail Through Senate
The Energy Department's reliability office will get new leadership as Secretary Rick Perry

pushes a plan to reward power plants—particularly coal and nuclear—that keep 90 days' worth of fuel on site.

Renewable Energy

U.K. Power Grid Trials Real-Time Data to Deal with Renewables

National Grid Plc for the first time measured the stability of the U.K.'s power network in real time, allowing it to more confidently manage the system as intermittent renewable energy generation jumps.

Renewable Energy

U.K. Seeks Brexit Boost for Renewables, but Onshore Wind Taboo

Britain wants a slice of the $30 trillion needed to clean up the world's energy supply—so long as those funds don't go into wind farms in the countryside.

Renewable Energy

U.S. Trade Dispute Scaring Companies From Buying Solar Power

A trade dispute over solar imports has stalled clean-energy projects across the U.S.

Renewable Energy

Wind in Land of Oil Prompts Surprise Boost in Renewable Spending

Seven giant wind-power projects, including one in the oil-rich U.S. state of Oklahoma, prompted a surprise investment increase for renewable energy in the third quarter.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Fri 9/8/2017 9:13:58 PM
Subject: Today on Climate Beat

September 8, 2017

Today on Climate Beat . . .

. . . we got prepared, reporting that Senate environment committee ranking member Tom Carper (D-DE) is urging President Donald Trump to take numerous steps to manage the consequences of climate change, including reinstating a recently revoked flood management standard and funding climate resiliency efforts.

Speaking of Congress, eight Democratic senators are pressing EPA to explain its plans for enforcing the agency's rule governing methane emissions from new oil and gas facilities, raising concerns that EPA's pledge for "case-by-case" enforcement might be an "attempt to circumvent" a court ruling that reinstated a key June deadline to spot methane leaks.

In personnel news, the White House tapped Bill Wehrum, an industry attorney who was acting EPA air chief during the Bush administration, to lead the office again amid ongoing efforts to target Obama-era climate and air rules.

In litigation updates, EPA is again asking an appellate court to delay litigation challenging its rule updating refrigerant management guidelines to include "substitute" chemicals that are potent greenhouse gases, continuing to signal a possible agreement with rule challengers to reduce or eliminate the need for litigation.

And we also highlighted some of the must-read stories from this past week, including reports on California's plans for passenger vehicle greenhouse gas rules, as well as FERC's GHG analysis, heavy-duty truck GHG rules and congressional pushback on flood policy.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Fri 6/23/2017 6:30:17 PM
Subject: EPA Weekly Round-Up For 06/23/17

The EPA's Weekly Round-Up ...

From announcing TSCA framework chemical rules, saving the taxpayers $1 million a year by ending the lucrative subsidy for EPA gyms, to a must-read editorial from the Oklahoman that sets the record straight about EPA Administrator Pruitt, it was another winning week at the EPA.

NATIONAL COVERAGE …

The Wall Street Journal reports that the EPA released new chemical testing rules that will protect the environment and provide certainty to businesses. "The Environmental Protection Agency on Thursday released rules enabling the agency to prioritize the testing of certain chemicals used in consumer goods and other products while forgoing the testing of others, overturning more sweeping Obama-era procedures that the chemicals industry deemed overly burdensome. Under the new rules, the agency will have more discretion to determine which chemicals and uses are evaluated for environmental and public health risks and which aren't."

The San Francisco Chronicle reports these rules will regulate toxic chemicals found in everyday products. "The rules, issued on the one-year anniversary of the law's signature by President Barack Obama, set standards for how the EPA will identify and evaluate high-priority chemicals and impose reporting requirements for industry. The new law regulates tens of thousands of toxic chemicals found in everyday products, from household cleaners to clothing and furniture."

Click Here To Watch The Video

CNN reports that the EPA has ended the taxpayer subsidy for gym memberships for employees. "The Trump administration is ending a program which subsidizes gym memberships for Environmental Protection Agency employees."

Additionally, the Washington Free Beacon reports that this move will save taxpayers $1 million. "The Environmental Protection Agency has ended a nearly $1 million program that provided gym memberships for employees. The new administration under EPA administrator Scott Pruitt identified the gym memberships as an abuse of taxpayer dollars. Examples of the program's misuse included $15,000 for gym memberships for 37 EPA scientists in Las Vegas last year."

TO THE STATES …

In Oklahoma, the editorial board at the Oklahoman writes that despite an effort by some to sensationalize, there is nothing nefarious about Pruitt dealing with the No. 1 industry in his state. "The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. … An Associated Press

story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry — which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general — he worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) to essentially keep global warming from abating. … The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious."

In Pennsylvania, the Pittsburgh Tribune reports that the EPA is working to clean-up communities in the Keystone State. "Monroeville, Penn Hills, Plum and other east suburban communities may benefit from a federal grant designed to identify and analyze brownfields. The Turtle Creek Valley Council of Governments recently was awarded $300,000 from the federal Environmental Protection Agency to continue its site assessments, develop clean-up plans and support community outreach as part of a partnership with Steel Rivers Council of Governments.

In Vermont, Vermont Public Radio reports that the EPA is working to clean-up three communities in the southern part of the state. "Brattleboro, Bellows Falls and Bennington will share $700,000 in Environmental Protection Agency cleanup funding to redevelop former industrial properties. The EPA Brownfields Program supports the first stages of hazardous cleanup on former industrial sites."

In Wisconsin, WQOW-TV reports that the EPA is working to cleanup an area near UW-Eau Claire's campus. "On Wednesday, News 18 reported on the $500,000 EPA grant the Sonnentag Complex Project was set to receive from the Wisconsin Economic Development Corporation. On Thursday, officials behind the project revealed how that money will be spent."

TWEETS ...

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Daily Environment Report

July 17, 2017 - Number 135

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Leading the News

Climate Change

Military Climate Study Survives With Crucial House GOP Votes

Language directing the Defense Department to focus on national security threats climate change poses survived in the fiscal 2018 defense bill. The House passed July 14 the National Defense Authorization Act, which retains the climate-related national security provisions, by a vote of 344-81. That vote came a day after Republicans suffered a rare defeat in trying to kill a climate measure.

Energy

Renewable Energy Not a Threat to Grid, Draft of U.S. Study Finds

Wind and solar power don't pose a significant threat to the reliability of the U.S. power grid, Energy Department staff members said in a draft report, contradicting statements by their leader Rick Perry.

General Policy

Week Ahead: N.J. Republican Lawmaker Boosting EPA's Budget

Rep. Rodney Frelinghuysen (R-N.J.) will get an initial public crack at boosting EPA spending as House Appropriations Committee chairman at a Tuesday committee markup of the fiscal 2018 budget bill, one of numerous environment and energy events scheduled for the week of July 17.

News

Air Pollution

Germany to Test More Daimler Vehicles in Diesel Emissions Probe

The German government said it will test additional vehicles made by Daimler AG, a day after

company executives were summoned to Berlin for an extraordinary meeting about the ongoing probe into the carmaker's diesel emissions.

Climate Change

Asia at Risk of Deeper Poverty Due to Climate Change, Bank Says

Asia and the Pacific, home to two thirds of the world's poor, are at the highest risk of suffering deeper poverty and disaster due to unabated climate change, reversing current development gains, according to the Asian Development Bank.

Climate Policy

Carbon from L.A. to Paris Jumps as Lawmakers Plan Tightening

Carbon prices from California to New Zealand are soaring as lawmakers across the globe seek more stringent rules for their greenhouse-gas markets.

Endangered Species

Correction

The July 13 article, "Interior Picks Hint at Lesser Focus on Endangered Species," incorrectly reported Todd Willens' title at the Interior Department. He is the assistant deputy secretary. The online version of the story has been corrected.

Energy

Federal Judge Upholds Safety Net for Midwest Nuclear Reactors

A U.S. district judge in Illinois ruled July 14 to uphold subsidies to support two of Exelon Corp.'s nuclear plants in the state.

Energy

Jones Day Lawyer Tapped to Chair Federal Energy Regulator

Energy attorney Kevin McIntyre, co-head of the energy practice at the Jones Day law firm, was tapped to be chairman of the Federal Energy Regulatory Commission, which has been without a quorum since February.

Energy

Solar Eclipse Could Wipe Out 9,000 Megawatts of Power

The eclipse set to darken skies next month threatens to sideline solar farms and rooftop panels in a wide swath of the U.S., wiping out enough power generation to supply about 7 million homes.

Energy

Trump Picks Lawyer for Energy Regulator Without Quorum

President Donald Trump named attorney Kevin McIntyre as his pick for chairman of the Federal Energy Regulatory Commission, paving the way for the agency to regain its authority to rule on natural gas pipelines and contested utility mergers.

Environmental Reviews

Local Planners Get Boost in California Climate Decision

Local planning agencies have discretion in how they evaluate the climate impacts of infrastructure projects, the California Supreme Court said in a highly anticipated decision. But the ruling leaves unclear whether those environmental reviews must be consistent with greenhouse gas goals set out in a governor's executive order.

International Issues

China Counts Costs of Tackling Its 'Grave' Pollution Problem

Xie Shuijuan, a lifelong textile seller in Shaoxing, eastern China, says a clampdown by

zealous officials on pollution caused by the local dyeing industry has boosted prices, squeezed her margins, and bankrupted some of her friends.

Motor Vehicles

Daimler Says It's Ready to Fight Emissions Cheating Accusations

Daimler AG said it would push back against allegations that it manipulated emissions in its Mercedes-Benz engines, as a German government probe into the luxury-car maker deepens.

Oil & Gas

U.S. Said to Stymie Japan's Plan to Explore for Russian Oil

A Japanese group's plans to explore for Russian oil with state-run Rosneft PJSC have been stymied by U.S. intervention over sanctions, according to people familiar with the matter.

Oil & Gas

U.S. Says Energy Transfer's Rover Gas Project Violated Rules

U.S. regulators are accusing Energy Transfer Partners LP of violating federal rules by failing to disclose information about a historic house it razed to make way for the controversial Rover natural gas pipeline.

Renewable Energy

Brazil Projects Rapid Growth in Wind and Solar by 2026

Brazil's latest 10-year energy expansion plan sees wind power doubling to a 13 percent share of the electricity matrix, while solar power stands to also gain a foothold.

Superfund

Soil Removal Necessary at Colorado Smelter Site, EPA Says

Eighteen inches of soil contaminated with lead and arsenic need to removed to protect residents near a Pueblo, Colo., which is typical for similar Superfund sites, the EPA said.

Trade Policy

U.S.-China Trade Deals Expected as 100-day Plan Concludes

China and the U.S. are poised to advance new trade deals and may discuss resuming bilateral investment treaty talks, a source close to the government told Bloomberg BNA July 14.

Vehicle Fuels

Big Oil Just Woke Up to Threat of Rising Electric Car Demand

The world's biggest oil producers are starting to take electric vehicles seriously as a long-term threat.

Water Pollution

Brazil to Loan $625M to States, Cities to Upgrade Sanitation

Brazil will provide 2 billion reais ($625 million) in low-cost loans to states and municipalities that most urgently need to upgrade basic sanitation, in particular water and sewage treatment, a ministry official told Bloomberg BNA.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Thur 11/16/2017 10:10:01 PM
Subject: EPA's Scott Pruitt drains the swamp like no one else in Washington

Pruitt is a man who gets things done. Despite resistance from within his own agency and an environment lobby bent on stopping him ...

EPA's Scott Pruitt Drains The Swamp Like No One Else In Washington

The Hill
November 16, 2017
Emmett McGroarty And Erin Tuttle
http://thehill.com/opinion/energy-environment/360763-epas-scott-pruitt-drains-the-swamp-like-no-one-else-in-washington

EPA Administrator Scott Pruitt is a man who gets things done. Despite resistance from within his own agency and an environment lobby bent on stopping him, he's doing his part to drain the swamp and return government to the people. He's bringing what citizens demand of a federal agency: Transparency and reasoned, fact-based decision-making resting on sound statutory footing.

Take the contentious issue of global warming. Pruitt called for a reasoned debate. But his critics mocked the suggestion, claiming it would be an outrage to place "fringe" views on an even platform with "established, peer-reviewed research." But it is tyrants and mobs — not reasonable policymakers intent on serving the public — who ridicule debate and discussion. It undercuts arbitrary rule and fear, their chief weapons.

Consider Pruitt's recent directive prohibiting scientists from serving on one of the agency's three main advisory panels while they are receiving EPA grant funding. It applies to the three main advisory boards at the EPA: The Science Advisory Board, the Clean Air Scientific Advisory Committee (CASAC), and the Board of Scientific Counselors (BOSC).

Pruitt made the case that the directive is necessary to ensure the agency's research programs are informed by independent experts with no financial ties to the programs. As he noted, advisory board members have received $77 million in grant money over the past three years — half of the total amount allotted.

"When we have members of those committees that received tens of millions of dollars in grants at the same time that they are advising this agency on rulemaking, that is not good," Pruitt said. His directive is prudent, and it is the type of common-sense safeguard that citizens expect in a self-governed republic.

In contrast, the resistance of the EPA's bureaucracy and its apologists shows arrogant contempt for the citizen. Board member and chair of BOSC, Deborah Swackhamer, seemingly unfazed by these relationships, labeled Pruitt's directive as "clearly political" and suggested it is an attempt to effectively stack the committees with members who disagree with her (although she didn't put it quite that way).

What's really going on at EPA is the swamp draining that needs to happen across the federal bureaucracy. It is a death-fight (meant figuratively) for bureaucrats intent at reshaping society according to their world-view. To do so, they need to maintain an appearance that scientific consensus supports their views.

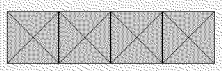
...

But, as Pruitt commented, the focus at EPA should be "sound science, not political science." His approach should be emulated by the other agencies.

To Read The Full Op-Ed Click Here

Emmett McGroarty and Erin Tuttle work for American Principles Project. They are co-authors of the forthcoming book "Deconstructing the Administrative State: The Fight for Liberty."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Sat 6/10/2017 1:20:10 AM
Subject: June 12 -- Daily Environment Report

Daily Environment Report

June 12, 2017 - Number 111

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Leading the News

Climate Regulation
Clean Power Plan Review Tests EPA's Climate Change Obligations
Whether the EPA has an obligation to address climate change will be central as the agency begins its efforts to roll back Obama-era limits on carbon dioxide pollution from power plants.

Enforcement
Who Will Justice Let Cash in on Environmental Settlements?
The National Fish and Wildlife Foundation received a check for $7 million from Princess Cruise Line in April, but not as a typical act of charity. Rather, the payment was part of a $40 million settlement the cruise line made with the federal government to resolve allegations that it violated the Clean Water Act by illegally dumping oil waste and falsifying oil spill records.

General Policy
Week Ahead: Pruitt Meets the Purse-String Holders
EPA Administrator Scott Pruitt will explain to Congress why he believes cutting his agency's budget by 31 percent is a good idea, one of numerous energy and environment events during the week of June 12.

News

Air Pollution
Poor Data, Lax Enforcement Mar EPA's Oversight of Benzene Rule
Benzene emissions from gasoline may be higher than the EPA estimates because poor data quality and inconsistent enforcement are hampering the agency's efforts, the inspector

general said.

Budget

Expect GOP Plaudits for Pruitt But Not EPA Budget at Hearing

EPA chief Scott Pruitt will likely get a warm welcome from Republican appropriators next week despite bipartisan opposition to the agency's fiscal year 2018 budget, a GOP lawmaker told Bloomberg BNA.

Chemicals

Webinar: Reviewing New Chemicals Under Amended TSCA

Bergeson & Campbell, P.C. and Bloomberg BNA present a free webinar Monday, June 12, "Reviewing New Chemicals Under Amended TSCA: Impact on Innovation." Speakers include Lynn Bergeson, managing partner of Bergeson & Campbell; Richard Engler, senior chemist at Bergeson & Campbell; Charlie Auer, senior regulatory and policy adviser at Bergeson & Campbell; Jeffery Morris, director of the Office of Pollution Prevention and Toxics at the EPA; Beth Bosley, president of ...

Climate Change

EPA's Pruitt Could Face Tough Crowd at G-7 Environment Meeting

Climate-related issues are just one part of the agenda for this weekend's meeting in Italy of environment ministers from the leading industrial nations, but EPA Administrator Scott Pruitt can expect an earful on the decision of the U.S. to withdraw from the Paris climate change agreement, environmental groups said.

Climate Change

Paris Pullout Pits Chamber Against Some of Its Biggest Members

As President Donald Trump mulled whether to exit the Paris climate accord, companies as varied as Dow Chemical Corp., Exxon Mobil Corp., and Citigroup Inc. prodded him to stay in.

Climate Policy

Trump Climate Critics Wrong on Pulling Out of Paris, Perry Says

Critics of President Donald Trump's move to withdraw the U.S. from the Paris climate change agreement are acting more for political reasons than for the reality of what the accord may achieve, U.S. Energy Secretary Rick Perry said June 9 in an interview where he defended the president's move.

Coal Mining

Concern Raised About Peabody Mine Cleanup on Navajo, Hopi Land

Arizona residents and environmentalists are growing increasingly worried about the cleanup of a large coal mine that's moving swiftly toward closure. Peabody Energy Corp., the mine's operator, promises that the reclamation will be done right.

EPA

EPA Failed to Update Science Advisory Board Policies, GAO Says

The Environmental Protection Agency failed to adequately update policies for diversifying the scientists who advise the agency on policy matters, the U.S. Government Accountability Office said in a report on June 8. The GAO found that the agency did not adequately develop an updated policy statement on its Science Advisory Board, a group of scientific experts that advise the agency. The Federal Advisory Commission Act requires the EPA to establish guidelines for the advisory board.

Emissions Trading

Carbon Prices Continue to Drop in Northeast

The cost for electricity generators to comply with the Regional Greenhouse Gas Initiative sank to a four-and-a-half-year low in RGGI's latest auction, driven by an oversupplied market and uncertainty over a longstanding program review by the nine states in the initiative.

Energy

'Game-Changer' Electricity Goal May Cut Australia's Emissions

Australia should introduce a Clean Energy Target program for electricity generators to help lower its greenhouse gas emissions, the country's chief scientist said in a report.

Energy

German Clean Power Surges Risk Grid Blackouts, Instability

Germany's electricity grid was pushed to the limit of stability last year and blackout risks will remain as long as network infrastructure fails to keep up with surging clean power, according to operator Amprion GmbH.

Energy

HIKO Mulling Appeal on $1.8M Fine for Overcharging

HIKO Energy LLC may appeal a court's decision to uphold a $1.8 million fine against the company, an attorney for the East Coast electric generation supplier told Bloomberg BNA June 9.

Energy

India Power Plants Stranded as 50 Million Homes Left in the Dark

India is scaling back expectations for power demand growth as it struggles to electrify millions of homes despite a glut in generation capacity.

Enforcement

Exxon Says N.Y. Attorney General Distorts Company's Climate Data

Exxon Mobil Corp. accused New York Attorney General Eric Schneiderman of wildly distorting in court how the company calculates the long-term financial impact of climate change on its assets.

Enforcement

Hogan Lovells Attorney Named to EPA Enforcement Role

Patrick Traylor, a partner at Hogan Lovells who represented clients on Clean Air Act enforcement and other matters, has started a new job as the EPA's deputy assistant administrator in the Office of Enforcement and Compliance Assurance.

Forests

Lawmakers Aim for Fewer Wildfires, Healthier Forests

A reintroduced bill that would make disaster funding available for the largest wildfires garnered support from both sides of the aisle June 8, just one week before another bill addressing forest management issues is set for discussion in the House.

Hazardous Waste

General Electric Challenges EPA on $613 Million Cleanup

General Electric says the Environmental Protection Agency's orders for cleaning up chemical pollution along the Housatonic River are too expensive and too demanding.

Infrastructure

Slashing Permit Wait Time Key to Fixing Infrastructure: Trump

President Donald Trump called for major changes to the infrastructure approval process, vowing to ease the "excruciating wait time" for federally funded projects.

International Climate

Macron Said to Push for Franco-German Carbon Emissions Price Floor

Emmanuel Macron reached out to Germany to establish a common price floor for carbon dioxide emitted by power utilities as the French president seeks to strengthen his alliance with Angela Merkel after the U.S. decided to exit the Paris climate accord, according to people familiar with the matter.

International Climate

Merkel Says Trump's Climate Stance Is Lowering G-20 Expectations

German Chancellor Angela Merkel said Group of 20 leaders "won't get everything we wished for" at a summit next month after U.S. President Donald Trump's decision to exit the Paris climate accord.

Motor Vehicles

Study of VW's Cheating on Diesels Examines Role of Bosch Code

A study alleges that Robert Bosch Gmbh created the software that enabled Volkswagen AG to evade diesel emissions standards for years.

Solid Waste

Biosolids Ash Can't Be Used on Farm, Virginia Court Rules

Ash from the incineration of biosolids at a Virginia wastewater treatment plant cannot be used to raise the ground level of a flood-prone agricultural field in the tidewater, the state appeals court ruled.

Stormwater

Mimic Nature to Harness Stormwater Runoff at Parks, EPA Says

Harness stormwater at parks by planting rain gardens with native plants and grasses and installing porous pavements, the EPA recommends in a new guidance.

Toxic Substances

EU Panel Classifies Titanium Dioxide as Cancer Risk

Titanium dioxide, which is widely used in the manufacture of paints, paper, and plastics, should be classified as carcinogenic in the European Union, the European Chemicals Agency said June 9.

Vehicle Fuels

Biofuel Revamp Debate Powers Up, Includes Higher Ethanol Blends

Long-awaited efforts to modify biofuel policy are entering the limelight across Capitol Hill.

Water Pollution

Colorado's Water Permit Fees Going Up for Businesses, Utilities

Colorado companies, such as MillerCoors and Newmont Mining, a host of oil and gas operations, and public and private utilities will pay higher clean water permitting fees under a bill signed by Gov. John Hickenlooper (D).

Water Pollution

Dental Mercury Discharge Rule Freed Up by Lawsuit, Group Says

Limits on the amount of mercury from dental fillings that can be discharged by dentists into the sewer system were re-posted on the EPA's website June 9, after being put on hold by the Trump administration in January.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Tue 5/23/2017 10:20:35 PM
Subject: Today on Climate Beat

May 23, 2017

Today on Climate Beat . . .

. . . we hit the pause button, reporting that EPA has formally issued a 90-day stay of its methane standards for new and existing landfills while it reconsiders several provisions, targeting portions of the regulations it says were added "without the benefit of public comment" and that it intends to revise to enhance flexibility.

In Congress, two GOP House members are urging EPA Administrator Scott Pruitt to open the agency's planned, invitation-only scientific integrity stakeholder meeting next month to the public after discovering that the agency had not provided industry and state representatives with adequate representation at the meeting.

And our daily news roundup offered an early look at the Trump administration's fiscal year 2018 budget proposal, while also noting a report about California pushing ahead on climate efforts despite a federal retrenchment.

READ THE CLIMATE BEAT →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 6/13/2017 7:09:32 PM
Subject: BREAKING NEWS: Sessions calls suggestion he colluded with Russia a 'detestable lie'

Attorney General Jeff Sessions testified at a Senate hearing on Tuesday that he did not have a third undisclosed meeting with Russian ambassador Sergey Kislyak as he denied any notion that he colluded with Russian officials during President Donald Trump's campaign.

"The suggestion that I participated in any collusion or that I was aware of any collusion with the Russian government to hurt this country, which I have served with honor for over 35 years, or to undermine the integrity of our democratic process, is an appalling and detestable lie," Sessions said before the Senate Intelligence Committee.

Sessions had been forced to clarify remarks from his confirmation hearing in January that he did not have communications with Russian officials when two previous meetings with Kisylak surfaced earlier this year. But the Justice Department has repeatedly denied that a third meeting took place, reportedly at the Mayflower Hotel in April 2016.

"I did not have any private meetings nor do I recall any conversations with any Russian officials at the Mayflower Hotel," Sessions said on Tuesday.

Read more: http://www.politico.com/story/2017/06/13/sessions-calls-suggestion-he-colluded-with-russia-a-detestable-lie-239507

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Sent: Wed 11/15/2017 6:04:58 PM
Subject: Playbook Power Briefing, presented by Chevron: Six House Dems want IMPEACHMENT HEARINGS -- CORDRAY resigns from CFPB -- Obamacare enrollment surges -- TRUMP helps secure release of UCLA players

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Today's Playbook Power Briefing presented by Chevron

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

BULLETIN -- AP at noon: "NEW YORK (AP) - Richard Cordray, Obama-appointed director of Consumer Financial Protection Bureau, says he will resign at month's end."

Good Wednesday afternoon. JAKE'S FAULT -- WE REPORTED in Playbook this morning that the debt limit and government funding need to be resolved in the next 23 days. The debt limit does not need to be lifted next month. It will need to be lifted sometime in early- to mid-2018. Another fight! In an election year!

NEW -- HEALTH CARE PROVIDERS AGAINST INDIVIDUAL MANDATE REPEAL -- America's Health Insurance Plans, American Academy of Family Physicians, American Hospital Association, American Medical Association, Blue Cross Blue Shield Association, and Federation of American Hospitals -- wrote a letter to congressional leaders urging the Hill to not cut the individual mandate during the tax cut deliberations. ***The letter*** http://politi.co/2hCIhSj

BREAKING -- CLEVELAND PLAIN DEALER: "Ohio Rep. Wes Goodman resigns over 'inappropriate behavior,'" by Jackie Borchardt: "Rep. Wes Goodman resigned his seat after House leaders confronted the Cardington Republican about 'inappropriate behavior.' House Speaker Cliff Rosenberger said he was alerted Tuesday afternoon to Goodman's involvement in 'inappropriate behavior related to his state office.' Rosenberger met with Goodman later Tuesday, and the representative confirmed the allegations.

"'It became clear that his resignation was the most appropriate course of action for him, his family, the constituents of the 87th House District and this institution,' Rosenberger said in a statement Wednesday. Later Wednesday morning, cleveland.com interviewed Rosenberger after an event in Wilmington, Ohio where he endorsed Attorney General Mike DeWine for governor. Rosenberger said there had been an inappropriate interaction in Goodman's office between Goodman and a person not employed by the legislature. Rosenberger wouldn't say when the incident happened or provide any more details." http://bit.ly/2ikC8ay

-- **GOODMAN** worked for Ohio Rep. Jim Jordan in Washington and was a well-known figure in conservative moment politics. He was known to be eyeing a run for retiring Rep. Pat Tiberi's seat.

HEADACHE FOR PELOSI -- "Six Democrats demand Trump impeachment hearings," by Nolan McCaskill: "Rep. Steve Cohen (D-Tenn.) told reporters that five other Democrats have signed on to his resolution to introduce five articles of impeachment against the president. The Democrats charge that Trump obstructed justice when he fired FBI Director James Comey; that he has violated the Constitution's emoluments clause by continuing to frequent and profit from his businesses; and that he has undermined the federal judiciary and freedom of the press." http://politi.co/2hBuBXu

TRUMP INC. -- "The Trump Organization sees fortunes fall," by Crain's New York's Aaron Elstein: "Not only are the Trump Organization's plans to develop a hotel here going nowhere, but prices are slumping for condos at Trump Tower and the Trump International Hotel and Tower. And golfers are shunning the Trump Golf Links at Ferry Point in the Bronx, where revenue through mid-September had fallen by more than $1.1 million in the past two years, to $5.7 million, amid a 16% drop in rounds played.

"In addition, the Trump Organization, a perennial leader on the Crain's list of largest privately held companies, has fallen steeply in the rankings, to No. 40 from No. 3 last year, following the president's disclosures to federal regulators that revealed the organization's revenue is less than a 10th of what the firm had reported since at least 2010." http://bit.ly/2juZyx7

BIG ONLINE -- "Net neutrality fight is about to flare again," by Margaret Harding McGill: "The FCC, under Trump-appointed Chairman Ajit Pai, is readying a final order that will spell out how thoroughly it intends to roll back the 2015 net neutrality order, which requires internet service providers like Verizon and Comcast to treat all web traffic equally. The release could come as early as next week, teeing up a possible commission vote in December.

"So far, Pai has said he wants to scrap the legal foundation that the FCC's old Democratic majority adopted to tighten federal oversight of ISPs, a move he contends has deterred the industry from investing in broadband networks. But he could also opt to eliminate the FCC's core net neutrality rules altogether -- which would in theory allow ISPs to block or throttle some types of web traffic, or charge websites for 'fast lanes' to consumers." http://politi.co/2juiAnl

PRESSURE ON COLLINS -- "Small-business group launches pro-tax reform ad campaign in Maine," by Colin Wilhelm: "The Job Creators Network, a conservative small business organization, will launch a pro-tax reform ad campaign in Maine, a move that could pressure moderate Republican Sen. Susan Collins to vote yes on the bill. ... [A release] said the ad campaign purchase is 'six-figure' and will air on cable news in the Bangor-area media market in addition to online." ***More for Pros***

http://politico.pro/2hzeauQ

PAGING HARRY REID -- "Trump's budget chief says funding for Yucca Mountain was his idea," by the Las Vegas Review-Journal's Debra Saunders: "President Donald Trump's top budget man, Mick Mulvaney, solved a mystery Tuesday. Asked who put $120 million into Trump's spending plan to restart licensing for a Yucca Mountain nuclear waste repository and other interim storage, Mulvaney said he did. 'Whose idea was to put it in there?' the Office of Management and Budget director replied. 'I wrote the budget and I am very interested in seeing that issue explored further. We have to put this stuff someplace. So the $120 million you saw, it was actually very minor. I'm surprised it got that much attention as it did. It's only to explore the possibility of licensing.'" http://bit.ly/2AIrLny

NOT SUBTLE AT ALL -- @MSNBC: "Roy Moore's Attny. Trenton Garmon suggests Ali Velshi's 'background' would help him understand why Moore would date underage women -- @AliVelshi is from Canada". *Video* http://bit.ly/2hBrTkM

****** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat- buckwheat. Watch the video: http://politi.co/2ArlBXv ******

TRUMP VS. NYT -- @realDonaldTrump at 11:35 a.m.: "The failing @nytimes hates the fact that I have developed a great relationship with World leaders like Xi Jinping, President of China....." ... **at 11:39 a.m.:** "...They should realize that these relationships are a good thing, not a bad thing. The U.S. is being respected again. Watch Trade!" ... **at 11:52 a.m.:** "It is actually hard to believe how naive (or dumb) the Failing @nytimes is when it comes to foreign policy...weak and ineffective!"

RICK STENGEL in **POLITICO Magazine -- "What Hillary Knew About Putin's Propaganda Machine":** "On a Saturday morning after I'd been in the job for two months -- about four weeks after Vladimir Putin's troops invaded Crimea -- I got a call from the State Department operations center saying they had the secretary on the line. Only it wasn't Secretary John Kerry, my boss, but former Secretary Hillary Clinton. I had known, liked and admired Clinton for a long time, and I assumed she was calling belatedly to say congratulations. I was wrong. After a perfunctory hello, she launched right into it: We're losing the information war with Russia.

""**She urged me to stand up** a much stronger and more robust messaging machine to compete with the firehose of Russian propaganda and disinformation that was besmirching America's image and undermining democracy around the world. 'They're using the old techniques of repeating lies over and over but doing so on 21st century platforms,' she said. You need to fact-check what they are saying and expose Russian disinformation in real time, she continued. We need to do much more. I remember how she ended the call: 'The State Department is still issuing press releases while Putin is rewriting history.' She was right." http://politi.co/2jsjgtw

NOT DEAD YET -- "Defying gloomy predictions, Obamacare enrollment surges," by Paul Demko: "Doomsday headlines about Obamacare enrollment may be having an unforeseen consequence: booming sign-ups in the troubled insurance marketplaces. Obamacare's fifth open enrollment season, the first under President Donald Trump, is off to a surprisingly robust start despite the brutal developments of the past year -- skyrocketing premiums, dwindling competition, unremitting Republican efforts to eradicate it.

"Sign-ups surged as soon as enrollment opened Nov. 1, easily surpassing the number of Americans getting coverage during the opening days of the final two sign-up periods under the Obama administration. CMS on Wednesday reported nearly 1.5 million people had selected plans through Nov. 11. In other words, there might be no such thing as bad news for Obamacare." http://politi.co/2jqAIhQ

SPORTS BLINK -- "How Trump Helped Liberate U.C.L.A. 'Knuckleheads' From China," by NYT's Mark Landler and Mike Shear: "The alleged offense was hardly life or death. But what begun as a simple accusation of celebrity shoplifting [from three UCLA basketball players] threatened to escalate into a full-blown international incident just as Mr. Trump arrived in China on a 12-day mission through Asia, his first foreign trip to the region. 'These are law and order guys; they have pretty swift justice,' John Kelly, the president's chief of staff, said of the Chinese authorities in an telephone interview later. 'An awful lot of American kids don't realize that the kinds of things that in United States society we tolerate with a slap on the wrist, a lot of countries they take very seriously.' ...

"Mr. Kelly, who arrived back in the United States with Mr. Trump Tuesday night aboard Air Force One, provided details about the president's diplomatic outreach on behalf of the U.C.L.A. players. 'Our president said to Xi, "Do you know anything about these knuckleheads that got caught allegedly stealing?"' Mr. Kelly said. Unaware of the episode, the Chinese president dispatched an aide to get more information. 'The president was saying, 'It's not too serious. We'd love to see this taken care of in an expeditious way," Mr. Kelly added." http://nyti.ms/2hCMcOJ

-- @realDonaldTrump at 10:11 a.m.: "Do you think the three UCLA Basketball Players will say thank you President Trump? They were headed for 10 years in jail!"

MEDIAWATCH -- "'Unsafe and Just Plain Dirty': Women Accuse Vice of 'Toxic' Sexual Harassment Culture," by Brandy Zadrozny in the Daily Beast: "The Daily Beast spoke with more than a dozen former and current Vice employees in recent weeks about the culture for women inside Vice Media -- and they painted a picture of harassing behavior and company indifference. ... Vice founders Gavin McInnes and Shane Smith have been open about the fact that the Vice brand was built, at least in part, on the objectification of women. In the 90's-era magazine (mostly written by McInnes) naked women graced the magazine's covers and sexual exploitation filled its pages via fact-free articles and features ...

"But their brand expanded quickly. The once humble hipster bible has turned into a

major media player by answering the prayers of old guard media companies vying for millennials -- an audience Vice executives claim to have cornered. Today, Vice is valued at $5.7 billion, thanks to some major investments from Disney and 21st Century Fox. Meanwhile, the men in charge claim to have grown up alongside their company, evolving from 'ignorant, disrespectful and juvenile boors' to leaders of an empire, and purging the most noxious-- namely McInnes -- from their ranks. ...

"While that transformation may be true in terms of reach and wealth, several former employees told The Daily Beast the company is far from the woke media giant it claims to be -- especially in its dealings with the women it employs. In a post-Harvey Weinstein world, where allegations of sexual harassment and assault have ended the careers of powerful journalists like Mark Halperin and Leon Wieseltier, insiders say the spotlight may soon be turning on Vice." http://thebea.st/2hCxoQb

AFTERNOON READ -- "Hate in America: Where it comes from and why it's back," by Yahoo News' Andrew Romano and Lisa Belkin: "Today's haters -- the white-nationalist radicals of the so-called alt-right -- are not nearly as powerful as Adolf Hitler's Nazis, or as pervasive as the small-town bigots of the Jim Crow South. But that doesn't mean they're harmless. Like all waves of hate, this newest one comes with distinct origins and unique challenges.

"Specifically, the rise of the alt-right has been enabled by changing norms and technology that make it easier to become radicalized in the first place. In fact, the rise of hate within America shares roots with the rise of hate toward America; the same tools and trends are helping to facilitate both terrorism and nativism. Hate, in short, is becoming more accessible than ever before -- and that poses a distinctive, and particularly insidious, threat." https://yhoo.it/2juCKh9

CONGRATS -- Matt Friedman, the author of the New Jersey Playbook, who was named to POLITICKER NJ's annual Power List http://bit.ly/2hBxEyQ

TRANSITIONS -- OBAMA ALUMNI -- AVRIL HAINES , former deputy director of the CIA and former deputy national security adviser to President Obama, joined the faculty of the Columbia Law School.

WELCOME TO THE WORLD - Joy Swain, director of corporate research at the U.S. Chamber and a VOX Global alum, and **John Baker,** branch chief of personnel, administration, and travel for the Military Commissions Defense Organization, on Sunday welcomed Samaira Rose Baker, born 6 lbs, 9 oz. *Pic* http://bit.ly/2hCYuqD

****** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2ArIBXv ******

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Sent: Wed 6/7/2017 9:46:05 AM
Subject: Morning Energy: Pruitt, Zinke join Trump in Ohio today — EPA delays implementation of tightened ozone standard — Clark picked for top DOJ environmental job

By Anthony Adragna | 06/07/2017 05:44 AM EDT

With help from Eric Wolff, Annie Snider and Alex Guillén

TRUMP INFRASTRUCTURE TRAIN ROLLS ON: Both EPA Administrator Scott Pruitt and Interior Secretary Ryan Zinke are expected to be on hand today as President Donald Trump heads down to the banks of the Ohio River. With an Ingram coal barge as a backdrop, Trump is expected to tout the role that inland waterways play in America's agricultural and energy exports. Infrastructure advocates often point out that it's the U.S.'s ability to get goods to market cheaply that allow us to beat out competitors. Zinke is expected to speak about energy dominance during the event as well.

Literally just tossing this out: Because why not, Trump floated the idea of installing solar panels on his proposed Mexican border wall to cover the billions in construction costs during a meeting with congressional leaders Tuesday, POLITICO's Josh Dawsey and Rachael Bade report . It's... not exactly clear just how this would work. ME did some digging, and using 28-inch wide solar panels available at Home Depot (Buy American!), you'd need 4,364,434 panels to run the entire 1,989 miles of the proposed border wall. What's more, you'd create the biggest solar array in the world at 1.25 gigawatts of total capacity (the largest currently is 850 megawatts)! That's before we even get to the issue of how Trump would install the transmission needed to carry all the power and where it would go! One company, Gleason Partners LLC of Las Vegas, actually proposed a similar idea back April, according to the Las Vegas Journal-Review.

OZONE DECISIONS PUSHED: Pruitt announced late Tuesday he would delay deciding which areas of the U.S. do not meet the 2015 ozone standard, saying he needs another year to "consider completely" the states' suggestions "and to rely fully on the most recent air quality data," Pro's Alex Guillén reports. In letters to governors, Pruitt said "there is insufficient information" to act at this time.

In response, Sen. Shelley Moore Capito hailed Pruitt's decision: "State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards," she said. But environmental advocates hinted at litigation over the move. "The delay is flagrantly illegal as well as a direct assault on our right to breathe safe, clean air," John Walke, director of NRDC's clean air program, said in a statement.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and Kansas, Mississippi and Tennessee are the three states that are entirely dry by default. (Individual counties can specifically authorize the sale of alcohol.) For today: How many members of the Senate lack a four-year degree? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter: @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

CLARK PICK FOR TOP DOJ ENVIRONMENTAL JOB: Trump has selected veteran Washington attorney Jeffrey Bossert Clark to run DOJ's Environment and Natural Resources Division, Pro's Alex Guillén reports. Clark is involved in the lawsuits challenging EPA's Clean Power Plan and will likely have to recuse himself from that ongoing litigation, if confirmed. He's been a partner at Kirkland & Ellis since 1996, except between 2001 to 2005, when he was the deputy assistant attorney for ENRD.

Blast from the past: Clark has been involved in some other key litigation in recent years. He represented the Alliance of Automobile Manufacturers and National Automobile Dealers Association in lawsuits challenging EPA's 2009 decision to reject a waiver to set more stringent vehicle emissions standards than the federal level. The Obama administration later reversed course and granted that waiver to California, but the Trump administration now is weighing whether to revoke it, a contentious issue. Clark also represented the U.S. Chamber of Commerce in challenges to EPA's greenhouse gas endangerment finding and several early climate rules. And he represented ethanol group Growth Energy in successfully fending off oil industry challenges to an early EPA Renewable Fuel Standard rule.

Also: If you were thinking about protesting his confirmation hearing, Clark is on record as not being a huge fan of protesters who step over the line. In a 1986 piece in the Harvard Crimson, where according to his LinkedIn profile he was editorial page editor, Clark argued that the school "justly" prosecuted political protesters because they "obstructed freedom of movement and violated trespassing laws."

AUDACITY OF (CONTINUED) HOPE: Former President Barack Obama remains optimistic about the chances of tackling climate change despite what he called a "temporary lack of U.S. leadership" on that issue, POLITICO's Jake Lahut reports. "In Paris, we came around to the most ambitious agreement in history to combat climate change, an agreement that even with a temporary lack of U.S. leadership will still give our kids a fighting chance against climate change," Obama said in remarks to Montreal's Chamber of Commerce.

THAT WAS FAST: Mere hours after the Senate EPW Committee scrapped their confirmation hearings due to a lack of paperwork, the White House formally sent nominations for three NRC picks over to Congress, Pro's Darius Dixon reports. The panel now plans to hold a hearing on the nominations of Annie Caputo and David Wright, and the reappointment of Chairwoman Kristine Svinicki, on June 13 at 10 a.m.

REGULATORY CZAR PICK IN THE HOT SEAT: The Senate Homeland Security and Governmental Affairs Committee today hears from Trump's pick to serve as the nation's regulatory gatekeeper, law professor Neomi Rao. The George Mason University's Antonin Scalia Law School professor has previously argued judicial deference has created a "significant expansion" of executive branch authority at the cost of Congress's power and urged lawmakers to pass more specific laws. Trump tapped her to run OMB's Office of Information and Regulatory Affairs in April.

In response, Public Citizen President Robert Weissman said: "It is clear that Trump appointed her to defang regulatory agencies, gut regulatory protections and give corporations a free hand to

pollute and pilfer, poison and profiteer."

MOVE ALONG: Lawmakers on the House Energy and Commerce Committee are expected today to advance 11 energy-related bills, including those addressing energy efficiency and infrastructure permitting. Most of them are fairly minor, and arguably the most consequential is a bill (H.R. 1109) that would amend the Federal Power Act to set $10 million as the minimum threshold for mergers and acquisitions subject to FERC jurisdiction. A full list of bills up for consideration at the markup, which kicks off at 10 a.m. in Rayburn 2123, is available here.

ME FIRST — RFA SAYS RFS HAS WORKED OUT GREAT! The Renewable Fuels Association is out with a report today providing data that the Renewable Fuel Standard is working out just fine, thank you. It shows that gas prices and dependence on foreign oil imports are down since the RFS was signed in 2005, while ethanol jobs grew 121 percent over the same period. The report comes as the E15 debate heats up, with EPW Chairman John Barrasso planning to schedule a hearing and markup on a bill that would allow year-round sales of the E15, a major goal of ethanol producers.

Flag Day for E15?: Mike Lorenz, executive vice president for gasoline retailer Sheetz, said he plans to testify before EPW on Deb Fischer's E15 bill on June 14 at 10 a.m. The committee wouldn't confirm that date, but we'll assume it's set. Lorenz, who lives in Pittsburgh, said he plans to be in town next Tuesday to prepare for the hearing the following day. Sheetz is the largest retailer of 15 percent ethanol fuel in the country. The hearing and eventual markup is part of an agreement between Barrasso and Fischer to win support from corn-state senators for a vote against an Obama-era methane regulation. The bill, which would allow year-round sales of E15, has been long-sought by of ethanol producers.

NEW PUSH AGAINST ROVER PIPELINE: Oil Change International released a new analysis today finding the Rover pipeline (and the natural gas it would transport) would produce as much greenhouse gas pollution as 42 coal-fired power plants — some 145 million metric tons per year — if completed. The $4.2 billion high-pressure natural gas pipeline that would transport natural gas through Pennsylvania, West Virginia, Ohio and Michigan.

Meanwhile, indigenous and green groups are urging 28 major banks not to fund the Trans Mountain pipeline expansion project. In a letter Tuesday, they say the "expansion project is no minor expansion of an existing pipeline; it is a proposal for a new pipeline that would triple Trans Mountain's capacity ... We urge you to avoid the reputational and financial risk of supporting this destructive project."

WHY THE DELAY? Top House Natural Resources Democrat Raul Grijlava wants to know why Interior postponed a scheduled meeting of the Extractive Industries Transparency Initiative, which requires governments to disclose payments they receive for extracting minerals, gas and oil, to an undetermined date later this year. Grijalva asked Zinke in a letter to clarify the administration's position on the group by June 30 and commit to holding a meeting no later than the end of August.

PRUITT FEARS 'QUESTIONABLE' CLIMATE MODELS: Speaking Tuesday on Fox

Business, Pruitt acknowledged human activity contributed to climate change but questioned the validity of modeling on the impacts of the problem. "The modeling that has been used over the last several years has absolutely been questionable," he alleged. "What we do know is human activity contributes to warming, what we do know is it's very difficult to measure with precision the amount of human activity contributing to the warming."

MAIL CALL! NOT SO FAST, MR. SECRETARY: The American Public Power Association and the National Rural Electric Cooperative Association sent a letter to Energy Secretary Rick Perry expressing concern over the administration's proposal to sell off transmission assets of three federal power marketing administrations. "There is no factual evidence that selling the transmission assets of the PMAs would result in a more efficient allocation of resources," the groups wrote. "Rather, it is much more likely that any sale of these assets to private entities would result in attempts by the new owners to charge substantially increased transmission rates to the PMA customers for the same service they have historically received."

NEW PUSH FOR REGULATORY OVERHAUL: Sixteen Republican attorneys general, led by Texas' Ken Paxton, released a letter to Trump Tuesday urging Congress to pass a law saying that no federal agency regulations, interpretations, guidance documents, bulletins, circulars or any other administrative statement are enforceable in federal courts. Instead, those entities would send their actions to Congress for review. "In this way, the lawmaking power would return to where it belongs — Congress — and the judiciary would reemerge as an independent adjudicator of lawsuits between the federal government and the people," they wrote.

MAINE CAN MANAGE ITS OWN PARK: Rep. Bruce Poliquin sent a letter to Zinke arguing Maine could best manage the Katahdin Woods and Waters National Monument while vowing to continue efforts to revamp the president's authority to use the Antiquities Act to designate national monuments. "Whatever your final recommendation, I ask you to convey to the President my continued strong opposition to this unchecked executive power and my request that he supports my long-term solution for local control of monument designations," Poliquin wrote. He notably stopped short of calling for full repeal of the national monument.

Separately, 260 former and current employees of the National Park Service are sending a letter to Zinke today expressing opposition to Trump's order calling for the review of the designation of more than two dozen national monuments under the Antiquities Act.

REPORT: ENERGY DEVELOPMENT ENDANGERS NATIONAL PARKS: The National Parks Conservation Association is out with a report warning of negative consequences from improperly sited oil and gas leases at seven national parks.

REPORT: DIVESTMENT WOULD COST PENSIONS BIG: Divesting from fossil fuels would cost 11 of the biggest public pension funds $4.9 trillion over 50 years due to reduced portfolio diversification, according to a report released today through the Independent Petroleum Association of America's Divestment Facts program.

VITTER LANDS A SIDE HUSTLE: Former Sen. David Vitter has a new gig. The Louisiana Republican, who joined Mercury in February after retiring from the Senate, has joined the New

Orleans office of the law firm Butler Snow as of counsel. The news was first reported by the Associated Press. He will continue to work full-time as a lobbyist in Washington for Mercury, where his clients include Morris & Dickson, Cabot Corporation, the Atlantic Development Group, the American Chemistry Council, Morganza Action Coalition and the Air-Conditioning, Heating and Refrigeration Institute, according to disclosure records. "This doesn't change his role or work at Mercury," a Mercury spokeswoman wrote in an email. (h/t POLITICO Influence)

SIERRA CLUB FURTHER BACKS OSSOFF: Ahead of the June 20 runoff election, the Sierra Club is launching a new campaign targeting some 41,000 voters with two pieces of mail backing Democrat Jon Ossoff, who faces Karen Handel in the race for HHS Secretary Tom Price's old seat in Georgia.

WORKING ON YOUR FITNESS? Rep. Jared Huffman is teaming up with three Olympians in holding a public lands-themed interval workout on the Capitol Grounds this morning at 8 a.m. across from the Reflecting Pool.

QUICK HITS

— How climate change helped Lyme disease invade America. Vox.

— Oil is flowing in the Dakota Access Pipeline, but Iowa opponents still think they can shut it down. Des Moines Register.

— More NC homeowners could have rooftop solar panels with leasing deals. The News & Observer.

— Saudi Dispute With Qatar Has 22-Year History Rooted in Gas. Bloomberg.

— U.S. senators press EPA for documents on Icahn's biofuel dealings. Reuters.

— Workers in North Carolina were lifted by solar's rise. Now they're worried about Trump. Washington Post.

— Donald J. Vidrine, Supervisor on Ill-Fated Deepwater Horizon Rig, Dies at 69. New York Times.

HAPPENING TODAY

8:45 a.m. — "Energy Security in Central & Eastern Europe: New Challenges and Opportunities," Atlantic Council, 1030 15th Street NW

9:30 a.m. — "Review of the FY2018 Budget Request for the U.S. Forest Service," Senate Appropriations Interior, EPA and Related Agencies Subcommittee, Dirksen 124

10:00 a.m. — House Energy and Commerce Committee marks up various energy bills, 2123 Rayburn

10:00 a.m. — Senate Homeland Security and Governmental Affairs Committee considers nomination of Neomi Rao for OIRA, Dirksen 342

10:00 a.m. — "Energy Opportunities in North America," House Foreign Affairs Committee's Western Hemisphere Subcommittee, 2172 Rayburn

10:00 a.m. — "Oversight on the Office of Surface Mining Reclamation and Enforcement's Abandoned Mine Lands Program," House Natural Resources Committee's Energy and Mineral Resources Subcommittee, 1324 Longworth

10:30 a.m. — "National Science Foundation Budget Hearing," House Appropriations Commerce, Justice, Science, and Related Agencies Subcommittee, 2359 Rayburn

2:00 p.m. — House Natural Resources Committee, Indian, Insular and Alaska Native Affairs Subcommittee hearing on various legislation, 1324 Longworth

2:30 p.m. — "Moving into a Second Century of Service: Working to Improve the National Park Service Workplace Environment," Senate Energy Committee's National Parks Subcommittee, 366 Dirksen

2:30 p.m. — "Review of the FY2018 Budget Request for the Nuclear Regulatory Commission," Senate Appropriations Energy and Water Development Subcommittee, Dirksen 138

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/pruitt-zinke-join-trump-in-ohio-today-023179

Stories from POLITICO Pro

Trump floats idea of using solar panels to pay for Mexico wall Back

By Josh Dawsey and Rachael Bade | 06/06/2017 05:51 PM EDT

President Donald Trump floated putting solar panels on his planned Mexican border wall in a meeting with legislative leaders Tuesday afternoon, according to White House and Capitol Hill officials.

It was unclear why Trump brought up the topic, but he presented the panels as a way to fund the wall, which is expected to cost billions of dollars, according to three people familiar with the conversation.

He didn't express certainty that it would happen — but that he'd heard it as a possible idea and wanted to see what others thought, said a senior official familiar with the White House meeting.

Trump has insisted that Mexico will pay for the wall's construction — something Mexican officials have repeatedly denied — but has acknowledged that taxpayers may need to initially foot the bill before being repaid.

The president's interest in a potential solar panel solution comes as he's received intense criticism from world leaders for his decision to pull out of the Paris climate agreement.

To view online click here.

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Pruitt delays next step in implementing 2015 ozone standard Back

By Alex Guillén | 06/06/2017 07:14 PM EDT

EPA Administrator Scott Pruitt is delaying a deadline for deciding which areas of the U.S. do not meet the 2015 ozone standard, saying "there is insufficient information" to act at this time.

In letters to governors sent today, Pruitt says he needs the extra year to "consider completely" the states' suggestions "and to rely fully on the most recent air quality data." Determining which areas do not comply with the new standard is the first step toward requiring states to form plans to reduce ozone levels.

June 9 had been the target date for EPA to publish state proposals and take public comment, with a final decision coming by Oct. 1 of this year, according to a February 2016 memo from EPA.

Pruitt said he is also reviewing "a host of complex issues" regarding the standard, including background ozone, international sources and "exceptional events" like wildfires or volcanic eruptions that can spike ozone levels. The letter says Pruitt has also created an Ozone Cooperative Compliance Task Force "to develop additional flexibilities for states to comply with the ozone standard."

EPA has paused legal challenges to the standard while it reviews the rule requiring states to limit ozone to 70 parts per billion. It is not yet clear whether Pruitt will seek to repeal it and return to the 2008 standard of 75 ppb.

To view online click here.

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Trump picks lawyer involved in carbon rule challenge for DOJ enviro chief Back

By Alex Guillén | 06/06/2017 06:38 PM EDT

President Donald Trump plans to nominate longtime Washington lawyer Jeffrey Bossert Clark, who is involved in the lawsuits challenging EPA's Clean Power Plan, to run DOJ's Environment and Natural Resources Division, the White House announced today.

Clark has been a partner at Kirkland & Ellis since 1996, except between 2001 to 2005, when he was the deputy assistant attorney for ENRD.

Clark is involved in the litigation over EPA's Clean Power Plan, and likely will have to recuse himself from that lawsuit while running ENRD. He represented Consumers' Research, a self-described "independent educational organization," in filing a "friend of the court" brief along with the state of Nevada that urged the D.C. Circuit Court of Appeals to strike down the carbon rule.

He previously successfully argued on behalf of the Bush EPA before the D.C. Circuit in *Massachusetts v. EPA*, though that ruling was later overturned by the Supreme Court and ultimately established EPA's mandate to regulate greenhouse gases.

Clark has testified before Congress several times recently, including last year, when he supported legislation that would end Chevron deference, the doctrine in which courts are supposed to accept an agency's reasonable interpretation of ambiguous statutes.

Coincidentally, Jeffrey Wood, the Trump appointee currently acting as head of ENRD who has had to recuse himself from the Clean Power Plan lawsuit because he represented Republican lawmakers in a filing, will testify on Thursday at a House Judiciary oversight hearing.

To view online click here.

Back

Obama optimistic despite 'temporary lack of U.S. leadership' on climate Back

By Jake Lahut | 06/06/2017 07:06 PM EDT

Former President Barack Obama critiqued what he said was a "temporary lack of U.S. leadership" on climate change and urged his audience to resist a global trend toward nationalism during remarks Tuesday to Montreal's Chamber of Commerce.

Obama refrained from directly criticizing President Donald Trump, but he expressed confidence in the Paris deal to combat climate change, from which Trump recently announced the United States would withdraw.

"In Paris, we came around to the most ambitious agreement in history to combat climate change, an agreement that even with a temporary lack of U.S. leadership will still give our kids a fighting chance against climate change," Obama said.

The former president said he recognized that the "unrelenting pace" of globalization and technological change has not been beneficial for everyone. Hearkening back to the onset of industrialization in the Western world, Obama acknowledged "a great temptation to fall into the politics of nationalism and of tribe, of us vs. them."

"It can seem that the international order we've created is constantly being tested and that the center may not hold," Obama said. "That can lead people to call for isolationism and nationalism, and the reduction in the rights of others. Or they can retreat, and argue that we have no obligations beyond our borders, beyond our tribe."

The former president did not mention Trump by name in his prepared remarks, even though Quebecois dignitaries teed him up to take a swing at the current president in their introductions. Obama's comments were optimistic, centering around an assertion that not all progress is linear.

"In times of disruption, we may go backward instead of forward," he said.

To view online click here.

Back

White House sends NRC nominations to the Senate Back

By Darius Dixon | 06/06/2017 05:06 PM EDT

The White House officially sent the nominations for President Donald Trump's three picks for the Nuclear Regulatory Commission to the Senate today, according to a White House notice.

On May 22, the White House announced Trump's intent to nominate Annie Caputo and David Wright to a pair of vacant seats on the NRC, while reappointing agency Chairwoman Kristine Svinicki. But the White House hadn't formally shipped the nominations to the Senate until today. Similar delays have prevented numerous other positions from being filled across the Trump administration.

Svinicki's term expires at the end of the month.

The Senate Environment and Public Works Committee initially scheduled a hearing on the NRC nominees for Wednesday morning, even though it had not received the paper, and it ultimately postponed that hearing.

WHAT'S NEXT: EPW's rescheduled hearing will take at 10 a.m. June 13 to review the NRC nominations.

To view online click here.

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Trump picks law professor for OIRA post Back

By Alex Guillén | 04/07/2017 05:10 PM EDT

President Donald Trump plans to nominate law professor Neomi Rao to run the Office of Management and Budget's Office of Information and Regulatory Affairs, putting her in charge of government-wide regulatory efforts.

Rao is a law professor at George Mason University's Antonin Scalia Law School, with a focus on constitutional and administrative law.

Previously, Rao was an associate White House counsel for George W. Bush and an aide on the Senate Judiciary Committee. She also clerked for Justice Clarence Thomas.

Rao testified last year at a Senate hearing on judicial deference, including the Chevron doctrine, under which judges are supposed to defer to reasonable agency interpretations of ambiguous laws. She argued that judicial deference has created a "significant expansion" of executive branch authority at the cost of Congress's power. She called on Congress to pass more specific laws.

Rao also wrote a blog post in December suggesting the White House should exercise greater control over independent agencies such as FERC.

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Yes, very	Somewhat	Neutral	Not really	Not at all

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Thur 7/6/2017 2:04:28 PM
Subject: POLITICO's Morning Score: Hatch raised $1 million, slew of House Dem challengers report Q2 fundraising totals — Democratic challengers jump into elusive IL-12 and IL-13 — Kobach defends election commission

By Daniel Strauss | 07/06/2017 10:00 AM EDT

With Elena Schneider and Burgess Everett

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

FULL STEAM AHEAD - Hatch raised $1M in second quarter: Orrin Hatch turned 83 earlier this year and still has not made a final decision on whether to run for his 8th term. But the Utah senator is still raising money in case he does and still has an imposing warchest that could scare off any Republicans still eyeing his seat. (Mitt Romney and Jon Huntsman, Jr. have been discussed as potential successorsl) Hatch raised $1 million in the second quarter and has $4.1 million on hand, according to numbers first provided to POLITICO. He raised about $1.5 million in the first quarter. The Senate Finance chairman seems unlikely to make a final decision until the GOP's agenda shakes out further.

HOUSE Q2 FUNDRAISING - FIRST IN SCORE - CA-45: Democrat Dave Min, who's one of three looking to take on GOP Rep. Mimi Walters next year, raised over $303,000 in the second quarter and has about a quarter-million dollars in the bank.

- FIRST IN SCORE - AZ-02: Democrat Matt Heinz (who is running for GOP Rep. Martha McSally's seat but may face ex-Rep. Ann Kirkpatrick in a primary) raised $200,000 in the last two weeks in his repeat bid against McSally. In a statement, the campaign touted Heinz's average donation as $15.

- CA-10: Democrat Josh Harder announced raising over $400,000 and finishing the second quarter with $370,000 in the bank in GOP Rep. Jeff Denham's district.

- CA-48: Democrat Phil Janowicz's campaign announced raising over $180,000 since he jumped into the race in April.

- NY-19: Democratic Army veteran Pat Ryan, part of the crowded Democratic field to take on GOP Rep. John Faso, announced raising over $210,000 in the second quarter, after jumping into the race in June.

- NM-01: Democrat Antoinette Sedillo Lopez's campaign announced raising over $200,000 in Q2. (Democratic Rep. Michelle Lujan Grisham is running for governor.)

VET VISIT - "Democrats Court Military Veterans in Effort to Reclaim House," by The New York Times' Emmarie Huetteman : "Democratic Party leaders are aggressively seeking former members of the military in hopes of increasing their appeal among the sort of frustrated voters who electedPresident Trump - and winning back the 24 seats they need to regain the Republican-controlled House...In many cases, those veterans say they feel called to run for public office in response to Mr. Trump himself, whose policies they see as a threat to the country's values and security...In addition to the nearly 20 veterans who have announced they are running as Democrats in Republican-held House districts, about 15 more are expected to make announcements by the end of the summer, according to the Democratic Congressional Campaign Committee." **Full story**.

- FOR EXAMPLE - In IL-12 this morning: St. Clair's County State's Attorney Brendan Kelly, a Democrat, is announcing his campaign for Congress. According to a release from his campaign: "Kelly, a prosecutor, Navy veteran, and proud father of two, said people in Southern Illinois and throughout the country are right to be frustrated with a government that hasn't worked for their best interests for a generation."

- In IL-13: Betsy Dirksen Londrigan is announcing her campaign for Congress as well. Per a release from Londrigan's campaign this morning: "I knew I had to run when Congressman Davis cheered and celebrated with Donald Trump on the White House lawn after passing a healthcare bill that could devastate our district." IL-12 was drawn in 2011 to preserve then-Rep. Jerry Costello's district, but he retired and Democrats held it with trouble in 2012 and lost it in 2014 and 2016. In IL-13, GOP Rep. Rodney Davis survived a close race in 2012, his first campaign, and has since held the seat more comfortably.

SENATE WATCH - In addition to Rep. Kevin Cramer, state Sen. Tom Campbell and former Rep. Rick Berg, keep an eye out for State Board of Higher Education member Kathy Neset, reports Rob Port of the SayAnything blog.

- And in NV-03: Republican state Sen. Scott Hammond filed FEC papers to run for Democratic Rep. Jacky Rosen's seat, with Rosen running for Senate, the Las Vegas Review Journal reports.

Days until the 2017 election: 124.

Days until the 2018 election: 488.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

GUBERNATORIAL FUNDRAISING - Georgia: Republican Secretary of State Brian Kemp raised $1.7 million in the March-to-June fundraising period, the Atlanta Journal Constitution reported. State Sen. Hunter Hill's "campaign said hehas raised more than $1 million during the March-to-June fundraising period. [Lt. Gov. Casey] Cagle is likely to top the $1 million mark as

well,"

- Florida: Republican Agriculture Commissioner Adam Putnam has raised over $2 million in each of the last two months, FloridaPolitics.com reported. (Meanwhile, so did a committee formed by GOP state House Speaker Richard Corcoran.)

THAT'S...*AN* ARGUMENT - All the rage on Twitter Wednesday: A DCCC fundraising email sent that offered recipients the opportunity to vote for which sticker the committee should print for supporters next. One choice out of four: "Democrats: 2018, I mean have you seen the other guys?" A few journalists snarked that the slogan isn't exactly inspiring.

- "Dems' new pitch to voters: A 'Better Deal,'" by POLITICO's Elana Schor and Heather Caygle: "Democratic leaders are zeroing in on a new mantra for their long-promised economic agenda: a 'Better Deal.' The rebranding attempt comes as Democrats acknowledge that simply running against President Donald Trump wasn't a winning strategy in 2016 and probably won't work in 2018 either. The slogan, which is still being polled in battleground House districts, aims to convince voters that Democrats have more to offer than the GOP and the self-proclaimed deal-maker in the White House. ... Several moderate Democrats facing reelection next year told POLITICO that no matter what leadership does, they're preparing to craft their own pitch to voters. The ideological and political divides that gripped the party during the Hillary Clinton-Bernie Sanders primary wars are far from healed, and leadership may not find universal support for the left-leaning platform, particularly from those trying to defend seats in Trump-friendly states." **Full story.**

STAFFING UP - FIRST IN SCORE - FP1 Strategies' Lauren Zelt is signing on as campaign manager for Independent Women's Voice, a 501(c)(4), per a release obtained by Score. The group describes itself as "the thought leader advocating for free-market policies, which support and improve the lives of all women and their families, and explaining how big government often backfires on American society." In a statement, IWV president and CEO Heather Higgins described Zelt as "a knowledgeable and experienced communicator who will help us bring information to new audiences on critical policy issues, like health care, regulations, and taxes." Zelt serves as a senior vice president at FP1.

REDISTRICTING WATCH - Maryland AG argues Republicans not harmed in redistricting case, by the Baltimore Sun's John Fritze: "Attorney General Brian E. Frosh asked a federal court Friday to dismiss a lawsuit that claims state lawmakers violated Republicans' constitutional rights when they redrew Maryland's congressional boundaries six years ago. The state's response in the redistricting case - the first since the litigation forced several state Democrats to explain under oath the motivation behind Maryland's contorted congressional districts - asserts the plaintiffs have offered no evidence voters were targeted simply because they are registered Republicans. ... Brought by a group of GOP voters in the 6th Congressional District, the case is one of several pending in federal courts that rely on new legal arguments to challenge the constitutionality of political gerrymandering. ... The plaintiffs contend the map violated the First Amendment by retaliating against people who voted Republican." **Full story.**

THE SILICON VALLEY WAY - "Mark Pincus and Reid Hoffman are launching a new group to rethink the Democratic Party," by Recode's Tony Romm: "Mark Pincus and Reid Hoffman want to hack the Democratic Party. ...Pincus, the co-founder of Zynga, and Hoffman, the brains behind LinkedIn, want to force Democrats to rewire their philosophical core, from their agenda to the way they choose candidates in elections ... That's the guiding principle behind Win the Future, a new project by the tech duo that's launching in time for July 4. ...Think of WTF as equal parts platform and movement. Its new website will put political topics up for a vote - and the most resonant ideas will form the basis of the organization's orthodoxy. To start, the group will query supporters on two campaigns: Whether or not they believe engineering degrees should be free to all Americans, and if they oppose lawmakers who don't call for Trump's immediate impeachment." **Full story.**

VOTER FRAUD FIGHT- "Kris Kobach defends election commission voter data request," by POLITICO's Maddie Conway: Kris Kobach, the vice chair of President Donald Trump's controversial election integrity commission, defended the committee's request for state voter roll data on Wednesday and dismissed reporting about it as "fake news." The commission, which is tasked with investigating cases of alleged voter fraud, came under criticism from dozens of state officials last week when it asked states to provide it with voter roll data, including details as personal as the last four digits of registered voters' Social Security numbers. The commission indicated that it planned to publish the data...Responding to news reports that 44 states had declined to cooperate with the commission's request, Kobach called that figure "patently false, more 'fake news'" and said 14 states and D.C. had done so, while 36 others "either agreed or are considering participating," with 20 of those agreeing outright." **Full story**.

ADMINISTRATION SPEED READ - "Trump looks for a lovefest in Poland," by POLITICO's Michael Crowley: "The story of President Donald Trump's early relationship with Europe is already a tortured one. But that's not true in Poland, where Trump enjoys a sort of political kinship. Warsaw's right-wing Law and Justice party rose to power as its officials manipulated the news media, threatened judicial independence, refused to accept refugees and stoked ethnic nationalism...It's still possible Trump's visit here won't be the lovefest the Polish government is betting on: Trump may praise the former Polish President Lech Wa????sa, a harsh critic of the Law and Justice party's governing style, who may be seated in the audience Thursday. But few observers expect a full-fledged rebuke." **Full story**.

CODA - QUOTE OF THE DAY: "As I sit here today, there hasn't been anything presented to me that would alleviate that concern" - Gov. Brian Sandoval on his opposition to Senate Republicans' healthcare bill, via The Las Vegas Review-Journal.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/07/06/hatch-raised-1-million-slew-of-house-dem-challengers-report-q2-fundraising-totals-221193

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/11/2017 6:37:01 PM
Subject: BREAKING NEWS: Trump responds to Donald Trump Jr. scandal: 'My son is a high-quality person'

The White House on Tuesday released a statement from President Donald Trump, who had so far stayed silent on the scandal surrounding Donald Trump Jr.'s meeting with a Kremlin-linked lawyer during the height of the campaign.

"My son is a high-quality person and I applaud his transparency," Trump said, according to a statement read by White House principal deputy press secretary Sarah Huckabee Sanders.

Read more: http://politi.co/2tEFdrQ

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Live
Sent: Thur 10/5/2017 10:51:31 PM
Subject: Follow-Up Invitation to the POLITICO 50 Celebration

Invitation intended for: Ryan Jackson

By now you should have received POLITICO's invitation for the 2017 POLITICO 50 Celebration on Thursday, October 12th. We hope you can make it. Please RSVP below or by responding to this email.

RSVP: HERE
When: Thursday, October 12 | 7 p.m.
Where: Dock 5 at Union Market – 1309 5th St. NE
Attire: Business
*Lyft codes and valet to be provided.

*Please note th is invitation is nontransferable and is valid for only the intended recipient.

The official airline sponsor of The POLITICO 50 Celebration is Delta .

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/13/2017 11:32:32 PM
Subject: July 13 -- Energy and Climate Report



Energy and Climate Report

July 13, 2017 - Number 134

News

Climate Regulation
Methane Emissions Standards Frozen Again as EPA Mulls Appeal
The EPA has two weeks to decide whether it will appeal a ruling that forced it to reinstate methane limits for new oil and gas wells after a federal appellate court reversed course.

Coal Mining
Elon Musk Exposes Deep Coal Divide in Energy-Strapped Australia
Elon Musk's intervention in Australia's energy crisis is widening a divide over the future of coal.

Energy
Manchin Aims to Tack Appalachian Ethane Hub on Energy Bill
West Virginia Sen. Joe Manchin (D) is ready to take a stab at creating an ethane storage hub in Appalachia that could break ground for more ethane use nationwide, while boosting manufacturing in the region.

Energy
Russia Sanctions Bill Stalled by GOP Over Energy Provisions
House Republicans are throwing up new roadblocks to a Russia and Iran sanctions bill over concerns from the energy industry that a provision could block U.S. companies from lucrative foreign oil deals.

Energy
U.S., China Immersed in Talks on LNG Export, Energy Issues
U.S. Secretary of Energy Rick Perry advanced the prospect of expanding American liquefied natural gas exports to China during a July 13 meeting with Executive Vice Premier Zhang Gaoli in Beijing.

International Climate
Trump Wants to Steer UN Climate Cash Toward Coal Plants
The U.S. will seek to use a United Nations fund designed to aid nations hard hit by climate change to promote the construction of coal-fired power plants around the world.

Oil & Gas
Trump Administration Approves Eni's Arctic Oil Drilling Plan
The Trump administration has conditionally approved Eni SpA's plan to drill up to four oil exploration wells in Arctic waters, with the activity launched from a gravel island in the Beaufort Sea.

Regulatory Policy

Trump Tests Legal Limits by Delaying Dozens of Obama's Rules

It typically takes years for presidents to kill federal regulations they dislike, but Donald Trump has found a shortcut: He's just putting them on long-term hold.

Renewable Energy

Booming Wind, Solar to Erode Gas Demand in Americas, IEA Says

A surge in power from wind, solar and other renewable sources will begin chipping away at natural gas demand growth in the Americas over the next five years, according to the International Energy Agency.

Sustainability

Green Bonds Face EU Litmus Test Under Sustainable Finance Rules

The European Commission backed recommendations to curb climate risk that could include European Union labels for green bonds and preferential treatment for ecologically sustainable investments.

Trade

China Seeks Cooperation on Trade, Technology With U.S. States

Chinese President Xi Jinping called for closer trade ties with individual U.S. states July 12 in a meeting with California Gov. Jerry Brown in Beijing.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 9/8/2017 7:48:20 PM
Subject: Sep. 8 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

New Jersey Eyes Rejoining Northeast's Carbon Trading Program

Posted September 08, 2017, 8:39 A.M. ET

By Gerald B. Silverman

New Jersey is on the cusp of rejoining the Northeastern greenhouse gas trading program it spurned in 2011, which could be a boon for power companies such as Consolidated Edison Inc. and Public Service Enterprise Group Inc. that have utilities across the region.

The Garden State is expected to rejoin the Regional Greenhouse Gas Initiative sometime after electing a new governor in November. Both the Democratic candidate for governor, Phil Murphy, and the Republican candidate, Lt. Gov. Kim Guadagno, support rejoining the program that Gov. Chris Christie (R) abandoned six years ago.

New Jersey would be the third-largest source of carbon dioxide emissions in the trading program should it rejoin the initiative. That would mean a larger marketplace for power companies to buy and sell emissions allowances and give utilities more options for making the necessary emissions reductions, Marjorie B. Kaplan, associate director of the Rutgers Climate and Environmental Change Institute at Rutgers University, told Bloomberg BNA in an email.

"But perhaps even more importantly, it would send a signal to the RGGI states that New Jersey is serious about addressing carbon emissions and a signal outside of the region that the Northeast region is uniting on addressing carbon emissions," she said.

Electric power companies are expected to have a relatively smooth transition if New Jersey takes the expected step of rejoining the trading program. The state's electricity generators participated in 14 RGGI auctions between 2008 and 2011. There were 40 electricity generators required to purchase carbon allowances when the state exited the program, according to RGGI data.

The trading program requires power plants with 25 megawatts of capacity or more in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont to purchase one allowance for each short ton of carbon dioxide they emit. The allowances are sold in quarterly auctions, with proceeds returned back to the states for use on renewable energy, energy efficiency and certain other program.

Utilities Back Rejoining

"We will support their decision and will work with the new administration to make sure that the transition back into RGGI goes smoothly," Paul Rosengren, a spokesman for PSEG, told Bloomberg BNA in an Aug. 31 email.

Mike Donovan, a spokesman for Orange & Rockland Utilities Inc., which provides transmission service in the northern part of New Jersey, said its parent company, Consolidated Edison, has been a supporter of RGGI.

The market could grow even larger if Virginia also joins the initiative. Virginia is considering joining RGGI, as part of Gov. Terry McAuliffe's (D) May directive that the commonwealth develop a trading-ready program to reduce carbon emissions.

Virginia, with a relatively large number of coal plants, would be second only to New York in terms of carbon dioxide emissions if it joined RGGI.

'Politically Motivated Tax Increase'

Christie withdrew his state from RGGI in 2011 and vetoed three bills from the Democratic legislature to rejoin the program. In his latest veto message July 13, he said the bill "is nothing more than an unnecessary, politically motivated tax increase."

But his own lieutenant governor has taken a more moderate position on RGGI and other issues in her bid to win election in the largely Democratic state. Ricky Diaz, a spokesman for Guadagno, declined to elaborate on her position, but confirmed that she supports rejoining RGGI.

Murphy, the Democratic candidate, plans to immediately rejoin RGGI if elected, according to his campaign's policy statement on climate change. He also supports developing a plan to eventually make New Jersey's power sector carbon-free.

"Gov. Christie's decision to pull out not only slowed progress on lowering emissions, but it also cost New Jerseyans tens of millions of dollars that should have been used to further reduce greenhouse gas emissions, increase energy efficiency, and improve air quality in urban communities," the policy statement said.

The New Jersey power sector produced 16.7 million metric tons of carbon dioxide emissions in 2014, while the nine current RGGI states had 78 million metric tons of emissions that year, according to Energy Information Administration data.

Carbon Price Boosts Nuclear, Renewables

Putting a price on carbon in the state would help recognize the value of nuclear generation in producing carbon-free electricity, according to Rosengren. About half the state's electricity comes from nuclear power, he said.

New Jersey also would benefit from a new sources of revenues for renewables and energy efficiency because RGGI auction proceeds are returned to states for those types of programs, Rosengren said.

Though some utilities back rejoining the emissions trading program, other businesses fear the move will only drive up electricity bills.

"In order for businesses to remain competitive in our region, we need to control electric costs," Bob Considine, a spokesman for the New Jersey Business & Industry Association, told Bloomberg BNA in an email.

"About 24 percent of our electric bill is government-imposed taxes and fees," he said. "Increasing generation costs through cap-and-trade would only increase that portion on the ratepayers of New Jersey."

Carbon Allowance Prices Jump as Cap to Tighten in Northeast

Posted September 08, 2017, 12:40 P.M. ET

By Gerald B. Silverman

Power companies saw a 72 percent jump in the price of greenhouse gas emissions allowances in the first auction after the Northeast's trading program announced plans to ratchet down the emissions cap.

Carbon allowances for the Regional Greenhouse Gas Initiative sold for $4.35 each in the Sept. 8 auction, up from $2.53 in June, according to auction results announced today. Despite the increase, that's still slightly down from $4.54 in the September 2016 auction. The latest auction raised $62.5 million for the nine states in the program.

The price increase can be attributed to RGGI's recent proposal to tighten its emissions cap after 2020 and create mechanisms to control the oversupply of allowances.

Turf Battle Looms as House Energy Leaders Plan DOE Overhaul

Posted September 08, 2017, 7:41 A.M. ET

By Brian Dabbs

Plans by a key House Republican to retool the Energy Department's core functions are in for a turf battle.

Rep. Joe Barton (R-Texas), a top Energy and Commerce Committee member and former chairman of the panel, plans to float legislation by the end of the year to overhaul the department, he told Bloomberg BNA, confirming statements he's made in recent months.

But beyond the general deadlock on Capitol Hill, there's one big problem: Barton isn't looping in Republican colleagues on another committee that controls the lion's share of department's non-military policy. The leader of that committee, in fact, said he didn't even know about the plans.

"I haven't heard anything about that," Science Committee Chairman Lamar Smith (R-Texas) told Bloomberg BNA Sept. 6. "I haven't heard anything about Barton or E&C [Energy and Commerce] at all."

Reauthorizations are a way for lawmakers to update the missions of federal departments and agencies. Without input from the science committee, the retooling effort could sputter or degenerate into a jurisdictional fight.

The House Science, Space, and Technology Committee is tasked with directing department action on research and laboratories, which play a vital role in innovative energy technologies, some of which are commercialized in the private sector. That research, some of it under the Advanced Research Projects Agency-Energy, and the agency's loan programs are a critical asset to energy companies of all sizes. The loan programs also fall under the science committee.

The E&C Committee is a juggernaut on Capitol Hill, competing with only the Ways and Means Committee for the broadest policy influence. Members covet seats on the two committees, and each of the bodies is known to throw around its weight in jurisdictional battles.

Meanwhile, business representatives are pining for collaboration.

"Ultimately it would be extremely helpful for both committees to team up to get this done," Christopher Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute, told Bloomberg BNA. "Anytime you're going to do [Energy Department] reauthorization, you're going to have to go through multiple committees." Guith served served as deputy assistant secretary for nuclear energy at the department during the George W. Bush administration.

E&C Forges Ahead

Barton suggested the Energy and Commerce Committee is comfortably in the driver's seat.

"We are primary. Depending on how energetic we want to be, we could conceivably have the science committee and the Natural Resources Committee" contribute, he told Bloomberg BNA Sept. 6.

Energy Committee Chairman Greg Walden (R-Ore.) tapped Barton for the task earlier this year, and Walden is committed to seeing the process move forward.

"Chairman Walden wants the committee to take a strategic look at a broad range of Department of Energy activities and responsibilities," Dan Schneider, a spokesman for Walden, told Bloomberg BNA. "He wants to identify where mission and management reforms make the most sense, in light of today's energy landscape, energy security—including cybersecurity—challenges, and national security interests."

Barton didn't disclose details of his priorities for the overhaul, saying only that he'd "like to see a realignment of the [Environmental Protection Agency] and its interaction with the Department of Energy." A spokesman for Barton, Daniel Rhea, said the former chairman plans to release his framework for the overhaul later in September.

The department, created in 1977, has never been fully reauthorized. Congress regularly reauthorizes the Defense Department and Federal Aviation Administration.

Science Committee Headway Made

A partial reauthorization of the Energy Department, a bipartisan bill (H.R. 589) authored by Smith, soared through the House in January.

Smith's bill also gives arcane new directions to the department to administer its 17 national labs and extends the Commercializing Technology pilot program, which aims to ease negotiations between

the labs and the private sector over technology transfer, through Sept. 30, 2019. And further, the legislation revises the department's policy on advanced nuclear research, directing, for instance, an assessment of the need for a reactor-based fast neutron source.

Nuclear proponents have praised that language.

"The new bill also includes important reforms allowing the national labs to work more closely with private industry, and establishes new research programs around solar fuels, exascale computing and electricity storage," said a statement from the conservative group ClearPath Foundation in January. "Altogether, this bill establishes research programs focused on several key areas of clean energy development, while giving the national labs greater flexibility."

But the bill's supporters tout its reauthorization of the department's Office of Science as a major achievement, calling it the first comprehensive overhaul of the office to date. The Office of Science accounts for nearly a sixth of the department's budget in fiscal year 2017.

The House rules on committee jurisdiction, which offers succinct descriptions of those authorities within a sprawling document, show the science committee holds sway over nearly all department research.

E&C has jurisdiction over "energy policy generally," but is charged largely with regulations.

Much of the department's budget is dedicated to nuclear weapons and other military functions, and that authorization is controlled by the armed services committee in the House and Senate. Barton said he doesn't expect an overhaul to touch on the military side.

Committee Still in the Dark

Thea McDonald, a spokeswoman for Smith and the science committee, told Bloomberg BNA Barton will have to reach out to the committee if he wants to achieve a real overhaul.

"Any comprehensive [Energy Department] reauthorization would have to include significant input from the science committee, as upwards of one-third of DOE is under our jurisdiction," she said.

Barton also hasn't reached out to Democrats, who may be needed in striking a deal. Nor has he reached out to Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-Alaska), who would take up the mantle on the Senate side, she told Bloomberg BNA Sept. 7.

Merkel Warned That Failure to Hit Climate Goal May Hurt Germany

Posted September 08, 2017, 10:50 A.M. ET

By Brian Parkin

Chancellor Angela Merkel's ambition to lead Europe's fight against global warming is at risk of backfiring and tarnishing Germany's climate credentials, according to researchers.

Germans will likely reduce their carbon dioxide emissions by about 30 percent in 2020 compared to 1990 levels, missing the 40 percent reduction goal set by the government in 2012, according to a report by Berlin-based climate researcher Agora Energiewende.

German emission reductions “won’t be a near miss but a booming failure,” Agora researchers wrote. They urged Germany to refocus on emission cuts after this month’s federal election, in which Merkel is seeking a fourth term as chancellor.

Climate protection is getting short shrift in campaigning by Germany’s biggest parties even though polls show it’s important to voters. More than seven of 10 Germans worry about the impact of climate change, even more than the 65 percent of voters concerned with war, according to a July survey by Kantar Emnid.

The Environment Ministry in Berlin responded to the Agora report, rejecting its forecast for carbon dioxide output to 2020 in a statement on Thursday. The ministry expects Germany to cut emissions by as much as 37 percent.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 7/14/2017 11:25:50 PM
Subject: July 14 -- Energy and Climate Report

Energy and Climate Report

July 14, 2017 - Number 135

News

Climate Change
Asia at Risk of Deeper Poverty Due to Climate Change, Bank Says
Asia and the Pacific, home to two thirds of the world's poor, are at the highest risk of suffering deeper poverty and disaster due to unabated climate change, reversing current development gains, according to the Asian Development Bank.

Climate Policy
Carbon from L.A. to Paris Jumps as Lawmakers Plan Tightening
Carbon prices from California to New Zealand are soaring as lawmakers across the globe seek more stringent rules for their greenhouse-gas markets.

Energy
Jones Day Lawyer Tapped to Chair Federal Energy Regulator
Energy attorney Kevin McIntyre, co-head of the energy practice at the Jones Day law firm, was tapped to be chairman of the Federal Energy Regulatory Commission, which has been without a quorum since February.

Energy
Renewable Energy Not a Threat to Grid, Draft of U.S. Study Finds
Wind and solar power don't pose a significant threat to the reliability of the U.S. power grid, Energy Department staff members said in a draft report, contradicting statements by their leader Rick Perry.

Energy
Solar Eclipse Could Wipe Out 9,000 Megawatts of Power
The eclipse set to darken skies next month threatens to sideline solar farms and rooftop panels in a wide swath of the U.S., wiping out enough power generation to supply about 7 million homes.

Environmental Reviews
Local Planners Get Boost in California Climate Decision
Local planning agencies have discretion in how they evaluate the climate impacts of infrastructure projects, the California Supreme Court said in a highly anticipated decision. But the ruling leaves unclear whether those environmental reviews must be consistent with greenhouse gas goals set out in a governor's executive order.

General Policy
Week Ahead: N.J. Republican Lawmaker Boosting EPA's Budget

Rep. Rodney Frelinghuysen (R-N.J.) will get an initial public crack at boosting EPA spending as House Appropriations Committee chairman at a Tuesday committee markup of the fiscal 2018 budget bill, one of numerous environment and energy events scheduled for the week of July 17.

Oil & Gas

U.S. Said to Stymie Japan's Plan to Explore for Russian Oil

A Japanese group's plans to explore for Russian oil with state-run Rosneft PJSC have been stymied by U.S. intervention over sanctions, according to people familiar with the matter.

Oil & Gas

U.S. Says Energy Transfer's Rover Gas Project Violated Rules

U.S. regulators are accusing Energy Transfer Partners LP of violating federal rules by failing to disclose information about a historic house it razed to make way for the controversial Rover natural gas pipeline.

Renewable Energy

Brazil Projects Rapid Growth in Wind and Solar by 2026

Brazil's latest 10-year energy expansion plan sees wind power doubling to a 13 percent share of the electricity matrix, while solar power stands to also gain a foothold.

Vehicle Fuels

Big Oil Just Woke Up to Threat of Rising Electric Car Demand

The world's biggest oil producers are starting to take electric vehicles seriously as a long-term threat.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Thur 11/16/2017 10:08:58 PM
Subject: Today on Climate Beat

November 16, 2017

Today on Climate Beat . . .

. . . we went to Congress, where EPA Administrator Scott Pruitt has agreed to testify before a House energy panel Dec. 7 and the Senate environment committee Jan. 31 to discuss his priorities for the agency, his first appearances before Congress since testimony to two appropriations committees in June and before that his Senate confirmation hearing in January.

On the other side of the Capitol, seven Senate Democrats are asking Pruitt to restore climate-related web pages to the agency's website that were removed earlier in the administration, including recent changes to a site that had been focused on climate and energy resources for state and local governments.

In grid news, a new assessment from the North American Electric Reliability Corporation states that outages due to natural gas infrastructure are becoming less common, potentially aiding opponents of the Department of Energy's controversial proposed coal and nuclear subsidies a way to boost grid resilience.

In personnel news, Alexandra Dunn, the executive director of the Environmental Council of the States (ECOS), which represents most state environmental agencies, will become regional administrator for EPA Region 1 covering six New England states.

And our daily news roundup looked at a group of 20 countries – not including the United States – that has pledged to phase out coal power by 2030.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/1/2017 12:28:12 PM
Subject: June 01 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 01, 2017 - Number 104

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Arizona

WATER
Safe Drinking Water/Master Priority List
Arizona WATER

Notice of the Department of Environmental Quality announces the availability of the draft 2018 master priority list for public water systems under R18-4-803. The list identifies public water systems in need of technical, managerial and financial assistance to operate in accordance with federal and state safe drinking water regulations and identifies smaller public water systems needing technical assistance. A hearing is scheduled for June 26, 2017, in Phoenix. Comments are due June 26, 2017. Contact: Linda Taunt; DEQ, Water Quality Division; 602-771-4416; lc1@azdeq.gov

—Arizona Administrative Register (05/26/2017)

Regulatory Update

Maryland

AIR
Control of VOCs from Consumer Products
Maryland AIR

Proposed rule of the Department of the Environment amends regulations under COMAR 26.11.32.01 through .16 (nonconsecutive) and adopts regulations under COMAR 26.11.32.05-1 regarding controlling volatile organic compound (VOC) emissions from consumer products. The rule implements requirements from the 2010 and 2014 Ozone Transport Commission model rules for consumer products to establish VOC standards for 11 consumer products and update VOC standards for 15 consumer products. The rule also prohibits the sale, offer for sale, supply or manufacturing for use in the state of specified products that contain methylene chloride,

perchloroethylene or trichloroethylene. The rule will be submitted to the EPA as a revision to the state implementation plan. A hearing is scheduled for June 27, 2017, in Baltimore. Comments are due June 27, 2017. Contact: Randy Mosier; MDE, Air and Radiation Management Administration; 410-537-4488; randy.mosier@maryland.gov

—Maryland Register (05/26/2017)

Regulatory Update

AIR
SIP Revision/Emission Statements
Maryland AIR

Notice of the Department of Environment, Air and Radiation Management Administration, announces a proposed revision to the state implementation plan (SIP) to certify that regulations under COMAR 26.11.01.05-1 regarding emission statements satisfy federal emission statement requirements for the 2008 ozone national ambient air quality standards. The revision will be submitted to the EPA for approval. A hearing is scheduled for June 27, 2017, in Baltimore. Comments are due June 27, 2017. Contact: Carolyn Jones; MDE; 410-537-4210

—Maryland Register (05/26/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Elevator Mechanics/Continuing Professional Competency
Maryland OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor, Licensing and Regulation, Elevator Safety Review Board, repeals regulations under COMAR 09.35.04.10 regarding continuing professional competency (CPC) for elevator mechanics. The rule removes the phase-in provisions for the completion of CPC credits required for licensure renewal. The rule is effective June 5, 2017. Contact: Robin Bailey; DLLR, Elevator Safety Review Board; 410-230-6160; robin.bailey@maryland.gov

—Maryland Register (05/26/2017)

Regulatory Update

WATER
General Discharge Permit for Marinas
Maryland WATER

Notice of the Department of the Environment announces a final determination to reissue the state National Pollution Discharge Elimination System (NPDES) general discharge permit to authorize stormwater and wastewater discharges from marinas, including boat yards and yacht basins. The permit requires quarterly visual examinations of stormwater discharges, comprehensive annual inspections and an electronic version of a stormwater pollution prevention plan containing specific control measures. The permit also requires electronic submittal of monitoring reports and additional information regarding permit conditions in the notice of intent. In addition, the permit implements best management practices-based compliance options to comply with chlorine limits for dock washing at marinas. Finally, the permit clarifies eligible discharge types

and revises various permit conditions. Petitions for judicial review are due June 26, 2017. Contact: Robert Pudmericky; MDE, Water Management Administration; 410-537-3323; rob.pudmericky@maryland.gov

—Maryland Register (05/26/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission Hearing
Maryland WATER

Notice of the Susquehanna River Basin Commission announces a meeting on the proposed Water Resources Program for fiscal years 2018 and 2019 and the proposed FY2018 regulatory program fee schedule. The agenda also includes rulemakings regarding application requirements, standards for project review, mitigation of consumptive uses, registration of grandfathered projects, and hearings and enforcement actions. In addition, the agenda includes requests by specified parties for project waivers, an amendment to the Comprehensive Plan for the Water Resources of the Susquehanna River Basin, a report on delegated settlements, and regulatory program projects and requests for extension of emergency certificates, including for Susquehanna Nuclear LLC. The meeting is scheduled for June 16, 2017, in Entriken, Pa. Comments on certain agenda items were subject to a prior comment period that closed May 22, 2017. Comments on other agenda items are due June 9, 2017. Contact: Jason Oyler; SRBC; 717-238-0423

—Maryland Register (05/26/2017)

Regulatory Update

WATER
Water Quality/Public Bathing Beaches
Maryland WATER

Proposed rule of the Department of the Environment amends regulations under COMAR 26.08.02.03-1 through .09.08 (nonconsecutive) regarding water quality and public bathing beaches. The rule updates the bacteria indicators used for Class I waters, revises the list of Tier II waters, and incorporates corrections to Use Class identifications and Chesapeake Bay boundary units. The rule also defines "beach action value" and adds the term to beach standards. Comments are due June 26, 2017. Contact: Timothy Fox; MDE; 410-537-3958; tim.fox@maryland.gov

—Maryland Register (05/26/2017)

Regulatory Update

Minnesota

AIR

Low-Emitting Aviation and Aircraft Painting and Refinishing Sources General Permit
Minnesota AIR

Notice announces the intention of the Pollution Control Agency to issue an air emission general permit for low-emitting aviation and aircraft painting and refinishing sources. The permit would cover stationary sources required to obtain permits under MNR 7007.0250. The notice specifies that sources for which certain national emission standards for hazardous air pollutants permits exist would not be eligible. Comments are due June 29, 2017. Contact: Amrill Okonkwo; Pollution Control Agency; 651-757-2623; amrill.okonkwo@state.mn.us

—Minnesota State Register (05/30/2017)

Regulatory Update

Mississippi

OIL AND GAS INDUSTRY
Petroleum Products Inspection Law
Mississippi OIL AND GAS INDUSTRY

Proposed rule of the Department of Agriculture and Commerce amends regulations under Title 2, Part 1, Subpart 4, Chapter 8, Sections 106 and 108, regarding petroleum products inspection. The rule establishes provisions for E15 and Ethanol Flex Fuels and specifies labeling, hose, storage, specification and registration requirements. The rule also incorporates by reference labeling requirements for E15 under 40 CFR 80.1501, the National Institute for Standards and Technology requirements for diesel exhaust fluid and fuel nozzles, and the American Society for Testing and Materials standards for Ethanol Flex Fuels. Comments are due June 20, 2017. Contact: Jennifer Thompson; DAC; 601-359-1144; jennifer@mdac.ms.gov

—Mississippi Regulations (05/28/2017)

Regulatory Update

New Mexico

AIR
Municipal Solid Waste Landfills/Emission Guidelines
New Mexico AIR

Final rule of the Environment Department, Air Quality Bureau, repeals and readopts regulations under 20.2.64 NMAC regarding municipal solid waste landfills (MSLWs) to incorporate by reference Aug. 29, 2016, federal emission guidelines for existing MSWLs under 40 CFR 60, Subpart Cf. The rule includes requirements for calculating emissions; installing control technologies; operating control systems; and monitoring, recordkeeping and reporting. The rule will be submitted to the EPA as part of revision to the state plan for implementing the guidelines. The rule is effective May 31, 2017. Contact: Pam Castaneda; Environment Improvement Board;

505-827-2425; pam.castaneda@state.nm.us

—New Mexico Register (05/30/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Oil and Gas/Horizontal Well Completion Reports, Hydraulic Fracturing Disclosures
New Mexico OIL AND GAS INDUSTRY

Proposed rule of the Energy, Minerals and Natural Resources Department, Oil Conservation Commission, amends regulations under 19.15.7.16 and 19.15.16.19 NMAC regarding oil and gas well reporting and disclosures. The rule increases the time frame for reporting completion of horizontal wells to 45 days and requires disclosures concerning hydraulically fractured wells to be made on forms prescribed by the Frac Focus chemical disclosure registry. A hearing is scheduled for June 13, 2017, in Santa Fe. Comments are due June 6, 2017. Contact: Florene Davidson; Oil Conservation Commission; 505-476-3458

—New Mexico Register (05/30/2017)

Regulatory Update

WATER
Wastewater Facility Construction Loans
New Mexico WATER

Final rule of the Environment Department, Water Quality Control Commission, amends regulations under 20.7.5.14 NMAC regarding administration of wastewater facility construction loan program and fund. The rule reduces interest rates for wastewater construction loans and specifies the use of "per capita income" instead of "median household income." The rule is effective May 30, 2017. Contact: Pam Castaneda; Water Quality Control Commission; 505-827-2425

—New Mexico Register (05/30/2017)

Regulatory Update

North Carolina

WATER
NPDES General Permit/Ready-Mix Concrete Plants
North Carolina WATER

Notice announces the intention of the Department of Environmental Quality, Environmental Management Commission, to reissue a revised National Pollutant Discharge Elimination System (NPDES) general permit (NCG140000) for ready-mix concrete plants. The permit applies to operators of industrial stormwater discharges and on-site vehicle maintenance area stormwater discharges associated with ready-mixed concrete manufacturing activities and authorized

process wastewater discharges. The permit is proposed for reissuance on June 30, 2017. Comments are due June 15, 2017. Contact: Rick Riddle; DEC; 919-807-6376; rick.riddle@ncdenr.com

—North Carolina Register (06/01/2017)

Regulatory Update

Virginia

WATER
Petersburg/Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with John T. Russell Jr., doing business as Russell's Auto Truck Parts, for alleged violations of the stormwater permit for its facility in Petersburg. The consent order requires the settling party to develop a pollution prevention plan; to implement evaluations and recordkeeping requirements; and to pay a civil penalty of $3,250. Comments are due June 30, 2017. Contact: Frank Lupini; DEQ; 804-698-4000; frank.lupini@deq.virginia.gov

—Virginia Register (05/29/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Sat 6/10/2017 12:43:43 AM
Subject: June 09 -- Energy and Climate Report



Energy and Climate Report

June 09, 2017 - Number 111

News

Budget

Expect GOP Plaudits for Pruitt But Not EPA Budget at Hearing

EPA chief Scott Pruitt will likely get a warm welcome from Republican appropriators next week despite bipartisan opposition to the agency's fiscal year 2018 budget, a GOP lawmaker told Bloomberg BNA.

Climate Change

EPA's Pruitt Could Face Tough Crowd at G-7 Environment Meeting

Climate-related issues are just one part of the agenda for this weekend's meeting in Italy of environment ministers from the leading industrial nations, but EPA Administrator Scott Pruitt can expect an earful on the decision of the U.S. to withdraw from the Paris climate change agreement, environmental groups said.

Climate Change

Paris Pullout Pits Chamber Against Some of Its Biggest Members

As President Donald Trump mulled whether to exit the Paris climate accord, companies as varied as Dow Chemical Corp., Exxon Mobil Corp., and Citigroup Inc. prodded him to stay in.

Climate Policy

Trump Climate Critics Wrong on Pulling Out of Paris, Perry Says

Critics of President Donald Trump's move to withdraw the U.S. from the Paris climate change agreement are acting more for political reasons than for the reality of what the accord may achieve, U.S. Energy Secretary Rick Perry said June 9 in an interview where he defended the president's move.

Climate Regulation

Clean Power Plan Review Tests EPA's Climate Change Obligations

Whether the EPA has an obligation to address climate change will be central as the agency begins its efforts to roll back Obama-era limits on carbon dioxide pollution from power plants.

Coal Mining

Concern Raised About Peabody Mine Cleanup on Navajo, Hopi Land

Arizona residents and environmentalists are growing increasingly worried about the cleanup of a large coal mine that's moving swiftly toward closure. Peabody Energy Corp., the mine's operator, promises that the reclamation will be done right.

Emissions Trading

Carbon Prices Continue to Drop in Northeast
The cost for electricity generators to comply with the Regional Greenhouse Gas Initiative sank to a four-and-a-half-year low in RGGI's latest auction, driven by an oversupplied market and uncertainty over a longstanding program review by the nine states in the initiative.

Energy
'Game-Changer' Electricity Goal May Cut Australia's Emissions
Australia should introduce a Clean Energy Target program for electricity generators to help lower its greenhouse gas emissions, the country's chief scientist said in a report.

Energy
German Clean Power Surges Risk Grid Blackouts, Instability
Germany's electricity grid was pushed to the limit of stability last year and blackout risks will remain as long as network infrastructure fails to keep up with surging clean power, according to operator Amprion GmbH.

Energy
HIKO Mulling Appeal on $1.8M Fine for Overcharging
HIKO Energy LLC may appeal a court's decision to uphold a $1.8 million fine against the company, an attorney for the East Coast electric generation supplier told Bloomberg BNA June 9.

Energy
India Power Plants Stranded as 50 Million Homes Left in the Dark
India is scaling back expectations for power demand growth as it struggles to electrify millions of homes despite a glut in generation capacity.

Enforcement
Exxon Says N.Y. Attorney General Distorts Company's Climate Data
Exxon Mobil Corp. accused New York Attorney General Eric Schneiderman of wildly distorting in court how the company calculates the long-term financial impact of climate change on its assets.

General Policy
Week Ahead: Pruitt Meets the Purse-String Holders
EPA Administrator Scott Pruitt will explain to Congress why he believes cutting his agency's budget by 31 percent is a good idea, one of numerous energy and environment events during the week of June 12.

International Climate
Macron Said to Push for Franco-German Carbon Emissions Price Floor
Emmanuel Macron reached out to Germany to establish a common price floor for carbon dioxide emitted by power utilities as the French president seeks to strengthen his alliance with Angela Merkel after the U.S. decided to exit the Paris climate accord, according to people familiar with the matter.

International Climate
Merkel Says Trump's Climate Stance Is Lowering G-20 Expectations
German Chancellor Angela Merkel said Group of 20 leaders "won't get everything we wished for" at a summit next month after U.S. President Donald Trump's decision to exit the Paris climate accord.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 10/4/2017 8:19:48 PM
Subject: Murkowski pressing to have FERC nominees approved this week

By Darius Dixon

10/04/2017 04:17 PM EDT

Sen. Lisa Murkowski is aiming to have President Donald Trump's two pending FERC nominees confirmed before the Senate flies off for its recess at the end of the week.

"I was talking with our leadership today about it. I want to try to get it shook loose before we take a break," the Alaska Republican, who chairs the Senate Energy and Natural Resources Committee, said of the nominees. The Senate is not scheduled to be in session next week.

Kevin McIntyre, Trump's pick to chair the agency, and Rich Glick, who serves as general counsel to energy committee Democrats, were approved by Murkowski's committee on a voice vote last month to become FERC members.

Sen. Maria Cantwell, the top Democrat on the energy committee, has said she was "favorably impressed" by McIntyre who, when confirmed by the full Senate with Glick, will bring FERC's leadership board back to full strength for the first time since late 2015.

WHAT'S NEXT: The Senate is scheduled to be on recess for the week of Columbus Day and is rarely in session on Friday, suggesting that the FERC nominees could be confirmed in the next day or so.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/murkowski-pressing-to-have-ferc-nominees-approved-this-week-093938

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Tue 5/23/2017 10:16:34 PM
Subject: U.S. trade commission launches investigation into Suniva solar trade complaint

By Esther Whieldon

05/23/2017 06:10 PM EDT

The U.S. International Trade Commission has initiated an investigation into the request by U.S.-based solar cell manufacturer Suniva that the Trump administration create temporary trade tariffs to protect the manufacturing sector.

The move, announced today, clears the first first hurdle in the process.

In April, Suniva filed a petition with the USITC asking the agency to recommend Trump grant for temporary relief under Section 201 of the Trade Act of 1974 and to impose trade restrictions for four years on imported solar cells and modules. Suniva is going through a bankruptcy proceeding and agreed to file the Section 201 petition in exchange for an additional line of credit.

The company contends that an influx of cheaper solar panel modules and cells largely from China are putting it out of business.

WHAT'S NEXT: The commission said it will accept pre-hearing briefs on the case through Aug. 8. It hopes to determine the extent to which the cheaper solar panels are causing injury by Sept. 22 and to send recommendations to Trump by Nov. 13.

Doug Palmer contributed this report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/us-trade-commission-launches-investigation-into-suniva-solar-trade-complaint-088214

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/27/2017 12:49:03 PM
Subject: June 27 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

June 27, 2017 - Number 122

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Consolidated Air Rule for the Synthetic Organic Chemical Manufacturing Industry
AIR

Notice of the EPA announces the submission of a continuing information collection request to the OMB concerning the NSPS and NESHAP standards for synthetic organic chemical manufacturing facilities under the Consolidated Air Rule. The collection addresses requirements for facilities subject to NSPS requirements to notify the EPA of construction, modification, startups, shutdowns, dates and results of initial performance tests, and excess emissions and to submit semiannual reports. The collection also addresses requirements for facilities subject to NESHAP requirements to submit one-time reports of any physical or operational changes and the results of initial performance tests; maintain records of periods of startup, shutdown, malfunction, or when the monitoring system is inoperative; and submit periodic reports. Comments are due July 27, 2017. Contact: Patrick Yellin; EPA, Office of Compliance; 202-564-2970; yellin.patrick@epa.gov. Citation: 40 CFR 65

82 FR 29074 (06/27/2017)

Regulatory Update

AIR
NSPS for Petroleum Refinery VOCs
AIR

Notice of the EPA announces the submission of a continuing information collection request to the OMB regarding the NSPS for equipment leaks of volatile organic compounds in petroleum refineries. The collection addresses requirements for refinery owners and operators to identify leaking equipment and document repair methods and dates of such repairs. The recordkeeping is periodic and depends on equipment type and leak history. Owners and operators must submit semiannual reports, which are used by the agency to determine compliance with NSPS. Comments are due July 27, 2017. Contact: Patrick Yellin; EPA, Office of Compliance; 202-564-2970; yellin.patrick@epa.gov. Citation: 40 CFR 60, Subparts GGG and GGGa

82 FR 29080 (06/27/2017)

Regulatory Update

AIR
VOC Emission Standards for Consumer Products
AIR

Notice of the EPA announces the submission of a continuing information collection request to the OMB regarding volatile organic compound emission standards for consumer products. The collection addresses initial reporting and periodic recordkeeping requirements for manufacturers, distributors, and importers of consumer projects. Comments are due July 27, 2017. Contact: Susan Fairchild; EPA, Office of Air Quality Planning and Standards; 919-541-5167; Fairchild.susan@epa.gov. Citation: 40 CFR 59, Subpart C

82 FR 29075 (06/27/2017)

Regulatory Update

AIR
Vermont SIP/Infrastructure Requirements
AIR

Final rule of the EPA approves portions of revisions to the Vermont SIP regarding infrastructure requirements for the 1997 fine particulate matter (PM-2.5), 1997 ozone, 2006 PM-2.5, 2008 lead, 2008 ozone, 2010 nitrogen dioxide and 2010 sulfur dioxide (SO2) NAAQS. State demonstrations concerning the infrastructure requirements are approved and certain elements related to the prevention of significant deterioration requirements are conditionally approved. The rule also updates the classification for two air quality control regions for SO2, which will grant the state an exemption from the infrastructure SIP contingency plan obligation for SO2. The rule is effective July 27, 2017. Contact: Alison Simcox; EPA Region 1, Air Programs Branch; 617-918-1684; simcox.alison@epa.gov. Citation: 40 CFR 52.2370, 52.2371, 52.2373, 52.2374, 52.2376, 52.2382

82 FR 29005 (06/27/2017)

Regulatory Update

ENDANGERED SPECIES
California/Monterey Bay Marine Mammals Incidental Take
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces a correction to a June 15, 2017, final rule (82 FR 27434) to allow issuances of letters of authorization for the take of marine mammals incidental to commercial fireworks displays permitted by the Monterey Bay National Marine Sanctuary in California. The correction clarifies that the incidental take authorizations under a May 29, 2012, final rule (77 FR 31537) extend from June 29, 2017, through June 28, 2022. Contact: Laura McCue; NMFS, Office of Protected Resources; 301-427-8401. Citation: 50 CFR 217.11 through 217.18

82 FR 29010 (06/27/2017)

Regulatory Update

ENDANGERED SPECIES
Florida/Audubon's Crested Caracara
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces an incidental take permit application and the availability of a proposed low-effect habitat conservation plan for the Audubon's crested caracara. Atlantic Coast Paladin Estates LLC and Micco Road Investments LLC, both of Hallandale, Fla., seek a 10-year incidental take permit for take of 100 acres of nesting and foraging habitat for the species incidental to the construction of the Lakes at St. Sebastian Preserve residential project in Brevard County, Fla. The applicants would mitigate for impacts by providing a $10,000 management endowment and protecting 20 acres within the Allen Broussard Conservancy. USFS has made an initial determination that the proposed activity is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement. Comments are due July 27, 2017. Contact: Tera Baird; USFWS; 904-731-33196; Tera_Baird@fws.gov

82 FR 29092 (06/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Clean Air Scientific Advisory Committee, SAB Committee Nominations
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA seeks nominations of scientific experts to serve on the Clean Air Scientific Advisory Committee, the EPA Science Advisory Board (SAB), and six SAB committees. The committees cover chemical assessments, drinking water, ecological processes, environmental economics, environmental engineering, and radiation. The nominations will be selected based on depth of scientific expertise and a balance of scientific perspectives. Absence of financial conflicts of interest and of an appearance of a loss of impartiality will also be considered. Nominations are due July 27, 2017. Contact: Aaron Yeow; EPA, Science Advisory Board Staff Office; 202-564-2050; yeow.aaron@epa.gov

82 FR 29077 (06/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Connecticut/Clean Water Act, Oil Pollution Act Joint Stipulation
GENERAL ENVIRONMENT AND SAFETY

Notice of the Justice Department announces a proposed stipulation, settlement agreement, order, and final judgment in Evergreen Power LLC and Asnat Realty LLC v. United States (Civil Action No. 3:14-cv-01537-WWE), lodged on June 19, 2017, in the U.S. District Court for the District of Connecticut. If approved, the stipulation would resolve claims against the U.S. and claims under the Clean Water Act and Oil Pollution Act against the counterclaim defendants regarding a 2014 response action at the English Station site in New Haven, Conn. The stipulation would require the counterclaim defendants to pay $454,000 to reimburse the U.S.'s oil removal costs with interest

and $246,000 in civil penalties. The stipulation also would require the U.S. and the counterclaim defendants to dismiss their claims and provide mutual releases of liability and would restrict the counterclaim defendants' right to sue or assert any claims against the U.S. in connection with the 2014 response action. Comments are due July 27, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 29097 (06/27/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Washington State/North Seattle Lateral Upgrade Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of FERC to prepare an environmental assessment for the North Seattle Lateral Upgrade Project, in Snohomish County, Wash. The project, proposed by Northwest Pipeline LLC, of Salt Lake City, involves the removal of existing pipeline on Northwest's North Seattle Delivery Lateral line, installation of new pipeline, the rebuilding of the North Seattle/Everett meter station and installation of miscellaneous appurtenances to provide an incremental 196,311 dekatherms per day of firm capacity to serve Puget Sound Energy, of Bellevue, Wash. A meeting is scheduled for July 13, 2017, in Lynnwood, Wash. Comments are due July 21, 2017. Contact: Federal Energy Regulatory Commission, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 29068 (06/27/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Sleeper Berth Time Pilot Program

HAZARDOUS MATERIALS TRANSPORTATION

Notice announces the intention of the FMCSA to seek OMB approval for a new information collection request concerning a pilot program for temporary relief from sleeper berth requirements for licensed commercial drivers who regularly use a sleeper berth to accumulate their required hours of nonduty work status. The program would allow a limited number of commercial drivers to split the required 10 hours of nonduty work status. The agency is seeking to compile driver metrics and to assess safety performance and fatigue levels. The collection would include applications, questionnaires, daily field studies, weekly phone briefings, and use of instrumented vehicles concerning safety performance and fatigue levels. The agency also would compile electronic logging device data, onboard monitoring system data, roadside violation data, wrist actigraphy data, Psychomotor Vigilance Test data, subjective sleepiness ratings, and sleep logs data. Comments are due Aug. 28, 2017. Contact: Nicole Michel; Federal Motor Carrier Safety Administration, Research Division; 202-366-4354; Nicole.michel@dot.gov. Citation: 49 CFR 395.1

82 FR 29145 (06/27/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Occupational Exposure to Beryllium and Beryllium Compounds/Construction and Shipyards
OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of OSHA would revoke certain ancillary provisions for occupational exposure to beryllium and beryllium compounds for the construction and shipyard sectors adopted under a Jan. 9, 2017, final rule (82 FR 2470). Provisions concerning exposure monitoring, regulated areas, written exposure control plans, protective equipment and work clothing, hygiene areas and practices, housekeeping, medical surveillance, medical removal, and worker training would be removed. OSHA specifies that standards for ventilation and mechanical paint removers exist for the construction and shipyard sectors and that exposure to beryllium is limited to abrasive blasting in construction, abrasive blasting in shipyards, and welding in shipyards operations. General industry standards under the previous final rule would be maintained, as would the lower eight-hour, time-weighted average permissible exposure limit for beryllium of 0.2 micrograms per cubic meter of air (µg/m3) and the 15-minute, short-term exposure limit of 2.0 µg/m3. Comments are due Aug. 28, 2017. Contact: Frank Meilinger; OSHA; 202-693-1999; meilinger.francis2@dol.gov. Citation: 29 CFR 1915.1000; 29 CFR 1915.1024; 29 CFR 1926.1124; 29 CFR 1926.55

82 FR 29182 (06/27/2017)

Regulatory Update

RADIATION
ACRS Subcommittee on Northwest Medical Isotopes Meeting
RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Northwest Medical Isotopes to discuss the construction permit application preliminary safety analysis report and the draft NRC safety evaluation reports for a Mo99 radioisotope production facility. The meeting is scheduled for July 11, 2017, in Rockville, Md. Comments are due July 11, 2017. Contact: Kathy Weaver; NRC; 301-415-6236; Kathy.Weaver@nrc.gov

82 FR 29119 (06/27/2017)

Regulatory Update

RADIATION
Commercial-Grade Items for Nuclear Power Plants
RADIATION

Notice of the NRC announces the issuance of new regulatory guidance regarding dedication of commercial-grade items for use in nuclear power plants. The guidance specifies methods that agency staff considers acceptable for dedication of commercial-grade items used in nuclear power plants. The guidance recommends the use of the Electric Power Research Institute, 3002002982, Revision 1, to the plant engineering guideline for the acceptance of commercial-grade items in nuclear safety-related applications. Contact: Jonathan Ortega-Luciano; NRC, Office of New Reactors; 301-415-1159; Jonathan.Ortega-Luciano@nrc.gov. Citation: Regulatory Guide (RG) 1.164, Revision 0

82 FR 29120 (06/27/2017)

Regulatory Update

RADIATION
Operator Simulator Training Data
RADIATION

Notice announces the intention of the NRC to seek OMB approval for a new information collection request concerning use by nuclear power stations with an onsite reactor simulator of Scenario Authoring, Characterization, and Debriefing Application software for operator simulator training. Use of the software is voluntary and free software licenses, training, and technical support will be provided by the NRC. The collection addresses data to be collected from users approximately six times during their training cycle. Comments are due Aug. 28, 2017. Contact: David Cullison; NRC; Office of the Chief Information Officer; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 29119 (06/27/2017)

Regulatory Update

WATER
Hawaii/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of Hawaii's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective July 27, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citation: 40 CFR 141, 142

82 FR 29075 (06/27/2017)

Regulatory Update

WATER
Nevada/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of Nevada's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective July 27, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; Environmental Protection Agency, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citation: 40 CFR 142

82 FR 29079 (06/27/2017)

Regulatory Update

WATER
New Mexico/Drinking Water Program Electronic Reporting

WATER

Notice of the EPA announces the approval of New Mexico's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective July 27, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citation: 40 CFR 142

82 FR 29076 (06/27/2017)

Regulatory Update

WATER
Susquehanna River Basin Commission/Projects Approved for Consumptive Water Uses
WATER

Notice of the Susquehanna River Basin Commission announces a list of projects approved for consumptive use of water during the period May 1-31, 2017. The notice addresses projects approved for consumptive use, including uses related to unconventional natural gas and other hydrocarbon development. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net. Citation: 18 CFR 806.22

82 FR 29141 (06/27/2017)

Regulatory Update

WATER
U.S. Virgin Islands/NPDES Program Electronic Reporting
WATER

Notice of the EPA announces the approval of the U.S. Virgin Islands' request to revise its EPA-authorized National Pollutant Discharge Elimination System (NPDES) program to allow to allow electronic reporting. The approval is effective June 27, 2017. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citation: 40 CFR 122, 123

82 FR 29081 (06/27/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 5/30/2017 7:04:57 PM
Subject: EPA's Pruitt huddles with Trump on Paris pact

By Matt Daily

05/30/2017 02:59 PM EDT

President Donald Trump discussed the Paris climate pact this morning with EPA Administrator Scott Pruitt, one the administration's strongest advocates for pulling the U.S. out of the international agreement.

Trump has not yet indicated whether he will exit the deal reached by 195 countries in 2015 or keep the U.S. in it and seek to alter the carbon dioxide cuts promised by former President Barack Obama. But White House spokesman Sean Spicer said the decision was expected soon.

"Ultimately, he wants a fair deal for the American people, and he will have an announcement coming on that shortly," Spicer told reporters today at the daily briefing.

Pruitt has pressed for the U.S. to pull out of international deal, arguing that remaining a part of it could threaten EPA's efforts to revise or revoke the power plant emissions regulations issued by Obama's EPA. One media report over the weekend said that Trump had told some administration officials he planned to exit the climate pact.

Spicer did not address whether Trump, who has described climate change as a hoax, believed that human activity was affecting the planet's temperature.

"Honestly, I haven't asked him, I can get back to you," he said in response to a question.

Nick Juliano contributed to this report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/epas-pruitt-huddles-with-trump-on-paris-pact-088404

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Wed 6/7/2017 9:41:24 AM
Subject: Morning Media: Intercept tradecraft under microscope — Leak heat rising — 'Consistently negative' outlook for newspapers

By Joe Pompeo | 06/07/2017 05:39 AM EDT

With Cristiano Lima and Alex Weprin

EXPERT ANALYSIS: "The source, Reality Winner, would have been lead suspect no matter what. Only 6 people viewed the Russia doc & she had emailed Intercept. But @theintercept made egregious mistakes that doomed its source. The FBI affidavit spells them out. ... Normal people don't know all this, but journalists should. And @theintercept does. Which makes it hard to accept this catastrophic failure of source protection. Reporters & editors didn't consult experts right at hand. That too is something @theintercept would denounce with contempt if happened elsewhere. Everyone makes mistakes, but this was a bad one."

That's long-time national security journalist Barton Gellman -- whose reporting on Edward Snowden's NSA revelations in 2013 earned The Washington Post a shared Pulitzer Prize with The Guardian -- in a Twitter thread yesterday criticizing The Intercept for its handling of a story ("TOP-SECRET NSA REPORT DETAILS RUSSIAN HACKING EFFORT DAYS BEFORE 2016 ELECTION") that appears to have come together via reporting that at least partly compromised its alleged anonymous source, a 25-year-old government-contractor-whistleblower who has quickly become a totem of anti-leak jihad in the Trump era.

I chatted with some other veteran intelligence reporters yesterday, and they agreed with Gellman's assessment. ("It was bad. No way around it.") A few additional takeaways I came away with:

1. Journalists in these circles feel like if the tables were turned, and it was a legacy outlet like The New York Times or The Washington Post that came under scrutiny for this, The Intercept would be among the first to throw a stone.

2. An alternate way a story like this might have been handled: Report out and corroborate with sources the details of the document without actually sharing the document, so that the story doesn't necessarily have to rely primarily on the document. Then make a cautious determination about whether it would be worth publishing the document itself.

3. This sh-t is hard, and it doesn't mean the crew over at The Intercept are bad journalists. Also, keep in mind that the apparent source in this case apparently made some mistakes that made it all too easy for the feds to pick up a trail.

THE INTERCEPT SAID YESTERDAY: "Winner faces allegations that have not been proven. The same is true of the FBI's claims about how it came to arrest Winner. We take this matter with the utmost seriousness. However, because of the continued investigation, we will make no further comment on it at this time." Full statement.

A Morning Media reader weighs in: "I don't accept needing to confirm authenticity of the 'actual' document as an excuse given what is at stake -- and the fact that this would have been a hot story even if it had been paraphrased or read to them over the phone a la the Comey memos."

Meanwhile: "WikiLeaks offers $10,000 to get Intercept reporter fired"

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Hadas Gold** contributed to today's column. **Archives**. **Subscribe.**

MAKE NO MISTAKE, THE HEAT IS RISING - Cory Bennett in POLITICO : "[T]he Obama administration's aggressive use of the century-old Espionage Act brought prison terms for defendants like Chelsea Manning ... and turned Snowden into a hunted fugitive. The Obama-era Justice Department also scored the first ever prison sentence for a CIA officer ... But leaks have taken on special political importance during Donald Trump's presidency, which has been rocked by a series of unauthorized disclosures ... Trump and Attorney General Jeff Sessions have inveighed against these disclosures. Trump has vowed on Twitter that 'low-life leakers ... will be caught,' and Sessions said in April that 'whenever a case can be made, we will seek to put some people in jail.'"

CNN'S Brian Stelter: "[F]our veteran Washington reporters told CNN that they sense -- based on what their sources are noticing at work -- that leak hunts are taking place. ... One of the longtime reporters who spoke on condition of anonymity said he has perceived a White House effort to 'smoke out' sources ... Another national security reporter said the Obama administration was 'terrible' in terms of prosecuting leakers ... Now, with Trump, 'there is this kind of unknown. It's hard to know how far they'd go.'" More: "Reporters worry about aggressive leak investigations in Trump era"

WILL TRUMP UNBLOCK TWITTER ACCOUNTS IN SPIRIT OF FIRST AMENDMENT? Don't hold your breath, but the Knight First Amendment Institute at Columbia University is demanding that he do so : "In a letter sent today to President Trump, the Knight First Amendment Institute asked the President to unblock the Twitter accounts of individuals denied access to his account after they criticized or disagreed with him, or face legal action to protect the First Amendment rights of the blocked individuals. The President's Twitter account ... is a 'designated public forum' subject to the First Amendment, according to the Knight Institute. The First Amendment bars the government from excluding individuals from a designated public forum because of their views."

EPIC L.A. TIMES ANTI-TRUMP EDITORIALS BEING TURNED INTO A BOOK - "Our Dishonest President," based on the six-part opinion series of the same name , will hit shelves July 4 courtesy of the Berkeley-based indie publishing house Heyday. The book -- also to be available as a digital title -- will include an introduction from LAT editor in chief/publisher Davan Maharaj and editorial page editor Nicholas Goldberg, who said yesterday in a prepared statement, "The United States is in the hands of a president whose character and temperament are

dangerous, and our editorials lay out clearly why we took a stand on this."

HERE COMES COMEY - via WaPo: "Glued even more than usual to the cable news shows that blare from the televisions in his private living quarters, or from the 60-inch flat screen he had installed in his cramped study off the Oval Office, [Trump] has fumed about 'fake news.'"

MUST READS:

-- "Reality Winner, N.S.A. Contractor Accused of Leak, Was Undone by Trail of Clues" [NYT]

-- "How Donald Trump Shifted Kids-Cancer Charity Money Into His Business" [Forbes]

-- "The Revolution Began" [Harper's]

-- "California Über Alles: How the resistance is leaving its heart on the Left Coast" [The Baffler]

-- "The young Japanese working themselves to death" [BBC]

BREITBART HAS LOST HUNDREDS OF ADVERTISERS IN JUST A COUPLE OF MONTHS - That's according to Digiday, which reports there were "just 26 brands appearing on Breitbart in May, down from a high of 242 in March." As Vanity Fair observed recently, the right-wing news behemoth also has been grappling with a traffic decline (Breitbart's response: "Vanity Fair Busted Pushing Traffic Ranking Hoax "), on top of the similarly problematic advertiser blacklists and marketer education campaigns. Still, few conservative web publications are as prominent as Breitbart right now, and with the backing of the billionaire Mercer family, don't expect them to fizzle out anytime soon.

GOOD TIMING - When you're a monthly magazine that maps out features eons ahead of its eventual street date, it's always nice when a profile subjects delivers up a fresh news peg shortly before you're ready to go to press. Lucky for Esquire, Bill Maher dropped the n-word on his show last week as the editors were preparing for the release of their August 2017 issue, featuring a Maher profile that had been in the works for months. They were able to shoehorn the controversy into the lead and roll out the piece, by Stephen Rodrick, ahead of schedule yesterday online, with an ultra-timely hook: " Bill Maher Knows Exactly What He's Doing. Just Ask Him."

Fun fact: "He attended Pascack Hills High School in Montvale, New Jersey, in the early 1970s." Me too! (But in the '90s, not the '70s.) Love the yearbook photo Esquire got its hands on. Shoutout to fellow alums Dana Bash of CNN and Kerri Green from "The Goonies" -- and to New Yorker EIC David Remnick, who went to our sister/rival high school, Pascack Valley.

SOUND BITES:

-- "The prosecution of any journalistic source without due consideration by the jury as to the harm or benefit of the journalistic activity is a fundamental threat to the free press. As long as a law like this remains on the books in a country that values fair trials, it must be resisted." [Edward Snowden]

-- "Donald Trump has been the greatest thing for your industry. Your industry was dying before Donald Trump became President." [Chris Christie]

-- "Mr. President, it's not the fake news media that's your problem, it's you." [Neil Cavuto]

-- "Fahrentholding. Verb. To grab onto a story and politely but agressively follow it to the bitter end. With receipts." [Soledad O'Brien]

CHEERFUL HIGHLIGHTS FROM THE NEWSPAPER PORTION OF PWC'S GLOBAL MEDIA OUTLOOK FOR 2017-2021, OUT TODAY:

-- "The US news publishing outlook is set to remain consistently negative"

-- "Total newspaper revenue has fallen from US$33.3bn in 2012 to US$29.6bn in 2016 and is forecast to decline at a -4.1%"

-- "Average daily print circulation has fallen by 13% between 2012 and 2016, and is forecast to reduce by almost 21% by 2021"

-- Good news: "Adoption and consequential digital newspaper circulation revenue has doubled since 2012, to US$664mn in 2016. ... the parallel contribution from digital newspaper revenue will offset the print circulation revenue decline"

-- Bad news: "But this trend will be short-lived. Growth in digital newspaper circulation revenue is slowing down, forecast to be 8.5% year-on-year in 2017 as compared to 11.5% in 2016."

-- "The US market is now suffering from a growing fear that it has approached a cliff edge for print advertising. ... In the years ahead, US newspapers will lose print newspaper advertising revenue at the third-fastest rate in the world"

-- "For publishers, hopes of ultimate Internet transformation are turning into a creeping and multi-level digital malaise. Total digital newspaper revenue is plateauing. At just 2.7% CAGR, the US, the world's most advanced technology superpower will now see the world's slowest rate of digital newspaper revenue growth."

A PUBLIC EDITOR THAT WASN'T: BILL GRUESKIN - Since media/journalism obsessives are still digesting and dissecting The New York Times' controversial decision to eliminate its public editor role, I thought it would be worth floating one of the possible public editors that could have been. A couple of people with knowledge of the matter were telling Morning Media recently that Grueskin, a former longtime Wall Street Journal editor and professor at Columbia's Graduate School of Journalism, has been a regular on the shortlist, and that he'd been on the radar for the job that went to Margaret Sullivan in 2012 and to Liz Spayd in 2015. Sullivan's tenure was by and large a popular one; Spayd's, not so much. How do you all think Grueskin would have done?

SOUNDTRACK: Brian Eno, "Here Come the Warm Jets"

EXTRAS:

-- Sarah Ellison: "With Ailes Gone and Megyn Kelly Reborn, a Shell-Shocked Fox News Looks Like an Episode of The Leftovers" [Vanity Fair]

-- Scott Pelley will anchor "CBS Evening News" through June 16. [TV Newser]

-- Notes from Heather Nauert's first State Department press briefing. [TV Newser]

-- James Poniewozik: "The Trump Administration Shakes 'House of Cards' Hard" [NYT]

-- "HomePod, death to autoplay, and a smarter Apple News: These are the key Apple updates for publishers" [NiemanLab]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/07/intercept-tradecraft-under-microscope-leak-heat-rising-consistently-negative-outlook-for-newspapers-001286

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From: Morning Transportation
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Subject: POLITICO's Morning Transportation, presented by Delta Air Lines: Two more set free from laptop ban — DOT skips Gateway event — Volvo to stop making gasoline-only cars

By Tanya Snyder | 07/06/2017 10:00 AM EDT

With help from Lauren Gardner

TWO MORE SET FREE FROM LAPTOP BAN: People traveling to the United States from Ataturk Airport in Istanbul and Dubai International Airport will once again get to bring large electronic devices on their Turkish Airlines and Emirates flights, TSA confirmed Wednesday. DHS has repeatedly said that airports can avoid the ban if the heighten security in certain ways. The ban contributed to one of Emirates' "most challenging years to date," with profits down 82 percent and flights to the United States reduced by a fifth due to weaker demand, according to the Financial Times. Etihad Airways service from Abu Dhabi International Airport has already been restored; Qatar Airways is in the process of having new measures evaluated.

Take your shoes off - again: Information is scarce about the precise procedures the airports are putting in place to comply with U.S. demands, but FT reports that U.S.-bound passengers from Ataturk will now be checked four times, with two checks at the boarding area. The BBC reports that the use of bomb-sniffer dogs will be expanded to 105 countries and that Ataturk Airport is now using sophisticated tomography imaging devices for X-ray and ultrasound screening.

IT'S THURSDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. It's a slow news week, folks - send us your tips and we'll be your best friend. Feedback and lyrics also welcome as usual, at lgardner@politico.com or @Gardner_LM and tsnyder@politico.com or @TSnyderDC.

"He's leaving / On that midnight train to Georgia, yeah / Said he's going back / To a simpler place and time, oh yes he is / I'll be with him on that midnight train to Georgia."

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get listening, too!

EXIT GATEWAY: DOT is expected this morning to release a draft environmental impact statement on the Gateway project's rail tunnel under the Hudson River, one of the most massive - and urgent - infrastructure projects in the pipeline. But while DOT played a major role in developing and publishing the document, which is integral to the effort, the agency is skipping the press conference at Penn Station, reports Dana Rubinstein. The no-show follows reports that last week the agency withdrew its participation in the Gateway Program Development Corporation, the entity charged with building the tunnel.

SOP, or is it?: DOT said its withdrawal is "standard practice" when it comes to local transportation projects seeking federal funding, but Jeff Davis, the Eno Center for Transportation's senior fellow, noted that that's "not quite true," since DOT has representation

on, among other things, the Moynihan Station Redevelopment Corporation, which is seeking substantial federal funding.

Moynihands are tied: A DOT spokeswoman disputed Davis' take, saying the agency's role serving on the Moynihan board is by statute, ordered up by TEA-21 (remember that?). She also pushed back against suggestions that DOT not attending the press conference is a slap in the face, saying the agency decided that "while we could not attend in person, [we decided] our release of the draft EIS to them in advance, as well as advancing our statement ... would suffice and would also serve to demonstrate the expedited work that the FRA achieved" - that is, finishing the draft EIS in 22 months, instead of what otherwise would have taken 48 months.

LOOK MA, NO ADS: The FHWA last month confirmed its decision not to allow advertising on highway signs. According to a document obtained by POLITICO, FHWA rejected a request from a top official at Texas DOT to try displaying commercial logos on electronic message signs, thanking him for his interest in "exploring innovative concepts" but saying it conflicts with "applicable statutes and regulations." (Rep. Ted Poe (R-Texas) also opposed this idea and let U.S. DOT know about it.) FHWA's decision upholds a its ruling from a few months earlier, when a concerned citizen from Bensalem, Pa., wrote to DOT suggesting the agency raise money for infrastructure by leasing the space on the back of overhead highway signs. "Im thinking LED signs that last 30 years and could be programed on a desktop to eliminate the need for people to change the advertising on the highway," said the enterprising letter-writer (all typos his). However, FHWA responded that commercial advertising wasn't allowed and that such signs could contribute to driver distraction.

MAKING A LIST, CHECKING IT TWICE: The deadline for railroads to implement positive train control is still 18 months away, but Congress is worried that some railroads and transit systems aren't working fast enough to meet it. DOT's inspector general announced Wednesday the launch of a probe into how railroads are using federal PTC implementation funds. The audit was requested by Senate Commerce Chairman John Thune (R-S.D.), reports our Brianna Gurciullo. The IG will study how FTA and FRA are overseeing the expenditure of the $915 million in grants paid to railroads and transit systems so far for PTC rollout. PTC is up and running on just 23 percent of route miles for passenger rail and 27 percent for freight rail.

TSA: MORE THAN 5 MILLION SERVED: TSA announced Wednesday that its PreCheck program had "reached a milestone," having enrolled more than 5 million travelers since opening its first application center in December 2013. It now has more than 390 application centers nationwide, including locations at 44 airports. Acting Administrator Huban Gowadia said in a statement that the program strengthens security "by growing the trusted traveler population" so that officers are free to focus on potential threats. PreCheck participants can keep their shoes and belts on and their laptops and liquids in their bags.

** **A message from Delta Air Lines:** Delta® partners with CLEAR® to offer SkyMiles® Members exclusive rates on CLEAR membership to enjoy a faster way through security at airports nationwide. CLEAR's biometric technology platform gets travelers through security with just the touch of a finger or blink of an eye. Enroll today at clearme.com/delta. **

HOW TO USE YOUR VW WINDFALL: States are set to receive $2.9 billion, earmarked for "environmental mitigation," from the Volkswagen settlement and the U.S. PIRG Education Fund has an idea for how to use it. In a new report, U.S. PIRG suggests states use the proceeds from VW's emissions test cheating to install electric vehicle charging stations on highways and to replace old diesel buses with electric ones. U.S. PIRG estimates that states could supply between 4,350 and 8,700 additional fast charging stations and more than 3,000 all-electric, zero-emissions buses for the money.

IT'S ELECTRIC: Volvo will soon make a wholesale switch to electric cars, "marking the historic end of cars that only have an internal combustion engine and placing electrification at the core of its future business," according to a statement from the automaker Wednesday. From 2019 onward, every Volvo will have an electric motor, though hybrid cars will be included in the company's portfolio. Volvo officials said the move - which they say marks the opening of "a new chapter in automotive history" - is in response to customer demands. The company says it plans to launch five fully electric cars between 2019 and 2021, including two which will be branded Polestar, Volvo Cars' performance car arm. The company plans to sell a total of a million electric cars by 2025.

SHIFTING GEARS: Tom Murta will join the Short Line Safety Institute on Monday as its executive director. He was most recently assistant vice president of safety and operations compliance at CSX.

DEPARTMENT OF THINGS WE DIDN'T KNOW: There exists a "MicaPlex." (Yes, that Mica - the gentleman from Winter Park, Florida.) MT is willing to bet the MicaPlex's hamburgers are delicious.

THE AUTOBAHN:

- "U.S. on track for most miles traveled with 2017 driving season underway." Oil and Gas 360.

- "United accidentally gave a toddler's seat away - and made his mom hold him for a 3-hour flight." The Washington Post.

- "Trump plan to overhaul air traffic control has key opponent: Mario Diaz-Balart." The Miami Herald.

- "Oregon House passes landmark transportation bill." Northwest Public Radio.

- "Sen. Franken announces bill to prevent children from becoming trapped in hot cars." KDLT News.

- "Lawmakers look to boost local control over drone regulation." Morning Consult.

- "Low-cost Norwegian Air to begin O'Hare to London service." Chicago Tribune.

- DOT announces $537.1 million loan for New York City's Moynihan Train Hall redevelopment

project. DOT.

- "Airbus sells 140 planes to China for $23 billion." Fortune.

- "China faces tough road ahead as it vies to become leader in autonomous driving." The Globe and Mail.

THE COUNTDOWN: DOT appropriations run out in 87 days. The FAA reauthorization expires in 87 days. Highway and transit policy is up for renewal in 1,183 days.

** **A message from Delta Air Lines:** Committed to bettering the travel experience, Delta has partnered with CLEAR®, the biometric identity platform. CLEAR allows SkyMiles® Members to use fingerprint and iris I.D. technology to speed through airport security by offering them exclusive Member-only rates on CLEAR membership. CLEAR is trusted by over one million travelers and by the U.S. Department of Homeland Security. CLEAR's three-step enrollment process takes less than five minutes - CLEAR digitally authenticates your driver's license or passport, confirms your identity, and then creates your biometric account. After enrollment, members can begin using the CLEAR Lanes immediately. Enroll today at clearme.com/delta. **

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

New Jersey Eyes Rejoining Northeast's Carbon Trading Program

Posted September 08, 2017, 8:39 A.M. ET

By Gerald B. Silverman

New Jersey is on the cusp of rejoining the Northeastern greenhouse gas trading program it spurned in 2011, which could be a boon for power companies such as Consolidated Edison Inc. and Public Service Enterprise Group Inc. that have utilities across the region.

The Garden State is expected to rejoin the Regional Greenhouse Gas Initiative sometime after electing a new governor in November. Both the Democratic candidate for governor, Phil Murphy, and the Republican candidate, Lt. Gov. Kim Guadagno, support rejoining the program that Gov. Chris Christie (R) abandoned six years ago.

New Jersey would be the third-largest source of carbon dioxide emissions in the trading program should it rejoin the initiative. That would mean a larger marketplace for power companies to buy and sell emissions allowances and give utilities more options for making the necessary emissions reductions, Marjorie B. Kaplan, associate director of the Rutgers Climate and Environmental Change Institute at Rutgers University, told Bloomberg BNA in an email.

"But perhaps even more importantly, it would send a signal to the RGGI states that New Jersey is serious about addressing carbon emissions and a signal outside of the region that the Northeast region is uniting on addressing carbon emissions," she said.

Electric power companies are expected to have a relatively smooth transition if New Jersey takes the expected step of rejoining the trading program. The state's electricity generators participated in 14 RGGI auctions between 2008 and 2011. There were 40 electricity generators required to purchase carbon allowances when the state exited the program, according to RGGI data.

The trading program requires power plants with 25 megawatts of capacity or more in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont to purchase one allowance for each short ton of carbon dioxide they emit. The allowances

are sold in quarterly auctions, with proceeds returned back to the states for use on renewable energy, energy efficiency and certain other program.

Utilities Back Rejoining

"We will support their decision and will work with the new administration to make sure that the transition back into RGGI goes smoothly," Paul Rosengren, a spokesman for PSEG, told Bloomberg BNA in an Aug. 31 email.

Mike Donovan, a spokesman for Orange & Rockland Utilities Inc., which provides transmission service in the northern part of New Jersey, said its parent company, Consolidated Edison, has been a supporter of RGGI.

The market could grow even larger if Virginia also joins the initiative. Virginia is considering joining RGGI, as part of Gov. Terry McAuliffe's (D) May directive that the commonwealth develop a trading-ready program to reduce carbon emissions.

Virginia, with a relatively large number of coal plants, would be second only to New York in terms of carbon dioxide emissions if it joined RGGI.

'Politically Motivated Tax Increase'

Christie withdrew his state from RGGI in 2011 and vetoed three bills from the Democratic legislature to rejoin the program. In his latest veto message July 13, he said the bill "is nothing more than an unnecessary, politically motivated tax increase."

But his own lieutenant governor has taken a more moderate position on RGGI and other issues in her bid to win election in the largely Democratic state. Ricky Diaz, a spokesman for Guadagno, declined to elaborate on her position, but confirmed that she supports rejoining RGGI.

Murphy, the Democratic candidate, plans to immediately rejoin RGGI if elected, according to his campaign's policy statement on climate change. He also supports developing a plan to eventually make New Jersey's power sector carbon-free.

"Gov. Christie's decision to pull out not only slowed progress on lowering emissions, but it also cost New Jerseyans tens of millions of dollars that should have been used to further reduce greenhouse gas emissions, increase energy efficiency, and improve air quality in urban communities," the policy statement said.

The New Jersey power sector produced 16.7 million metric tons of carbon dioxide emissions in 2014, while the nine current RGGI states had 78 million metric tons of emissions that year, according to Energy Information Administration data.

Carbon Price Boosts Nuclear, Renewables

Putting a price on carbon in the state would help recognize the value of nuclear generation in producing carbon-free electricity, according to Rosengren. About half the state's electricity comes from nuclear power, he said.

New Jersey also would benefit from a new sources of revenues for renewables and energy efficiency because RGGI auction proceeds are returned to states for those types of programs,

Rosengren said.

Though some utilities back rejoining the emissions trading program, other businesses fear the move will only drive up electricity bills.

"In order for businesses to remain competitive in our region, we need to control electric costs," Bob Considine, a spokesman for the New Jersey Business & Industry Association, told Bloomberg BNA in an email.

"About 24 percent of our electric bill is government-imposed taxes and fees," he said. "Increasing generation costs through cap-and-trade would only increase that portion on the ratepayers of New Jersey."

Carbon Allowance Prices Jump as Cap to Tighten in Northeast

Posted September 08, 2017, 12:40 P.M. ET

By Gerald B. Silverman

Power companies saw a 72 percent jump in the price of greenhouse gas emissions allowances in the first auction after the Northeast's trading program announced plans to ratchet down the emissions cap.

Carbon allowances for the Regional Greenhouse Gas Initiative sold for $4.35 each in the Sept. 8 auction, up from $2.53 in June, according to auction results announced today. Despite the increase, that's still slightly down from $4.54 in the September 2016 auction. The latest auction raised $62.5 million for the nine states in the program.

The price increase can be attributed to RGGI's recent proposal to tighten its emissions cap after 2020 and create mechanisms to control the oversupply of allowances.

Forest Management Bills Wander Through Political Woods

Posted September 08, 2017, 6:36 A.M. ET

By Alan Kovski

Wildfires scorching the West may put the heat on lawmakers to revamp management of federal forests and funding of wildfire suppression.

The omnibus funding bill this year or a farm bill in 2018 may be just the must-pass vehicles to advance that legislation, sponsors say.

"We'll just look for whatever moving vehicles are out there. A spending bill may be one—some kind of an omnibus, perhaps in December," Sen. Steve Daines (R-Mont.) told Bloomberg BNA. "Looks like they're looking for a short-term [continuing resolution], which says there'll be something bigger coming in December," he said.

The bills could make a very big difference to companies that harvest timber on federal lands, to the communities dependent on the harvests for jobs and revenues, and to homeowners vulnerable to wildfires. The bills also worry conservationists fearful of excess logging.

Daines would like to shepherd a forest management bill through the Senate Agriculture, Nutrition, and Forestry Committee with a mix of streamlined environmental regulations and litigation relief. He has the support of Sen. Pat Roberts (R-Kan.), chairman of the committee, who told Bloomberg BNA Daines "has some very good ideas."

Burning Motivation for Action

Wildfires have burned 6.85 million acres in the U.S. so far this year, a 50 percent increase over the same period of last year, according to the National Interagency Fire Center. "There are more than a million acres of land burning in the West," Sen. John Barrasso (R-Wyo.) said on the Senate floor Sept. 6.

"Yeah, Montanans are tired of it," Daines said later. "It's an environmental disaster. Economically, it's very harmful."

"Sometimes it takes a tragedy or crisis to drive action in Washington," Daines said. "This fire season may be the—excuse the metaphor—the spark to get something done."

Wildfire fighting routinely drains all available funds from the U.S. Forest Service and leads to disruptive borrowing from other programs, including programs intended to prevent fires.

To stop the borrowing, lawmakers have been looking for a better strategy to supplement funds when appropriations fall short. That effort has bogged down for several years over disagreements on which law to amend—the Balanced Budget and Emergency Deficit Control Act, which can allow budget adjustments, or the Stafford Act for disaster relief, which could be amended to provide wildfire funding as a form of disaster relief, much as hurricane recovery is funded.

Some lawmakers, including Sen. Lisa Murkowski (R-Alaska), chairman of the Senate Energy and Natural Resources Committee, also have argued that it is unwise to increase firefighting funds without also boosting the management strategies—including forest thinning, fire breaks, and prescribed burns—that might reduce the number and severity of fires.

The Energy and Natural Resources Committee is another possible avenue for advancement of a forestry bill, Daines said.

Funding Bills Offered

Rep. Mike Simpson (R-Idaho) has once again proposed a bill (H.R. 2862) to use budget cap adjustments to allow more funding of wildfire suppression. The bill was introduced in June, received bipartisan support, and was referred to three committees (on budget, natural resources, and agriculture), the committee jurisdictional being another complicating factor.

Sen. Mike Crapo (R-Idaho) introduced a bill (S. 1571) that would make wildfire suppression available for disaster relief funding through an amendment of the Stafford Act. His bill hitches the Stafford Act amendment to reauthorization of the National Flood Insurance Program.

The Trump administration has taken no position on the funding options, which may frustrate people wanting action. "We would hope the administration would support a particular approach to fire funding," Bill Imbergamo, executive director of the Federal Forest Resource Coalition, told Bloomberg BNA. His group is an association of federal timber buyers.

Westerman Modifies Strategy

Forest management is the more difficult forest legislation, because it becomes a debate over how much logging to allow, whether to restrain litigation, and how many exemptions to make, if any, to the environmental analysis obligations of the National Environmental Policy Act (NEPA).

The House passed legislation in 2015 to establish a set of exemptions from NEPA requirements and to discourage litigation. This year, Rep. Bruce Westerman (R-Ark.) introduced a modified version (H.R. 2936) of that legislation without the provisions to dampen litigation, but he has won no votes from Democrats yet.

Westerman's bill was approved in June by the House Natural Resources Committee on a party-line vote and awaits action by three other committees. The 2015 version of his bill was passed the House but went nowhere in the Senate.

Thune Tries for Farm Bill

"I think the big difference this time in the Senate is that the Agriculture Committee is actively working on its 2018 farm bill, Mike Anderson, a Seattle-based senior policy analyst at the Wilderness Society, told Bloomberg BNA. "It's must pass, and it probably will include a forestry title or some [forestry] provisions in it."

Roberts unsuccessfully tried to galvanize action with a forest management bill last year. This year, Sen. John Thune (R-S.D.), also on the Agriculture Committee, is giving it a try with his Forest Management Improvement Act of 2017 (S. 1731), introduced Aug. 2.

Thune said he wanted his legislation to become part of a 2018 farm bill, but it was referred to the Environment and Public Works Committee. The referral to that committee may have surprised Thune, Anderson said.

Thune's bill would establish categorical exclusions for projects of up to 10,000 acres for forest thinning, wildlife habitat improvement, creation of areas of new growth ("early serial habitat"), and salvage of dead or dying trees. Where environmental impact statements are needed, the alternatives studied would be limited to the proposed project and the alternative of no action.

"I think the farm bill is a really good vehicle," Imbergamo of the timber buyers group said. He wondered how much of the forestry legislation could be carried in such a bill, however.

The 2014 farm bill (Pub. L. No. 113-79) had a forestry title including some NEPA categorical exclusions, notably for timber harvests of up to 3,000 acres in areas of declining forest health because of insects or disease. A Good Neighbor Authority program, allowing state foresters to conduct projects on federal lands, was expanded to nationwide and permanent status.

"We're very concerned about the Westerman bill and Thune's bill," Anderson said. To the Wilderness Society, the NEPA exemptions are misguided, and Thune's provision for a pilot program of binding arbitration is another effort at litigation restraint opposed by Anderson's group.

Committee Actions Awaited

Barrasso, chairman of the Environment and Public Works Committee, can be expected to be

supportive of the Thune bill, but that does not necessarily mean movement. Behind the scenes, there has been no talk of action on such legislation, a source said Aug. 29.

Democrats on the Environment and Public Works Committee, led by Sen. Tom Carper (D-Del.), can be expected to oppose NEPA exemptions. The majority could still get the bill out of committee to the Senate floor, where it could be added to a farm bill.

Barrasso introduced his own forest management bill (S. 879) early this year. It was referred to the Senate Energy and Natural Resources Committee, like his 2015 version of the bill.

Murkowski and Sen. Maria Cantwell (D-Wash.), ranking member of Energy and Natural Resources Committee, have talked about forest legislation several years in a row, including this year, but have moved nothing yet.

Rounding out the circle of legislation is the Emergency Fuel Reduction Act of 2017 (S. 1752), introduced Aug. 3 by Sen. Dean Heller (R-Nev.) and referred to the Agriculture Committee.

Turf Battle Looms as House Energy Leaders Plan DOE Overhaul

Posted September 08, 2017, 7:41 A.M. ET

By Brian Dabbs

Plans by a key House Republican to retool the Energy Department's core functions are in for a turf battle.

Rep. Joe Barton (R-Texas), a top Energy and Commerce Committee member and former chairman of the panel, plans to float legislation by the end of the year to overhaul the department, he told Bloomberg BNA, confirming statements he's made in recent months.

But beyond the general deadlock on Capitol Hill, there's one big problem: Barton isn't looping in Republican colleagues on another committee that controls the lion's share of department's non-military policy. The leader of that committee, in fact, said he didn't even know about the plans.

"I haven't heard anything about that," Science Committee Chairman Lamar Smith (R-Texas) told Bloomberg BNA Sept. 6. "I haven't heard anything about Barton or E&C [Energy and Commerce] at all."

Reauthorizations are a way for lawmakers to update the missions of federal departments and agencies. Without input from the science committee, the retooling effort could sputter or degenerate into a jurisdictional fight.

The House Science, Space, and Technology Committee is tasked with directing department action on research and laboratories, which play a vital role in innovative energy technologies, some of which are commercialized in the private sector. That research, some of it under the Advanced Research Projects Agency-Energy, and the agency's loan programs are a critical asset to energy companies of all sizes. The loan programs also fall under the science committee.

The E&C Committee is a juggernaut on Capitol Hill, competing with only the Ways and Means Committee for the broadest policy influence. Members covet seats on the two committees, and each of the bodies is known to throw around its weight in jurisdictional battles.

Meanwhile, business representatives are pining for collaboration.

"Ultimately it would be extremely helpful for both committees to team up to get this done," Christopher Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute, told Bloomberg BNA. "Anytime you're going to do [Energy Department] reauthorization, you're going to have to go through multiple committees." Guith served served as deputy assistant secretary for nuclear energy at the department during the George W. Bush administration.

E&C Forges Ahead

Barton suggested the Energy and Commerce Committee is comfortably in the driver's seat.

"We are primary. Depending on how energetic we want to be, we could conceivably have the science committee and the Natural Resources Committee" contribute, he told Bloomberg BNA Sept. 6.

Energy Committee Chairman Greg Walden (R-Ore.) tapped Barton for the task earlier this year, and Walden is committed to seeing the process move forward.

"Chairman Walden wants the committee to take a strategic look at a broad range of Department of Energy activities and responsibilities," Dan Schneider, a spokesman for Walden, told Bloomberg BNA. "He wants to identify where mission and management reforms make the most sense, in light of today's energy landscape, energy security—including cybersecurity—challenges, and national security interests."

Barton didn't disclose details of his priorities for the overhaul, saying only that he'd "like to see a realignment of the [Environmental Protection Agency] and its interaction with the Department of Energy." A spokesman for Barton, Daniel Rhea, said the former chairman plans to release his framework for the overhaul later in September.

The department, created in 1977, has never been fully reauthorized. Congress regularly reauthorizes the Defense Department and Federal Aviation Administration.

Science Committee Headway Made

A partial reauthorization of the Energy Department, a bipartisan bill (H.R. 589) authored by Smith, soared through the House in January.

Smith's bill also gives arcane new directions to the department to administer its 17 national labs and extends the Commercializing Technology pilot program, which aims to ease negotiations between the labs and the private sector over technology transfer, through Sept. 30, 2019. And further, the legislation revises the department's policy on advanced nuclear research, directing, for instance, an assessment of the need for a reactor-based fast neutron source.

Nuclear proponents have praised that language.

"The new bill also includes important reforms allowing the national labs to work more closely with private industry, and establishes new research programs around solar fuels, exascale computing and electricity storage," said a statement from the conservative group ClearPath Foundation in January. "Altogether, this bill establishes research programs focused on several key areas of clean

energy development, while giving the national labs greater flexibility."

But the bill's supporters tout its reauthorization of the department's Office of Science as a major achievement, calling it the first comprehensive overhaul of the office to date. The Office of Science accounts for nearly a sixth of the department's budget in fiscal year 2017.

The House rules on committee jurisdiction, which offers succinct descriptions of those authorities within a sprawling document, show the science committee holds sway over nearly all department research.

E&C has jurisdiction over "energy policy generally," but is charged largely with regulations.

Much of the department's budget is dedicated to nuclear weapons and other military functions, and that authorization is controlled by the armed services committee in the House and Senate. Barton said he doesn't expect an overhaul to touch on the military side.

Committee Still in the Dark

Thea McDonald, a spokeswoman for Smith and the science committee, told Bloomberg BNA Barton will have to reach out to the committee if he wants to achieve a real overhaul.

"Any comprehensive [Energy Department] reauthorization would have to include significant input from the science committee, as upwards of one-third of DOE is under our jurisdiction," she said.

Barton also hasn't reached out to Democrats, who may be needed in striking a deal. Nor has he reached out to Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-Alaska), who would take up the mantle on the Senate side, she told Bloomberg BNA Sept. 7.

Monsanto Seeks to Block Arkansas Pesticide Ban

Posted September 08, 2017, 02:52 P.M. ET

By Tiffany Stecker

Monsanto Co. called on the Arkansas governor to reject a recommendation to curb spraying of the herbicide dicamba during a key part of crop-growing season, saying the proposal is backed by "unsubstantiated" theories.

At issue is a proposal by state regulators to prohibit spraying of the herbicide next year after April 15, before the hot summer months begin. Arkansas this summer received an unprecedented number of complaints about crop damage linked to the herbicide, a decades-old chemical undergoing a resurgence as Monsanto, BASF Corp., and other companies sell new versions of the weedkiller.

While the Arkansas ban would affect BASF and Dupont, which have dicamba products used by Arkansas farmers, Monsanto is fighting both to get a new product approved for use in Arkansas, and to get the ban lifted for all companies.

Pesticide Drift

Dicamba products were developed to help farmers kill weeds that have developed resistance to

common herbicides. But scientists in Arkansas say the chemical is prone to evaporate and travel to fields thousands of feet away, causing damage to soybeans, trees, and other vegetation.

Monsanto sent a letter to Gov. Asa Hutchinson (R) and a petition for rulemaking to the Arkansas Plant Board Sept. 7 to oppose the cut-off date.

The company also asked the plant board to allow the use of Monsanto's XtendiMax dicamba herbicide, which is currently prohibited in Arkansas but allowed in other states.

The plant board did not permit XtendiMax this year because state university scientists were not given the opportunity to do independent tests on the herbicide before it came on the market.

BASF spokeswoman Odessa Hines declined to comment specifically on Monsanto's petition, but pointed to a recent statement in which the company opposed the April 15 cutoff date.

"Restricting the use of this proven technology is a major step backwards for Arkansas farmers who will be put at a competitive disadvantage to growers in neighboring states," the BASF statement said.

'Contradicted by Actual Scientific Data'

Monsanto rejects the conclusion that the new versions of dicamba are volatile and argued that the crop damage is probably due to farmers misusing the herbicide, rather than the result of a failure in the product's design.

The state regulators' proposal to limits the herbicide's use "is predicated on unsubstantiated product volatility theories that are not supported by empirical or modeled data, but are contradicted by actual scientific data the Task Force failed to consider," Monsanto's Chief Technology Officer Robb Fraley wrote Hutchinson.

The company has suggested the crop damage is more likely the result of contamination of dicamba with other herbicides; illegal use of older, more volatile formulations of dicamba; spraying in high wind speeds or during other adverse weather conditions; or applicator's misreading the label instructions on the new, lower-volatility dicamba.

The 19-person plant board in August agreed to a task force recommendation to set an April 15 cutoff date to prevent spraying during the hot summer months when volatility—when the herbicide turns from liquid to gas—is more likely to occur. The date also would preclude many farmers from using the products on soybeans, which are usually planted in May.

Integrity Of Scientists

Monsanto's petition also calls into question the integrity of the scientists who say the products are highly volatile. Ford Baldwin, a retired University of Arkansas weed scientist and Jason Norsworthy, a current scientist at the university, spoke at the task force meeting on Aug. 17 in favor of restrictions.

Baldwin is a paid consultant for Monsanto competitor Bayer CropScience and an expert witness in litigation against the company, Monsanto said in its petition.

Norsworthy was quoted in a promotional pamphlet for LibertyLink, Bayer's herbicide developed to

kill resistant weeds, the company said.

Neither Baldwin nor Norsworthy were immediately available to comment.

The nonprofit Center for Biological Diversity criticized Monsanto's efforts to deter the state from instituting a ban.

"Monsanto continues to deny the well-documented fact that dicamba is notoriously drift-prone and is now attempting to thwart common-sense measures to protect farmers from this dangerous pesticide," Nathan Donley, a senior scientist at the organization said in a statement. "Dicamba drift is now blamed in damage across an estimated 3 million U.S. acres yet Monsanto can think only of protecting its own profits."

EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Posted September 08, 2017, 12:44 P.M. ET

By Jennifer A. Dlouhy

The Trump administration is applying lessons from Hurricane Harvey's drenching of southeast Texas as it secures toxic waste sites in the path of Hurricane Irma, U.S. environmental chief Scott Pruitt said.

The Environmental Protection Agency's main goal is to make sure there are "enough people on the ground" to quickly assess the integrity of at-risk chemical sites and respond to needs as the monster storm moves through, Pruitt said. Technical staff already are working to secure about 80 Superfund sites in Irma's path from Miami to North Carolina, including a former pesticide plant, military base, and machine shop.

"Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt, the EPA's administrator, said in a Sept. 7 interview. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive."

The EPA faced some criticism for its response to Hurricane Harvey in Texas, as it was not able to immediately inspect some toxic Superfund sites that were flooded or inaccessible. After chemicals at one plant exploded, spewing fumes into the air, the agency said an initial analysis showed "no high levels of toxic chemicals." Earlier on Sept. 7, local police officers filed a lawsuit against the plant owners, Arkema SA, saying they were sickened by the fumes from the plant.

Nearly 200 EPA personnel were deployed in Texas. The agency has about 77 people working on Irma related efforts and another seven are on the way.

Back-to-back hurricanes hitting the U.S. threaten to strain the federal government's resources, prompting the Senate to pass a $15.25 billion relief bill Sept. 7, and renewing a debate about the size and scope of federal agencies. The Trump administration has proposed cutting nearly a third of the EPA's budget for the fiscal year that begins Oct. 1 and culling roughly 3,200 employees from the agency's 15,000-member workforce, a process that has already begun as hundreds of workers accept buyouts.

Pruitt stressed that the EPA has not been hit by budget reductions yet, as Congress weighs how much to spend on the agency. Both Republican and Democratic lawmakers have signaled that they

will refuse to make the steep budget cuts President Donald Trump is seeking for EPA.

"Congress is working through the budget as we speak, so there's been no impact in that regard," Pruitt said. "It's more of just simply allocating personnel and prioritizing personnel—making sure that at the end of the day it's the local officials and the state officials in partnership with the EPA."

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Hurricane Irma's Chemical Fallout Could Be Worse Than Harvey's

Posted September 08, 2017, 10:28 A.M. ET

By Jack Kaskey, Ryan Collins and Bryan Gruley

Before flames and smoke leaped into the sky over the Arkema chemical plant in Crosby, Texas, last week, Jolyn Masters was hunkered down at home on a Hurricane Harvey-flooded street a mile away. Then came a knock. A National Guard evacuation boat was waiting because of what was expected at Arkema.

For the next three days, Masters called a company hot line for information about the nine trailers containing volatile chemicals on Arkema's property. "I was on a first-name basis with one of the ladies," Masters said.

By the time she returned home on Labor Day, the trailers had burned. Nobody had died. But Masters couldn't offer comfort to people living near chemical plants as Hurricane Irma bears down. "This wasn't anything foreseeable," she said. "So I wouldn't even know what to tell those people."

What happened in Crosby could happen in Florida, with more disastrous results. It could happen in Homestead, near a pair of nuclear generators; or at plants near Tallahassee that produce potentially explosive ammonia; or rural communities with an expanse of phosphate mines not far from the Gulf Coast.

While Crosby appears to have avoided serious tragedy, Arkema executives admitted they were unprepared. The potential dangers stored within chemical plants remain unclear because regulators have acquiesced to industry demands that such information be kept secret for fear of terrorism. And Environmental Protection Agency head Scott Pruitt delayed for two years Obama-era rules requiring companies to be more transparent about what's in plants and their plans to keep them safe.

"One of the best ways to better prepare for these emergencies is to know what you're dealing with," said Bill Hoyle, a former senior investigator with the U.S. Chemical Safety Board, an independent agency. "What are the chemicals? How much of the chemical is there and what's the potential impact? I am sure the people evacuated in Crosby had no idea they were in a vulnerability zone."

The incident at the 43-year-old plant owned by Arkema SA of Paris, France, provided some of Harvey's most dramatic pictures—and a fortunate anticlimax. But an analysis by the Center for Biological Diversity in Tucson, Ariz., showed that the Houston area's hundreds of refineries and petrochemical operations released almost 1 million pounds of air pollutants in Harvey-related spills and flares, including benzene, sulfur dioxide, toluene, and xylene. The effects might not be known for months.

Before Harvey, the American Chemistry Council industry group issued a statement saying,

“Chemical companies know well to avoid the dangers of being unprepared.” This week, spokeswoman Anne Kolton said in an email that the group’s members “are taking Hurricane Irma extremely seriously.“

Mishandling Hazards

The Arkema plant generates about $30 million in annual revenue, less than 1 percent of its parent’s total. It was among 55 Houston-area facilities named as potentially harmful in a 2015 Houston Chronicle investigation done with Texas A&M University. The Occupational Safety and Health Administration this year fined the plant $91,274 for 10 safety violations, including some that involved mishandling of hazardous materials.

As with Hurricane Katrina in 2005 and the Fukushima, Japan, nuclear disaster in 2011, water defied Arkema’s efforts to protect the facility in the town of 2,300 about 25 miles northeast of Houston. When reporters asked how the company prepared, Arkema president Richard Rennard said, “Certainly we didn’t anticipate having six feet of water in our plant.“

The big problem was 19.5 tons of organic peroxides, used as catalysts in plastics manufacturing, which must be kept cool or they will ignite. When Harvey cut power, Arkema turned to generators that flooded; as at Fukushima, they were below the level of the rising waters.

Arkema had shut down the plant as Harvey barreled into Texas. It moved the peroxides away from chemicals like sulfur dioxide to the nine trailers with their own cooling systems. When those failed, Arkema told the world that explosions would ensue.

The first blast came early Aug. 31. Emergency workers were overcome by fumes, with police officers vomiting and gasping for air, according to a lawsuit filed against Arkema Sept. 7 by seven first responders. After a second explosion the next day, Masters received a call from Arkema saying yet another was coming. A few minutes later: boom!

Rennard said, “I’m not sure what more we could have done to provide additional layers of security to provide power to the site.” He said no dangerous chemicals had been released.

“This is a fire,” he told reporters. “We are watching physics at work.“

Safety Cuts

The Chemical Safety Board—which was slated for elimination in a Trump administration budget proposal—said it would investigate. Masters and her neighbors returned to the evacuation zone. Residents were cautioned to drink bottled water and wear surgical masks. The EPA said aerial monitoring detected no high levels of toxins in the air.

Florida should be so fortunate. Its petrochemical footprint isn’t nearly as large as Houston’s, but a map prepared by the nonprofit group Environment Florida shows scores of plants, storage depots, refineries, wastewater treatment facilities and EPA Superfund sites that could release hazardous materials.

Port Tampa Bay alone handles ammonia, unleaded gasoline, sulfuric acid and ethanol. The port was operating Sept. 7, but will halt shipping if the Coast Guard forecasts gale-force winds of at least 39 miles per hour hitting within the 24 hours to come.

Jennifer Rubiello, state director for Environment Florida, said in an email that industrial sites are poorly regulated and "even well-regulated sites can and do fail." She said she couldn't pinpoint Florida's riskiest because operators aren't required to disclose emergency plans.

Florida Power & Light Co. operates two nuclear-power generators 25 miles south of Miami at the mainland's southernmost tip. They were built in the early 1970s, when engineers couldn't imagine how rising seas could increase storm surges, said Bill Newton, deputy director of the Florida Consumer Action Network.

Fukushima's nuclear plants melted down after tsunami's surge cut power to cooling pumps, and Irma could do the same at Florida Power's Turkey Point plants, Newton said. "You lose the cooling, you lose the whole thing," he said.

Peter Robbins, a spokesman for the utility, said that comparing Turkey Point to Fukushima is "irresponsible."

The Florida plant was built to withstand Category 5 storms, and absorbed a direct hit from Hurricane Andrew 25 years ago, Robbins said. Equipment to mitigate flooding was added after Fukushima, and the plant and backup generators are 20 feet above sea level. Operations will stop before any storm impact, he said.

Then, there are the mines. Central Florida contains the nation's largest deposits of phosphate, a key fertilizer ingredient. Mosaic Co. of Plymouth, Minn., digs the ore from 200,000 acres and breaks it down with sulfuric acid, creating a byproduct called phosphogypsum that contains small amounts of radioactive uranium and radium. Because the phosphogypsum market is tiny, about 1 billion tons is piled in more than 20 stacks around the mines, according to Florida Polytechnic University researchers.

Drinking-Water Threat

Runoff can contaminate drinking and fishing waters from stacks that are inadequately contained, said Jaclyn Lopez, director for the Center for Biological Diversity's Florida office. Spills precipitated by Hurricane Francis in 2004 killed marine animals. Last year, millions of gallons of contaminated water sluiced into an aquifer after a sinkhole opened beneath a Mosaic stack.

"It's hard to say what the implications of 15 to 20 inches of rain would be," Lopez said. "It opens new pathways into the environment."

Ben Pratt, a spokesman for Mosaic, said the company has begun hurricane preparations at the phosphate facilities and has not yet decided whether to shut down.

EPA Administrator Scott Pruitt said in an interview that staff are being dispatched to monitor Irma's impacts, and he's not stinting on manpower. "If someone needs 10 people, send them 20," he said. "If they need 20, send them 40."

Workers are evaluating about 80 Superfund sites from Miami to North Carolina, and the agency is working with owners to secure them, he said.

Back in Crosby, Masters said Arkema handled its problem as well as could be expected. Other locals aren't as positive, she said, but, "even the people that disagree are still both out there helping the neighbor pull carpet out of their house."

—With assistance from Ania Nussbaum and Jennifer A. Dlouhy.

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Trump Taps Bush-Era Official to Lead EPA Air Office

Posted September 08, 2017, 12:55 P.M. ET

By Abby Smith

A President George W. Bush-era EPA official could once again be leading the agency's air pollution office.

Bill Wehrum, should he be confirmed to lead the Environmental Protection Agency Office of Air and Radiation, would be returning to the post, which he held in the acting position for two years during the Bush administration.

President Donald Trump announced his intent to nominate Wehrum late Sept. 7, and the White House sent his nomination to the Senate shortly after. Wehrum is currently an attorney with Hunton & Williams LLP, where he heads the firm's administrative law group.

As air chief, Wehrum would lead the EPA's work on air and climate regulation—meaning he would be directing Trump administration efforts to review, and potentially unravel, Obama-era rules. The EPA, under Administrator Scott Pruitt, has already committed to review several key Obama-era rules, including the Clean Power Plan, methane limits for the oil and gas methane industry, and more stringent ozone air pollution standards set in 2015.

Merkel Warned That Failure to Hit Climate Goal May Hurt Germany

Posted September 08, 2017, 10:50 A.M. ET

By Brian Parkin

Chancellor Angela Merkel's ambition to lead Europe's fight against global warming is at risk of backfiring and tarnishing Germany's climate credentials, according to researchers.

Germans will likely reduce their carbon dioxide emissions by about 30 percent in 2020 compared to 1990 levels, missing the 40 percent reduction goal set by the government in 2012, according to a report by Berlin-based climate researcher Agora Energiewende.

German emission reductions "won't be a near miss but a booming failure," Agora researchers wrote. They urged Germany to refocus on emission cuts after this month's federal election, in which Merkel is seeking a fourth term as chancellor.

Climate protection is getting short shrift in campaigning by Germany's biggest parties even though polls show it's important to voters. More than seven of 10 Germans worry about the impact of climate change, even more than the 65 percent of voters concerned with war, according to a July survey by Kantar Emnid.

The Environment Ministry in Berlin responded to the Agora report, rejecting its forecast for carbon

dioxide output to 2020 in a statement on Thursday. The ministry expects Germany to cut emissions by as much as 37 percent.

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EPA Braces for Irma • Harvey Gives Agency Chance to Shine • Congress Looks for Wildfire Money

Posted September 08, 2017, 7:12 A.M. ET

By Stephen Lee

EPA Braces for Irma

The EPA is doing what it can to prep for Hurricane Irma as the demon storm barrels toward Florida.

Right now the agency is focused on buttoning up local Superfund sites. EPA staffers are checking on the 22 sites in south Florida, assessing vulnerabilities, and prioritizing sites that have to be looked at once the storm has passed. EPA people are going to rush in and check out the sites as soon as they can, the Environmental Protection Agency says.

It's a chance for the agency to redo its Hurricane Harvey Superfund response. That time, remember, the EPA got into a flame war with an Associated Press reporter who said the agency wasn't on the scene.

EPA boss Scott Pruitt, for one, is feeling confident this time around. He says the agency's "expert preparedness and ongoing response efforts" in Houston makes him feel sure that EPA staff in Florida can "replicate their efforts."

The Senate gaveled through $15 billion in FEMA disaster aid on Thursday.

Harvey Gives Agency Chance to Shine

Most people who've heard of the CSB figure it's either a high-powered, zillion-person bureaucracy or a TV network. Wrong on both counts: the Chemical Safety Board is a tiny agency that haunts a few rooms in D.C., can't issue rules or fines, and employs all of 40 people.

That's why most of the time the CSB stays out of the spotlight. But every once in a while something happens that gets it on the nightly news, and now that Arkema's chemical factory has blown up in Texas, the CSB is getting camera-ready again.

The truth is, if anyone in the government is going to figure out what happened at Arkema, it will be the CSB. No one else is going to bother because it doesn't look like Arkema broke any government rules.

But President Trump has said the CSB should be killed because it's redundant. The agency does have funding at least through next September, though, and it's already got people poking around the Arkema site. Perish the thought that anyone would get political with hurricane cleanup, but realistically, this could be the CSB's chance to prove its worth to the folks in the White House.

(By the way, first responders are now suing Arkema for exposing them to nasty chemicals.)

Congress Looks for Wildfire Money

Gigantic wildfires are raging in Montana, Washington, Oregon, and California, and now Congress is trying to find more money to put the flames out.

Funding bills in the House and Senate could find their way into a big spending package in December or a farm bill next year. Something like that would be huge for timber companies, farmers, and people who live near the fires.

It seems like a bit of a long shot, though. The same idea flopped last year and the year before, and Congress doesn't have a ton of time left this year. Still, lawmakers aren't giving up.

One big difference this time in the Senate is the Agriculture Committee is actively working on its 2018 farm bill, which is must-pass legislation and will likely include some forestry stuff, according to Mike Anderson, a policy analyst at the Wilderness Society.

Meanwhile, reports from Montana are terrifying: the Washington Post's Capital Weather Gang is describing "apocalypse-like" conditions that are "blotting out the noonday sun."

What Else?

• Shopkeepers in Houston are mopping up the water and trying to open their doors, but government agencies are making sure they don't just dump their pesticides, paints, and drugs down the toilet.

• The Senate just barely voted down a $750 million chip-in for the U.N. Climate Fund.

• President Trump's fiery rhetoric on trade might hurt big U.S. energy companies.

• The president's nominees for the Federal Energy Regulatory Commission told Congress the agency should be technology-neutral.

• The European Union is sticking to the Paris accord, with or without the U.S.

Today's Events

• 10 a.m. EDT • Hurricanes • The Union of Concerned Scientists hosts a conference call about the things that make disasters like Hurricanes Harvey and Irma happen.

• All day • Climate • The Catalysts of the Climate Economy National Innovation Summit wraps up in Burlington, Vt.

Quote of the Day

"The commission doesn't have the authority—nor should it—to prop up failing technologies."
—Richard Glick, FERC nominee, on legacy energy sources

From Our Inbox

• A new study in Climatic Change journal connects the dots between climate change and specific fossil fuel companies like ExxonMobil and Chevron.

• Chocolate bar maker Mars says it's spending $1 billion to reverse climate change.

• More than 650 facilities energy and industrial facilities were affected by Harvey.

• San Diego Gas & Electric is offering $1,000 electric car rebates to teachers and first responders.

All About: The Green Climate Fund

Thursday the Senate Appropriations Committee rebuffed Democrats' last hope of resurrecting U.S. funding for the UN Green Climate Fund. That's a victory for President Trump, who made the fledgling fund for developing nations the poster child for U.S. climate spending abroad that would be better spent here at home.

But what is the Green Climate Fund exactly, and how did it become such a contentious issue? Well, the U.S. was actually one of the early backers of the UN fund back in 2014, when 190-plus nations were still very far apart on a global climate deal.

Poorer developing nations essentially were asking: why should we agree to act on climate change when the problem was largely caused by richer developed nations, and why shouldn't we be able to use the same fossil fuels richer nations used to industrialize? The Green Climate Fund, essentially, was partly an answer to that question. The U.S. led the way in pledging $3 billion over four years to the GCF to help developing countries adapt to climate impacts and pursue low-carbon development. Pledges today total just over $10 billion from more than 40 nations, mostly from developed ones.

The Obama administration wasn't able to fully deliver on that $3 billion promise; it actually only made good on $1 billion by the time Obama left office in January. But even that was controversial, as Republicans in the House and Senate protested that Obama made payments even without a specific authorization from appropriators. Thursday's vote in the Senate Appropriations Committee against further funding signals the end for such funding, perhaps as long as Trump remains in the White House.

—by Dean Scott

Around the Web

• Donald Trump, hurricane narcissist? (New Republic)

• Employers in Houston are doing what they can to help the region get back on its feet. (Wall Street Journal)

• Do Republicans believe in federal disaster relief? (Slate)

• Now that the Arctic permafrost is melting, diseases long trapped in ice are being released. (Vox)

• How not to freak out about climate change. (Grist)

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 7/14/2017 11:07:32 PM
Subject: Report: DOE grid study draft says no threat from renewables

By POLITICO Pro Staff

07/14/2017 07:03 PM EDT

A draft version of the power grid study ordered by Energy Secretary Rick Perry found that wind and solar power did not pose a threat to the U.S. electricity network, Bloomberg News is reporting.

"The power system is more reliable today due to better planning, market discipline, and better operating rules and standards," the July draft obtained by Bloomberg says.

Perry ordered DOE to produce a report on whether federal regulations and tax policies were putting the power grid in jeopardy by driving baseload generating plants like coal and nuclear power into retirement. His April order sparked concerns among lawmakers and renewable advocates that his agency would produce a report that could be used to reduce support for green energy sources and protect coal-fired plants.

The findings in the draft report are under review by DOE's leadership, according to Bloomberg.

A DOE spokeswoman said the draft report appeared to be an outdated version of the report, and that the language cited by Bloomberg was not in the current version.

Last month, Perry said grid experts had expressed fears that baseload power plants were being pushed offline prematurely because of policies that favored renewables at the expense of coal.

"These are politically driven policies driven by a hostility to coal," he said.

Electricity analysts and utility companies have largely blamed the steep jump in U.S. natural gas-fired power production, flat power consumption and the lower efficiency of the aging coal plants for the drop in coal's share of the power market, since wind and solar still make up a small part of the nation's energy mix.

WHAT'S NEXT: DOE may release its grid study as early as next week.

Darius Dixon contributed to this report.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/report-doe-grid-study-draft-says-no-threat-from-renewables-090583

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To: Jackson, Ryan[jackson.ryan@epa.gov]
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Sent: Thur 11/16/2017 9:51:05 PM
Subject: Environment & Energy Report Highlights

Environment & Energy
Thursday, November 16, 2017

Highlights

Leading the News

EPA Wants to Reconsider Coal Ash Cleanup Rules

By *Sylvia Carignan*

The EPA is taking a second look at its requirements for monitoring and cleaning up coal ash sites, in addition to other provisions of an agency rule currently under court review.

EPA Floats Proposal to Push Back Water Rule to 2020

By *Amena H. Saiyid*

A proposed delay of a regulation defining the reach of the Clean Water Act would help avoid confusion among home builders, contractors, and miners, according the Trump administration.

Third Republican Senator Casts Doubt on EPA's Chemical Pick

By *Tiffany Stecker*

A third Republican senator expressed concerns with the Trump administration's selection of Michael Dourson to lead EPA's chemicals office, potentially imperiling the nomination unless at least one Democrat crosses party lines.

U.S. Vows to Stay Engaged on Climate, Progress

Expected in Bonn

By *Dean Scott*

The U.S. still intends to pull out of the Paris climate pact but will "remain engaged" in international negotiations—including climate talks, its top climate diplomat told other nations on the eve of the close of a two-week U.N. climate summit in Bonn.

Cut U.S. Climate Pledge But Only as Hail Mary, Obama Envoy Says

By *Dean Scott*

The Obama administration's top climate negotiator said Nov. 16 he would back the U.S. weakening its international greenhouse gas reductions pledge—but only as a last-ditch effort to keep President Donald Trump from completely withdrawing from the 2015 Paris deal.

Defense Bill Backing Contaminant Study Sails Through Senate

By *Pat Rizzuto*

A spending blueprint that would support $7 million for a national study examining a group of chemicals increasingly detected in drinking water supplies across the nation passed the Senate Nov. 16.

Today's News

Defunct EPA Program Best Way to Clear Air, Power Plants Say

By *Jennifer Lu*

The power industry wants to use a defunct emissions trading program in place of pollution controls at individual power plants to limit air pollution contributing to visibility problems in parks and wilderness areas.

Energy Policy Wish List Could be Democrats' Roadmap

By *Alan Kovski*

A 283-page Democratic energy policy bill introduced Nov. 16 may have no chance in the current Congress, but it lays down a series of markers for possible action if Democrats win a future majority of House and Senate seats.

Michigan Forgives $20 Million of Flint's Water Debt

By *Alex Ebert*

The Michigan Department of Treasury forgave an additional $20 million of Flint's debt for water infrastructure, bringing the city's total amount of state and federal aid to more than $390 million.

400 Business Could Fall Under New Bay Area Air Pollutants Rule

By *Carolyn Whetzel*

Oil refineries, sewage treatment plants, power plants, and metal plating operations are among the nearly 400 San Francisco Bay Area facilities facing a tough new rule to reduce emissions of toxic air pollutants.

Food Waste Risks Being Tossed Aside in Germany's

Coalition Talks

By *Jabeen Bhatti*

Plans to curtail the waste of 18 million tons of food annually in Germany—and stem the greenhouse gas emissions connected to the production and transfer of such waste—are falling by the wayside during talks on a preliminary coalition agreement for the country's new government.

Millennium Pipeline Fight Led by New York Moves to Court

By *Gerald B. Silverman*

New York's bid to halt the Millennium natural gas pipeline returns to a federal court after the Federal Energy Regulatory Commission denied the state's request to rehear challenges to the project.

Better Company Information Feeds Sustainability Investing Trend

By *Ali Qassim*

Investors who prioritize sustainability over high returns are finding it easier to park their money accordingly, given better access to company information, panelists at a London conference said.

Court Awards Spain $1.85 Billion for Prestige Oil Tanker Spill

By *Brett Allan King*

A Spanish court awarded Spain more than $1.85 billion in damages for the 2002 Prestige oil tanker spill, one of the country's worst environmental disasters, naming the ship's captain, shipping company, insurer, and the International Oil Pollution Compensation Funds responsible for payment.

Energy Regulator Doubles Down on Interim Plan to Bail Out Coal

By *Rebecca Kern*

A short-term plan to compensate at-risk coal and nuclear plants would lead to minimal costs to consumers, Federal Energy Regulatory Commission Chairman Neil Chatterjee said.

Mystery Group Backs Fossil-Fuel Companies Fighting Divestment

By *Benjamin Elgin* and *Zachary Mider*

Grass-roots lobbying—the creation of groups of ordinary citizens to advocate for causes—has been around for decades. But when corporations hide their involvement or recruit members indifferent to the issue, tactics known as astroturfing, it can provide an appearance of public support that doesn't actually exist.

How Much Is Great Barrier Reef Worth? $43 Billion, Economists Say

By *Michael Heath* and *Chris Bourke*

As mankind puts the world's largest living structure at risk, economists have come up with a new solution: put a price tag on it.

Utilities Press Tax-Writers to Save Advance Refunding Bonds

By *Allyson Versprille*

Lobbyists for public ly owned utilities are fighting to preserve advance refunding bonds—repealed in both the House and Senate tax reform proposals—to prevent the loss of billions in savings.

China, Canada, 17 Other Countries Promise Biofuel Target

By *Jessica Shankleman*

Nineteen countries, including China and Brazil, intend to cut pollution by increasing the target for energy derived from crops.

Norway's $1 Trillion Fund Wants Out of Oil and Gas Stocks

By *Sveinung Sleire*

The $1 trillion fund that Norway has amassed pumping oil and gas over the past two decades wants out of petroleum stocks.

Ivory Coast May Legalize Cocoa Farming in Some Protected Forests

By *Olivier Monnier* and *Baudelaire Mieu*

Ivory Coast, the world's top cocoa producer, plans to legalize farming on almost 5 million acres of protected reserves to help balance the rebuilding of forests with output of its most important export.

Former Paper Mill Owners Lose Bid to Exit Superfund Case

By *Steven M. Sellers*

The former owners of an Ohio paper mill aren't entitled to dismissal of Superfund claims on the theory that they are "dead and buried" companies over which the court has no jurisdiction, the Southern District of Ohio ruled Nov. 15.

Apple Tops Ranking of Corporate Work to Clean Up Minerals Supply

By *Andrea Vittorio*

Apple Inc. topped a human rights group's Nov. 16 ranking of corporate efforts to clean up sourcing for minerals that can directly or indirectly finance conflict in the Democratic Republic of Congo.

U.K. Chemicals at Risk from Brexit-Driven Investment Cuts

By *Andrew Noel*

The U.K.'s $50 billion chemicals industry is at risk of withering away if Brexit isn't handled properly, according to an industry expert.

New Leader of EPA New England Office a Critic of Trump Budget

By *David Schultz, Amena H. Saiyid,* and *Sylvia Carignan*

The new head of the EPA's New England office has been a vocal critic of the Trump administration's cuts to the agency's budget.

Houston Startup Envisions Chinese Chemicals Made from U.S. Ethane

By *Jack Kaskey*

A Houston startup is betting it can help create a market for U.S. ethane in the Chinese petrochemical industry.

The U.S. Flooded One of Houston's Richest Neighborhoods to Save Everyone Else

By *Shannon Sims*

"Next contestant, come on down."

VW Teams with Chinese Partners in $12 Billion Electric-Car Push

By *Yan Zhang*

Volkswagen AG will invest more than 10 billion euros ($12 billion) with its partners to make and develop a range of new-energy vehicles in China as carmakers step up investments in low-emission models in the world's biggest auto market.

Trump Climate Exit Panned in Bonn but Cheered in Lordstown, Ohio

By *Ari Natter*

Kevin Scott took a swig of his Pabst Blue Ribbon and professed his love for the environment. Inspired by a boyhood hunting and fishing, the 46-year-old Ohio autoworker earned a degree in environmental policy.

Wednesday Night Wrapup

California's Famed Cancer Warnings Imperiled by Lobbyist Push

By *Lauren Coleman-Lochner*

Corporate lobbyists, aiming to seize on the Trump administration's deregulation drive, are pushing to override state laws on ingredient-disclosure rules and warning labels, including landmark California legislation on potential cancer risks.

As India Endures Blanket of Smog, China's Battle Offers Lessons

By Anindya Upadhyay and Jessica Shankleman

As New Delhi suffers through a surge in the most harmful type of smog—a toxic stew that makes India's capital one of the most polluted in the world—Beijing offers lessons in how another troubled city made progress clearing the air.

Chinese Solar Manufacturer Longi Mulls U.S. Factory as Tariffs Loom

By Brian Eckhouse

Longi Green Energy Technology Co., a Chinese solar manufacturer, is considering opening a U.S. factory, a decision that may hinge upon the looming threat of import tariffs.

Statoil Plans to Step Up Exploration After Driving Down Costs

By Mikael Holter

Statoil ASA plans to step up drilling in Norway for a second consecutive year, according to company officials.

Petrobras Chief Rushing to Deliver as Election Season Nears

By *Sabrina Valle* and *Peter Millard*

The leader of Petrobras, Brazil's state-controlled energy company, is rushing to finish his work before an unpredictable presidential campaign makes it harder to sell assets and complete a key compensation deal with Brazil's government.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/1/2017 12:10:22 PM
Subject: June 01 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 01, 2017 - Number 104

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
Arizona SIP/New Source Review for Stationary Sources
AIR

Interim final rule of the EPA amends regulations under 40 CFR 52 to defer the imposition of sanctions based on a concurrent proposed rule that approves revisions to the Arizona Department of Environmental Quality portion of the Arizona SIP. The revisions correct new source review preconstruction permit requirements for major stationary sources and major modifications to address deficiencies identified by the EPA in a Nov. 2, 2015, final rule (80 FR 67319). The current action defers the imposition of offset and highway sanctions that were triggered by the 2015 final rule. The rule is effective June 1, 2017. Comments are due July 3, 2017. Contact: Lisa Beckham; EPA Region 9; 415-972-3811; beckham.lisa@epa.gov

82 FR 25203 (06/01/2017)

Regulatory Update

AIR
Arizona SIP/New Source Review for Stationary Sources
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the Arizona Department of Environmental Quality portion of the Arizona SIP. The revisions correct new source review preconstruction permit requirements for major stationary sources and major modifications to address deficiencies identified by the EPA in a Nov. 2, 2015, final rule (80 FR 67319). A concurrent interim final rule defers the imposition of offset and highway sanctions triggered by the 2015 final rule. Comments are due July 3, 2017. Contact: Lisa Beckham; EPA Region 9; 415-972-3811; beckham.lisa@epa.gov

82 FR 25213 (06/01/2017)

Regulatory Update

AIR
Delaware SIP/Infrastructure Requirements for 2012 PM-2.5 NAAQS
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve portions of a revision to the Delaware SIP regarding infrastructure requirements for the 2012 fine particulate matter NAAQS. The rule does not address interstate transport of emissions and specifies that the agency will take action on this portion at a later date. Comments are due July 3, 2017. Contact: Gavin Huang; EPA Region 3; 215-814-2042; huang.gavin@epa.gov

82 FR 25211 (06/01/2017)

Regulatory Update

AIR
Idaho SIP/Logan PM-2.5 Nonattainment Area
AIR

Supplemental proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the Idaho SIP relating to the Idaho portion of the Logan, Utah-Idaho, 2006 24-hour fine particulate matter (PM-2.5) NAAQS nonattainment area. The rule approves Idaho's attainment demonstration and 2014 motor vehicle emissions budgets (MVEBs) as early progress budgets. The rule also conditionally approves reasonable further progress quantitative milestones and revised MVEBs for the Idaho portion based on the state's commitment to adopt and submit updates to these attainment plan elements within one year of the final rule's effective date. The current action supplements an Oct. 27, 2016, proposed rule (81 FR 74741) to address provisions for which the EPA deferred action on Jan. 4, 2017 (82 FR 729). Comments are due July 3, 2017. Contact: Jeff Hunt; EPA Region 10, Office of Air and Waste; 206-553-0256; hunt.jeff@epa.gov

82 FR 25208 (06/01/2017)

Regulatory Update

COASTAL ZONE
Gulf Coast Restoration Trust Fund/Bayou Greenways Initiative
COASTAL ZONE

Notice of the Gulf Coast Ecosystem Restoration Council announces a proposed subaward from the Texas Commission on Environmental Quality to the Houston Parks Board (HPB), a nonprofit organization, for the purpose of acquiring approximately 80 to 100 acres along the Clear Creek Greenway in Houston as part of the Bayou Greenways Initiative. The notice specifies that HPB intends to transfer title of the acquired lands to the Houston Parks and Recreation Department to be preserved as parkland as part of the broader Bayou Greenways Initiative. Contact: Will Spoon; Gulf Coast Ecosystem Restoration Council; 504-239-9814; raams_pgmsupport@restorethegulf.gov

82 FR 25289 (06/01/2017)

Regulatory Update

ENDANGERED SPECIES

Alaska/Marine Mammals Incidental Take

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of an application from Quintillion Subsea Operation LLC requesting authorization to take small numbers of Pacific walruses and polar bears from portions of the Bering, Chukchi and Beaufort seas, Alaska state waters, and specified coastal land in Alaska incidental to fiber optic cable-laying activities. The authorization allows takes in the form of level B harassment of listed species between July 1 and Nov. 15, 2017. Level B harassment is defined as disturbance of a marine mammal by causing disruption in behavioral patterns or temporary loss of hearing sensitivity. The authorization also specifies mitigation, monitoring and reporting requirements. The notice also announces the availability of a draft environmental assessment. Comments are due July 3, 2017. Contact: Kimberly Klein; NMFS, Marine Mammals Management; 800-362-5148; kimberly_klein@fws.gov

82 FR 25304 (06/01/2017)

Regulatory Update

ENDANGERED SPECIES

Texas Coastal Bend Shortgrass Prairie Recovery Plan

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the availability of the draft Texas Coastal Bend Shortgrass Prairie Multi-Species Recovery Plan. The plan addresses recovery objectives and criteria for the endangered slender rush-pea and South Texas ambrosia, both found in the Texas Coastal Bend in Kleberg and Nueces counties in Texas. The plan identifies various recovery actions, including minimization of further loss or fragmentation of native shortgrass prairie habitat, development of reintroduction sites, preventing depletion of seed banks, determination and implementation of best management practices, and acquisition of long-term conservation easements. Comments are due July 31, 2017. Contact: Amber Miller; USFWS, Texas Coastal Ecological Services Office; 281-286-8282; amber_miller@fws.gov

82 FR 25299 (06/01/2017)

Regulatory Update

FOOD SAFETY

Electronic Import Inspection

FOOD SAFETY

Notice announces the intention of the Food Safety and Inspection Service to seek OMB approval for a continuing information collection request concerning electronic import inspection. The collection addresses electronic submission by foreign governments of information concerning the foreign establishment certificate and the foreign inspection certificate for verification that meat (9 CFR 327.2), poultry (9 CFR 381.196) and egg products (9 CFR 590.910) are safe, wholesome, not adulterated, and properly labeled and packaged. Comments are due July 31, 2017. Contact: Gina Kouba; FSIS, Office of Policy and Program Development; 202-720-5627

82 FR 25224 (06/01/2017)

Regulatory Update

FOOD SAFETY
Meat and Poultry Inspections/Exemption Dollar Limitations
FOOD SAFETY

Notice of the Food Safety Inspection Service announces the calendar year 2017 dollar limitations on the amount of meat, meat food products, poultry and poultry products that retail stores can sell to hotels and restaurants without disqualifying themselves from exemption from inspection requirements (9 CFR 303 and 381). The notice specifies a reduction in the dollar limitation for meat and meat food products from $79,200 to $75,700. The notice also specifies that meat retail dollar limitations do not apply to Siluriformes fish and fish products sold at retail. In addition, the notice specifies that the dollar limitation for poultry and poultry products has reduced from $58,200 to $56,600. The limitations are effective July 3, 2017. Contact: Gina Kouba; FSIS, Office of Policy and Program Development; 202-720-5627

82 FR 25226 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
California/Yolo Habitat and Natural Community Conservation Plans
GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Fish and Wildlife Service announces the availability of a joint draft environmental impact statement and draft environmental impact report regarding the proposed issuance of a 50-year incidental take permit for 12 covered species in Solano and Yolo counties in California. The permit would allow take of species resulting from covered activities under the draft Yolo Habitat Conservation Plan and Natural Community Conservation Plan concerning rural and urban projects, public and private operations and maintenance, conservation strategy implementation, and neighboring landowner agreements. Meetings are scheduled for June 27 and 29, 2017, in Woodland and Davis, Calif., respectively. Comments are due Aug. 30, 2017. Contact: Mike Thomas; USFWS, Conservation Planning Division; 916-414-6600

82 FR 25302 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Louisiana, Texas/Louisiana Connector Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Energy Regulatory Commission to prepare an environmental impact statement for the Louisiana Connector Project in Jefferson County, Texas, and Allen, Beauregard, Calcasieu, Cameron, Evangeline and St. Landry parishes in Louisiana. The project, proposed by Port Arthur Pipeline LLC, of San Diego, involves a 131-mile-long pipeline and appurtenant facilities that would provide about 2 billion cubic feet per day of natural gas to supply a proposed natural gas liquefaction and export project in Jefferson County. Meetings are scheduled for June 12, 13 and 14, 2017, in Sulphur, Kinder and Eunice, La., respectively. Comments are due June 24, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 25270 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
New York/Van Wyck Expressway Capacity & Access Improvements to JFK Airport
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Highway Administration, in cooperation with the New York State Department of Transportation, to prepare a draft environmental impact statement for the proposed Van Wyck Expressway Capacity & Access Improvements to John F. Kennedy Airport Project in Queens County, N.Y. The project would provide increased capacity and address structural deficiencies on the bridges on the expressway (I-678) between the Kew Gardens Interchange and JFK Airport. Hearings will be announced at a later date. Comments are requested, but a due date is not specified. Contact: Peter Osborn; FHWA, New York Division; 518-431-4127

82 FR 25497 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
North Dakota/Upland Pipeline Crude Oil Exportation Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of State announces the withdrawal of an April 15, 2016, notice of intent (81 FR 22359) to prepare an environmental impact statement in connection with an application from Upland Pipeline LLC for a presidential permit (80 FR 44181; 07/24/2015) to construct and operate a new pipeline to carry crude oil from the Williston Basin Region in North Dakota across the U.S.-Canada border in Burke County, N.D. The proposed permit would cover an approximately 18-mile segment of the pipeline between the northernmost mainline shutoff valve in the U.S. and the U.S.-Canada border. The proposed Upland Project would consist of 124 miles of pipeline in Burke, Mountrail and Williams counties in North Dakota. The applicant requested the department pause its review of the presidential permit application until further notice. The withdrawal is effective June 1, 2017. Contact: Jill Reilly; Department of State, Office of Environmental Quality and Transboundary Issues; 202-647-7553; UplandReview@state.gov

82 FR 25495 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pennsylvania/Wharton Storage Field
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a prior notice request by National Fuel Gas Supply Corp., of Williamsville, N.Y., to abandon certain minor underground natural gas storage facilities at its Wharton Storage Field in Potter County, Pa. The applicant proposes to plug and abandon one injection/withdrawal storage well and abandon in place an associated well line. The notice specifies that the agency will complete an environmental

assessment or issue a notice of schedule of environmental review by Aug. 23, 2017. Protests and motions to intervene are due July 24, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 25284 (06/01/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Washington State/North Seattle Lateral Upgrade Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application by Northwest Pipeline LLC, of Salt Lake City, for abandonment approvals and a certificate of public convenience for the North Seattle Lateral Upgrade Project, in Snohomish County, Washington. The project consists of the removal of existing pipeline on Northwest's North Seattle Delivery Lateral line, installation of new pipeline, the rebuilding of the North Seattle/Everett meter station and installation of miscellaneous appurtenances. The notice specifies that the agency will complete an environmental assessment or issue a notice of scheduled for environmental review by Aug. 23, 2017. Comments are due June 14, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 25283 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Advisory Board on Toxic Substances and Worker Health Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor, Office of Workers' Compensation Programs, announces a joint meeting of the Subcommittee on Medical Advice re: Weighing Medical Evidence and the Subcommittee on Industrial Hygienists and Contract Medical Consultants and Their Reports. The agenda includes discussions regarding the results of a meeting with the Division of Energy Employees Occupational Illness Compensation's Seattle district office. The joint meeting is scheduled for June 27, 2017, via teleconference. Comments are due June 20, 2017. Contact: Douglas Fitzgerald; DOL; 202-343-5580; fitzgerald.douglas@dol.gov

82 FR 25340 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Advisory Board on Toxic Substances and Worker Health Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor, Office of Workers' Compensation Programs, announces a meeting of the Advisory Board on Toxic Substances and Worker Health for the Energy Employees Occupational Illness Compensation Program (EEOICP) Act. The tentative agenda includes recommendations about solvents exposure and hearing loss and recommendations about the occupational health questionnaire in the EEOICP. The meeting is scheduled for June

19, 2017, via teleconference. Comments are due June 12, 2017. Contact: Amy Louviere; DOL; 202-693-4672; Louviere.Amy@DOL.GOV

82 FR 25341 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Advisory Board on Toxic Substances and Worker Health Working Group on Presumptions Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor, Office of Workers' Compensation Programs, announces a meeting of the Advisory Board on Toxic Substances and Worker Health for the Energy Employees Occupational Illness Compensation Program Act, Working Group on Presumptions. The tentative agenda includes a review of revisions to current presumptions and discussion of candidate topics for new presumptions. The meeting is scheduled for June 21, 2017, via teleconference. Comments are due June 14, 2017. Contact: Amy Louviere; DOL, Office of Public Affairs; 202-693-4672; Louviere.Amy@dol.gov

82 FR 25340 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Coal Miners/Periodic Medical Surveillance Examinations
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the submission of a continuing information collection request to the OMB regarding periodic medical surveillance examinations for coal miners (37 CFR 72.100). The collection addresses the requirement for mine operators to develop and submit to the National Institute for Occupational Safety and Health a plan for providing miners with the examinations and a roster specifying the name and current address of each miner. The collection also addresses the requirement for operators to post the approved plan on their bulletin board at all times. Comments are due July 3, 2017. Contact: Michel Smyth; MSHA; 202-693-4129; DOL_PRA_PUBLIC@dol.gov

82 FR 25337 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Federal Mine Safety and Health Review Commission Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Federal Mine Safety and Health Review Commission announces a change to a May 23, 2017, notice (82 FR 23571) concerning a meeting to consider Secretary of Labor v. Pocahontas Coal Co. LLC (Docket No. WEVA 2014-395-R) regarding whether the judge erred in concluding that the Mine Safety and Health Administration had established that a pattern of violations existed at the operator's mine. The current action reschedules the meeting to July 13, 2017, in Washington, D.C., and via teleconference. Contact: Emogene Johnson; FMSHRC; 202-

434-9935

82 FR 25289 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Federal Mine Safety and Health Review Commission Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Federal Mine Safety and Health Review Commission announces a meeting to consider Secretary of Labor v. Lehigh Anthracite Coal LLC (Docket No. PENN 2014-108) regarding whether the judge erred in concluding that sending a miner into the pit in question constituted "high negligence" rather than "reckless disregard." The meeting is scheduled for June 14, 2017, in Washington, D.C., and via teleconference. Contact: Emogene Johnson; FMSHRC; 202-434-9935

82 FR 25289 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Federal Mine Safety and Health Review Commission Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Federal Mine Safety and Health Review Commission announces a meeting to consider Secretary of Labor v. Lehigh Anthracite Coal LLC (Docket No. PENN 2014-108) regarding whether the judge erred in concluding that sending a miner into the pit in question constituted "high negligence" rather than "reckless disregard." The meeting is scheduled for June 15, 2017, in Washington, D.C., and via teleconference. Contact: Emogene Johnson; FMSHRC; 202-434-9935

82 FR 25288 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Nationally Recognized Testing Laboratories/MET
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the receipt of and the preliminary finding to grant an application from MET Laboratories Inc., of Baltimore, for expansion of its recognition as a nationally recognized testing laboratory under 29 CFR 1910.7. The expansion involves the addition of three test standards to its scope of recognition. The notice also announces the addition of two test standards to the NRTL program's list of appropriate standards. Comments are due June 16, 2017. Contact: Kevin Robinson; OSHA, Directorate of Technical Support and Emergency Management; 202-693-2110; robinson.kevin@dol.gov

82 FR 25338 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Peracetic Acid/Immediately Dangerous to Life or Health Value Profile

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, announces the extension of the comment period for a March 7, 2017, request for information (82 FR 12819) regarding peracetic acid (CAS No. 79-21-0), a peroxide-based organic compound used as an antimicrobial agent for cleaning medical devices, in food processing, as a bleaching agent and in the synthesis of other chemicals. The agency is reevaluating the immediately dangerous to life or health (IDLH) value of 1.7 milligrams per cubic meter for peracetic acid that was proposed in a May 1, 2015, notice (80 FR 24930). The agency requests information on workplace exposure data; possible health effects observed in workers, workplaces and products in which peracetic acid may be found; and work tasks and scenarios with a potential for exposure. The agency also requests information regarding reports and findings from in vitro and in vivo toxicity studies; data applicable to the quantitative risk assessment of acute, subchronic and chronic workplace exposures; sampling and analytical methods; and current control measures, including engineering controls, work practices and personal protective equipment. Comments now are due Oct. 1, 2017. Contact: Scott Dotson; NIOSH, Education and Information Division; 513-533-8540

82 FR 25291 (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Pharmacy Compounding/Test Protocol for Closed System Transfer Devices

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, announces an extension of the comment period for a Sept. 15, 2016, notice (81 FR 63482) regarding a draft universal performance test protocol for closed system drug-transfer devices used during pharmacy compounding and administration of hazardous drugs. The notice specifies that the additional time frame will allow companies to test the protocol with the proposed challenge agents. Comments now are due Aug. 30, 2017. Contact: Deborah Hirst; NIOSH, Division of Applied Research and Technology; 513-841-4141; DHirst@cdc.gov

82 FR 25289 (06/01/2017)

Regulatory Update

RADIATION

Advisory Committee on Reactor Safeguards Meeting

RADIATION

Notice of the Nuclear Regulatory Commission announces a meeting of the Advisory Committee on Reactor Safeguards. The agenda includes discussion concerning Advanced Power Reactor 1400 Design Certification with Korea Hydro & Nuclear Power, the Browns Ferry extended power uprate application, and Revision 1 to the Westinghouse Proprietary Topical Report. The agenda also includes discussion of a proposed rule and draft regulatory guide DG-5062 on cyber security for fuel cycle facilities, committee activities and reports, and Planning and Procedures Subcommittee recommendations. The meeting is scheduled for June 7-9, 2017, in Rockville, Md., and via video teleconference. Comments are due June 7, 2017. Contact: Andrew Bates; NRC; 301-

415-1963; ALB@nrc.gov

82 FR 25346 (06/01/2017)

Regulatory Update

RADIATION
Domestic Licensing of Special Nuclear Material
RADIATION

Notice announces the intention of the Nuclear Regulatory Commission to seek OMB approval for a continuing information collection request concerning domestic licensing of special nuclear material (10 CFR 70). The collection addresses applications for new licenses, amendments and 10-year renewal for specific and general licenses to receive title to, own, acquire, deliver, receive, possess, use or initially transfer special nuclear material. Comments are due July 31, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 25343 (06/01/2017)

Regulatory Update

RADIATION
Environmental Management Advisory Board/Idaho
RADIATION

Notice of the Department of Energy announces a meeting of the Environmental Management Site-Specific Advisory Board, Idaho National Laboratory. The board makes recommendations to DOE-EM and site management in the areas of environmental restoration, waste management and related activities. The agenda includes an overview of the Idaho Cleanup Project; updates on the Integrated Waste Treatment Unit, the Waste Isolation Pilot Plant and calcine progress; and discussion on the subsurface disposal area CAP design. The agenda also addresses federal and state regulatory insights, new site process and the Unit 2 license renewal for Three Mile Island. The meeting is scheduled for June 22, 2017, in Idaho Falls, Idaho. Comments are requested, but a due date is not specified. Contact: Robert Pence; DOE, Idaho Operations Office; 208-526-6518; pencerl@id.doe.gov

82 FR 25268 (06/01/2017)

Regulatory Update

RADIATION
NRC Fitness-for-Duty Programs
RADIATION

Notice announces the intention of the Nuclear Regulatory Commission to seek OMB approval for a continuing information collection request regarding nuclear power fitness-for-duty programs (10 CFR 26). The collection addresses forms used by nuclear power plant licensees, strategic special nuclear material licensees and other affected entities to report compliance with fitness-for-duty requirements related to drug and alcohol testing and fatigue reporting (NRC Forms 890, 891, and 892). Comments are due July 31, 2017. Contact: David Cullison; NRC, Office of the Chief Information Officer; 301-415-2084; INFOCOLLECTS.Resource@nrc.gov

82 FR 25345 (06/01/2017)

Regulatory Update

RADIATION
Nevada Environmental Management Advisory Board Meeting
RADIATION

Notice of the Department of Energy announces a meeting of the Environmental Management Site-Specific Advisory Board, Nevada. The board makes recommendations to DOE-EM and site management concerning environmental restoration, waste management and related activities. The tentative agenda includes briefings on groundwater communication and long-term monitoring at closed industrial and soils sites. The meeting is scheduled for June 21, 2017, in Las Vegas. Comments are due June 21, 2017. Contact: Barbara Ulmer; DOE; 702-630-0522; NSSAB@nnsa.doe.gov

82 FR 25268 (06/01/2017)

Regulatory Update

TOXIC SUBSTANCES
American Healthy Homes Survey II
TOXIC SUBSTANCES

Notice of the Department of Housing and Urban Development announces the submission of a new information collection request to the OMB regarding the American Healthy Homes Survey II. The collection will update information on lead-based paint hazards in homes to identify progress towards the goal of eliminating lead paint hazards in housing where children under the age of six live, as set forth by the President's Task Force on Environmental Health Risks and Safety Risks to Children. The collection also will identify airborne chemicals that affect asthma, including carbon monoxide, airborne particulate matter, formaldehyde and pesticides, and will collect allergy-related samples for pesticide and mold analyses. Comments are due July 3, 2017. Contact: Inez Downs; HUD; 202-402-8046; Inez.Downs@hud.gov

82 FR 25298 (06/01/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 10/4/2017 8:04:08 PM
Subject: Oct. 4 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Transportation Officials Move to Scrap Obama Climate Rule

Posted October 04, 2017, 10:59 A.M. ET

By Abby Smith

The Trump administration is working to roll back another Obama-era climate regulation—this time a provision that would require state transportation planners to account for greenhouse gas emissions.

The Federal Highway Administration is quickly moving to repeal the greenhouse gas provision, tucked into a broader Obama administration rule that sets new requirements for tracking the performance and conditions of roads. Trump officials previously suspended the measure, then reinstated it late last month after environmental groups and a coalition of eight states sued, arguing that the administration couldn't suspend without taking notice and comment.

The provision at issue would require state transportation officials to track on-road greenhouse gas emissions and set "locally appropriate" emissions targets on national highways. State officials face an Oct. 1, 2018, reporting deadline.

The Oct. 5 notice seeking the provision's repeal notes Transportation Department officials reviewed existing and pending regulations and "identified the [greenhouse gas] measure ... as being potentially duplicative of existing efforts in some States, and burdensome" (RIN: 2125-AF76).

The Federal Highway Administration will accept comments for 30 days on the provision's repeal.

Interior Wants to Freeze Obama-era Methane Limits

Posted October 04, 2017, 02:43 P.M. ET

By Jennifer A. Dlouhy (Bloomberg) and David Schultz (Bloomberg BNA)

The Interior Department wants to temporarily stop enforcing an Obama-era rule that limited methane emissions from oil and gas drillers operating on federal lands.

The proposal from the department's Bureau of Land Management would delay certain requirements of the rule, which sought to reduce leaking, venting, and flaring of methane, a potent greenhouse gas. The proposed delay comes as the Trump administration is weighing whether to repeal the rule outright.

Under the proposal, scheduled to be published Oct. 5 in the Federal Register, the Bureau would suspend some requirements until Jan. 17, 2019. The methane rule at issue became effective Jan. 17, 2017, though many provisions weren't set to begin until Jan. 17, 2018.

The Bureau said the pause in enforcement aims to avoid "imposing temporary or permanent compliance costs on operators for requirements that may be rescinded or significantly revised in the near future." It also cites executive orders from President Donald Trump that "necessitate a review" of the rule, including one compelling agencies to reduce the costs of complying with federal regulations.

"It doesn't make sense to have companies comply with a rule that will be substantially changed in the near future," Kathleen Sgamma, president of the Western Energy Alliance, told Bloomberg BNA. "The administration is going through the proper rulemaking process to correct this unlawful rule, but that process takes time."

The Western Energy Alliance and other energy industry representatives are challenging the rule through a lawsuit in a Wyoming-based federal court.

Not Expedited

The Bureau's current proposal must go through the standard public comment period, and before it can finalize the proposal, the Bureau must analyze and respond to all of those comments.

Earlier this year, the EPA attempted to enact a 90-day delay on a similar methane regulation without going through that process, but that delay was overturned by a federal appeals court in Clean Air Council v. Pruitt.

Republican lawmakers attempted to overturn the Bureau's rule earlier this year using an expedited legislative process. But they fell one vote short after three Republican senators crossed party lines to vote the measure down.

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Perry's Coal Proposal Seen Unlikely to Reverse Historic Decline

Posted October 04, 2017, 8:35 A.M. ET

By Tim Loh

U.S. Energy Secretary Rick Perry's plan to reward coal-fired power plants that keep large stockpiles of fuel won't be enough to reverse the industry's long-term decline, analysts say.

Perry has proposed extra payments for power generators with at least 90 days' worth of supplies on site, arguing that will make America's electric grid more "resilient" in the face of major supply disruptions.

While the measure will probably keep some coal plants open that would otherwise be forced to retire, it doesn't address the industry's core problem: namely, that overall U.S. electricity demand has flattened while natural gas, wind and solar power are stealing market share. To that end, industry experts doubt it'll be enough to make good on President Donald Trump's repeated vows to bring back coal.

"It doesn't solve some of the largest underlying structural challenges to coal demand in this country," Lucas Pipes, an analyst at FBR Capital Markets & Co., said in a phone interview. "We're in a no-growth market."

While any measure that prevents the further erosion of coal's market share would help the industry, Perry's proposal poses some complications for power generators. For one thing, utilities haven't been in the business of hoarding coal. With the U.S. coal sector oversupplied in recent years, power plant operators have preferred, when possible, to buy the fossil fuel "on-demand" rather than maintain large stockpiles, said Andrew Cosgrove, an analyst at Bloomberg Intelligence.

Environmental Costs

That's because stockpiling coal costs money. If left untreated, coal piles can spontaneously catch fire, something that's especially problematic for high-moisture coal from Wyoming and Montana's Powder River Basin, said Andy Blumenfeld, head of market analytics at Doyle Trading Consultants. There are also environmental costs associated with suppressing coal dust and handling runoff. Finally, the quality of stored coal degrades over time, Blumenfeld said.

For utilities participating in Perry's program, costs would go up as it "might require more personnel and equipment," Blumenfeld said.

In July, coal accounted for 32 percent of U.S. electricity generation, down from 47 percent a decade earlier, according to the U.S. Energy Information Administration. Gas was king, at 36 percent, up from 25 percent in July 2007.

In order to qualify, most power plants would also have to go out and buy coal. As of August, power plants holding Powder River Basin coal had an average of 75 days of supplies. Those with Illinois Basin coal had 91 days and those with Northern Appalachian coal had inventories in the low 70s, according to Pipes.

As long as the coal plants aren't expected to run all out, every day, then getting those stockpiles back over 90 days should be doable, said Matt Preston, a coal analyst at Wood Mackenzie Ltd. As recently as early 2016, America's coal plants had, on average, more than that on site.

It'd be much harder, though, if the plants were expected to have enough coal to run full-blast, around-the-clock, for three months straight. That would "require a significant increase in storage area at almost all plants," Preston said. "Some would definitely have to consider offsite storage which may or may not be economically feasible."

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EPA Chemical Office Pick Demurs Questions of Recusal on Past Work

Posted October 04, 2017, 01:41 P.M. ET

By Tiffany Stecker

EPA chemicals office nominee Michael Dourson defended his consulting for chemical, tobacco, and oil industries Oct. 4 as Democrats and environmentalists challenged him to recuse himself from certain decisions on chemicals he worked on.

Dourson declined to answer whether he would recuse himself from decisions related to chemicals that he had previously independently consulted on for companies, including Dow Agrosciences, DuPont, and Koch Industries, saying he would follow the agency's guidance on ethics and potential conflicts of interest.

A professor of environmental health at the University of Cincinnati and head of the university's Risk Science Center, Dourson is the White House's nominee to head the Environmental Protection Agency's Office of Chemical Safety and Pollution Prevention. In that role he would oversee pesticide programs and the implementation of the Toxic Substances Control Act, which was amended in 2016.

Senate Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) said in his opening remarks that "blind opposition" from Democrats to all of the Trump administration's EPA nominees has "stalled" the confirmation process in the Senate. Barrasso highlighted the nomination of Susan Bodine to lead the agency's enforcement office, which he said has been "held up" by Democrats since her nomination was approved by the committee in July.

Dedicate 'Mind, Body and Spirit'

Dourson has emerged as a lightning rod for controversy over the last decade as head of the nonprofit Toxicology Excellence for Risk Assessment (TERA), where critics say he worked with industry to downplay the risks of a a number of likely carcinogens and a pesticide linked to neurodevelopmental delays in children.

"I can give you as many or more examples of situations where the science we brought forward as a team" that led to a safety determination that was [more protective], he told Sen. Tom Carper (D-Del.). "I have been objective in my work and have used sound science to come to my conclusions," he told Sen. Sheldon Whitehouse (D-R.I.)

Dourson also defended his work, saying that many of the agency's limits on the chemicals were made later when the science on toxicity of those chemicals had advanced.

He said in his opening testimony that he would dedicate his "mind, body and spirit" to the position of assistant administrator to the chemical safety office.

"I will not deviate in my decisions from the scientific principles of toxicology and risk assessment that have been taught to me by my mentors and coworkers, nor deviate from the code of ethics…nor ever stop listening to my colleagues whose expertise I do not have but otherwise cherish," he said.

'Not Ready to Work for EPA'

But, Dourson didn't answer Democrats' questions on whether he would set aside his previous chemicals assessments, or whether he would lower safety levels of chemicals as head of the EPA's chemicals office.

"I'm not ready to answer that question," he told Sen. Tammy Duckworth (D-Ill.) when she asked whether he would change existing chemical limits.

"Then I don't think you're ready to go work for the EPA," Duckworth responded.

Dourson was among the first leaders of the EPA's Integrated Risk Information System (IRIS)—a primary database of consensus chemical toxicity values—and has decades of experience as a toxicologist, attributes that have earned him accolades from the American Chemistry Council, pesticide industry trade groups, and former EPA officials.

More than 20 agriculture organizations, including the American Farm Bureau Federation, sent a letter to the committee to vouch their support.

Nobel Prize in Reverse

But Democratic senators challenged Dourson on his consulting work with industry, arguing he often recommended safe thresholds of chemicals tens or thousands of times lower than the levels found by the EPA or state health agencies. TERA has done such assessments for 1,4-dioxane, a likely carcinogen found in personal care products; 1-Bromopropane, a likely carcinogen found in stain removers; and TCE, a solvent.

"It appears you have no compunction to taking million dollars from industry to perform scientific studies on their behalf," Duckworth said, focusing on Dourson's work with Koch Industries to evaluate the toxicity of petcoke, a byproduct of the oil refining process.

And Sen. Kirsten Gillibrand (D-N.Y.) called attention to the chemical contamination in Hoosick Falls, N.Y., where she said, residents "are so affected by the decisions that you have made."

"If there was a Nobel prize in chemistry in reverse, you would be the clear winner," Sen. Ed Markey (D-Mass.) told Dourson, a reference to this week's awards for scientific achievement. "It's pretty clear you've never met a chemical you didn't like."

Democratic Nuclear Regulator Nomination 'A Big Ask:' Barrasso

Posted October 04, 2017, 01:25 P.M. ET

By Rebecca Kern

Sen. John Barrasso (R-Wyo.) said he will oppose President Donald Trump's nomination of Jeffery Baran to serve a second term as a Democratic commissioner on the Nuclear Regulatory Commission, saying Democrats have placed a hold on the two Republican nominees to the panel.

Barrasso said at the Oct. 4 Senate Environment and Public Works Committee that Democrats have "refused to advance" Republicans Annie Caputo and David Wright as commissioners on the NRC until Baran is confirmed to a new five-year term.

The committee approved Caputo and Wright's nominations in June, and they are awaiting Senate floor votes. Sen. Tom Carper (D-Del.), ranking member of the committee, has supported the re-nomimation of Baran to pair with the Republican nominees.

Separately, Barrasso hinted that he will likely vote against Baran this time around, saying he has already done so six times. "Since then, Commissioner Baran has given me little reason to reconsider my vote," he said at the confirmation hearing for Baran and other Environmental Protection Agency nominees.

He called the additional five-year term nomination for Baran "a big ask."

Baran has served as a Democratic commissioner for the NRC since October 2014 and was nominated for another five-year term from July 1, 2018, to June 30, 2023. NRC commissioners serve staggered five-year terms.

"If Mr. Baran is confirmed, his term would outlast those of all Republican nominees to the NRC, including Chairman [Kristine] Svinicki [R]," Barrasso said. Svinicki's term ends June 30, 2022.

Caputo has been nominated to fill the remainder of an five-year term that would end in June 30, 2021, which was previously filled by former NRC Commissioner William Ostendorff (R), who left June 30, 2016. Wright has been nominated to the fill the remainder of a five-year term that would end June 30, 2020, which was previously filled by former NRC Commissioner William Magwood, an independent, who left the agency in August 2014.

—With assistance from Tiffany Stecker

Pipeline Safety Agency Nominee Wins Senate Panel's Approval

Posted October 04, 2017, 11:27 A.M. ET

By Sylvia Carignan

A Senate committee approved Howard "Skip" Elliott as head of the Pipeline and Hazardous Safety Materials Administration Oct. 4, sending his nomination to the full Senate.

The Senate Committee on Commerce, Science and Transportation approved Elliott's nomination by voice vote. Committee chairman Sen. John Thune (R-S.D.) said he hoped to see the nomination move to the floor "in the days and weeks ahead."

Elliott was vice president of public safety, health, and environment at CSX from 2004 until he retired earlier this year. He spent four decades in the railroad industry, and the Interstate Natural Gas Association as well as other industry groups have praised his experience.

Elliott told the committee at a hearing Sept. 27 that he embraces safety-focused technology and wants to be transparent with police, firefighters and others responding to emergencies.

"I've had a long, strong belief that we can never do enough to help improve and enhance the capability of our emergency first responders," he told the committee Sept. 27.

Elliott also promised to seek to shorten the hiring process that some federal job candidates have complained is too slow. He wants to aggressively recruit and fill PHMSA's open positions, he told senators.

If confirmed by the full Senate, Elliott would take over from acting administrator Drue Pearce, who joined PHMSA in August. Pearce would retain her position as deputy administrator.

Western Governors to Work Together on Electric Vehicle Charging

Posted October 04, 2017, 02:10 P.M. ET

By Brenna Goth

Governors in seven Western states will work to create an electric vehicle corridor that seamlessly connects their major thoroughfares, according to an initiative announced today.

Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming signed on to a plan to coordinate charging stations and other infrastructure along more than 5,000 miles of highway to drive electric vehicle use, a news release said. The initiative was unveiled at a National Governors Association energy summit.

The memorandum of understanding among the states says leaders will meet quarterly to explore ways to implement voluntary minimum standards for charging stations and promote electric vehicles, among other initiatives.

The memorandum provided no cost estimate of the project, but it cited electric vehicle infrastructure as an economic driver and a boon for tourism.

"Our residents and the millions of visitors to our states will be able to drive electric vehicles from Denver to Las Vegas, from Santa Fe to Helena," Colorado Gov. John Hickenlooper (D) said in a statement.

Energy Royalty Advisory Panel Starts Charting New Rules

Posted October 04, 2017, 01:52 P.M. ET

By Alan Kovski

A royalty policy committee that includes major oil companies will develop new Interior Department regulations on payments companies make for energy development on federal and tribal lands, an Interior official said at the committee's first meeting Oct. 4.

The committee is an example of the Interior Department changing the way it "does business" and a sign of its efforts to promote energy development, Vincent DeVito, energy counselor to Interior Secretary Ryan Zinke, said.

The committee includes representatives from Chevron, ConocoPhillips Corp., Anadarko Petroleum, Cloud Peak Energy Inc. and other oil, gas, and coal companies, along with state and tribal officials and some members of academia.

The Interior Department scheduled at least a year for the committee to look at policies covering royalties and other financial requirements for oil, natural gas, and coal. DeVito said it will examine "every financial aspect" of federal energy regulation.

Beyond royalties, the federal financial regulations for energy include bonus bids, rents, inspection fees, and bonding to cover possible pollution and eventual decommissioning costs.

Mining Giant Sherritt Fined $840,000 for Coal Mine Effluent Leak

Posted October 04, 2017, 01:09 P.M. ET

By Peter Menyasz

Sherritt International Corp., a major nickel miner, faces a C$1.05 million ($840,000) fine for leaking up to 500,000 liters (132,000 gallons) of contaminated wastewater into nearby streams inhabited by an at-risk fish species.

The Provincial Court of Alberta levied the fine after the mining company pleaded guilty Oct. 3 to three counts of violating the federal Fisheries Act by allowing the waste to spill into fish-bearing waters, Environment and Climate Change Canada said.

The pollution entered tributaries of the Athabasca River, including areas identified by the Alberta government as "ecologically significant habitat" for the Athabasca rainbow trout, an at-risk species, it said.

The charges resulted from an August 2012 federal investigation into a report of spills from the mine's wastewater pond, which uncovered two previous releases in July 2011, the department said in a statement.

Sherritt International acted immediately after becoming aware of the spills, Joe Racanelli, the Toronto-based company's director of investor relations, said Oct. 3. "We take these issues very seriously," Racanelli told Bloomberg BNA.

Company Installed Systems

The company installed automated systems on its waste-water ponds to monitor the quality of effluents to ensure they were below levels that would be toxic to fish, and put in place systems and procedures to stop potential spills into neighboring rivers and streams, he said. In addition to the fine, of which C$990,000 ($793,000) will be added to the Environmental Damages Fund to support environmental projects, Sherritt's name will be added to the Environmental Offenders Registry. the government said.

The company also conducted its own investigation into the incidents, he said. "We didn't observe any impacts to wildlife or fish in that area," he said.

Federal inspectors didn't find dead fish or other evidence of direct harm, but said that isn't unusual in such cases, as dead fish often float downstream or sink, Environment and Climate Change Canada spokesman Daniel Smith said. Evidence of harm isn't necessary for a conviction under the Fisheries Act, which prohibits the release of harmful substances into sensitive fish-bearing habitats, he said.

Sherritt owned and operated the open-pit Coal Valley Mine, about 90 kilometers south of Edson, Alberta, from 2001 to 2014. The mine is now owned by Englewood, CO-based Westmoreland Coal Co.

The fine was levied under the old provisions of the Fisheries Act, which allowed for maximum fines of C$300,000 ($240,000) per offense, Smith said.

The penalties section of the act was revised in 2012 to align with those in the Environmental Enforcement Act. It now includes minimum fines for corporations of C$500,000 ($400,000) and maximum fines of C$4 million ($3.2 million) on summary conviction and C$6 million ($4.8 million) for violations. Fines are doubled for second or subsequent offenses.

"We would expect significantly higher penalties for similar offenses going forward," Smith, regional director for environmental enforcement in the department's Edmonton, Alberta office, told Bloomberg BNA.

Dawn of Solar Age Declared as Sun Power Beats All Others

Posted October 04, 2017, 8:49 A.M. ET

By Anna Hirtenstein

Solar power blossomed faster than for any other fuel for the first time in 2016, the International Energy Agency said in a report suggesting the technology will dominate renewables in the years ahead.

The institution established after the first major oil crisis in 1973 said 165 gigawatts of renewables were completed last year, which was two-thirds of the net expansion in electricity supply. Solar grew by 50 percent, with almost half new plants built in China.

"What we are witnessing is the birth of a new era in solar PV," Fatih Birol, executive director of the IEA, said in a statement accompanying the report published Oct. 4 in Paris. "We expect that solar PV capacity growth will be higher than any other renewable technology through 2022."

This marks the sixth consecutive year that clean energy has set records for installations. Mass manufacturing and a switch by governments away from fixed payments for renewables forced down the cost of wind and solar technology.

The IEA expects about 1,000 gigawatts of renewables will be installed in the next five years, a milestone that coal only accomplished after 80 years. That quantity of electricity surpasses what's consumed in China, India and Germany combined.

The surge of photovoltaics in China is largely due to government support for renewables, which are being demanded by a population concerned about air pollution and environmental degradation that has led to deadly smogs. The country is seeking to reduce its reliance on coal and has become the world's largest market for renewables, particularly solar.

"The solar PV story is a Chinese story," said Paolo Frankl, head of the IEA's renewable energy division. "China has been for a long time the leader in manufacturing. What's new is the share in the market. This year, it was equivalent to the total installed capacity of PV in Germany."

The U.S. and India are among other nations pushing renewables. They along with China are projected to make up two-thirds of the clean-energy expansion worldwide. Despite President Donald Trump's vow to bolster coal's position in the power market, the U.S. is expected to be the second-largest market for renewables.

The IEA also expects biofuels to take a larger role in the transportation industry, surpassing gains by electric vehicles.

"A lot of attention has been given in recent months to electric vehicles, and rightly so. They are increasingly globally, exponentially," Frankl said. "But I have to say, we should not forget the biofuels, which at the end of 2016 represented 96 percent of total renewable transport."

Electric vehicles numbers will double by 2022, but biofuels will still make up 93 percent of renewables consumed in the transport industry, the IEA estimates. The fuels are needed especially for heavier vehicles including planes and ships.

The organization recommends that governments put incentives in place to spur the development of biofuels made from non-edible plants, which would avoid diverting food crops into fuel tanks. The cost of biofuels currently is about double the global price of gasoline, Frankl said.

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Private Oil Made a Big Find in Mexico, Now State Oil Wants a Cut

Posted October 04, 2017, 10:37 A.M. ET

By Adam Williams

When private drillers struck oil off Mexico's coast this year, they didn't anticipate sharing it with the state oil company. It looks like they'll have to.

The discovery of as much as 2 billion barrels in July, by a group led by Houston-based operator Talos Energy LLC, grabbed the oil world's attention. Mexico's energy reformers celebrated. It was the first big find since the government opened the industry to investors in 2014—a controversial move in a country that kicked out foreign oil companies in the 1930s, and had mixed feelings about letting them back in.

The reformers were vindicated: Private capital could get results where Pemex, the cash-strapped state operator, couldn't. More would surely follow. Then a problem emerged. The crude deposit found by Talos, it turned out, spread beyond the boundary of the company's exploration bloc and into a neighboring one—owned by Pemex.

Now the government is rushing to put together a rulebook for how this find, and subsequent ones, get shared out. It could shape the future of the whole energy plan. The group—which includes Sierra Oil & Gas S de RL de CV and Premier Oil PLC—is said to be holding off on further investment pending the decision. Other drillers who bought exploration rights also want to see the government ruling before making financial commitments. The rush of enthusiasm that followed the July find has turned into a nervous wait.

'Most Important Issue'

"This is the single most important outstanding issue in the sector," said Raymundo Pinones, director of Mexico's Association of Hydrocarbon Companies. "It could delay activity until there is clarity. In place of drilling or continuing with development, the industry is waiting for this to be resolved."

Almost 70 companies have been given leases to explore for crude in Mexico. One of them, Italy's Eni SpA, reported a shallow-water find of at least 1.4 billion barrels this year, located beneath an existing Pemex well.

The field discovered by Talos, Sierra and Premier may be even bigger. From the start, in its July 12 press statement, the consortium said that the oil "could extend into a neighboring block." Weeks later, in an interview with El Financiero newspaper, Pemex Chief Executive Jose Antonio Gonzalez Anaya said that his company, which has rights to that block, would fight for a share of the proceeds.

The Talos-led consortium already has to pay 83 percent of profits from its field, known as Zama-1, to the Mexican government, according to the Energy Ministry. Sharing with Pemex could push the figure even higher. So the group has temporarily halted investment and development of the massive find, according to a person familiar with the plans.

The entire industry in Mexico is affected by the delay in establishing the rules, Pinones said. "All the companies that need to plan investment, all those that need to have certainty when they go to their boards to respond to questions, in order for the approval of hundreds of millions of dollars."

'Global Standards'

Like BHP Billiton Ltd, which won rights to operate the Trion field near Mexico's maritime border with the U.S., estimated to hold the equivalent of about 485 million barrels. The Australian driller has identified at least four locations on the block that have exploration potential.

The new rules on sharing "would be of key interest to us there," Tim Callahan, BHP's Mexico president, said in an Oct. 2 interview. Mexican officials have already circulated a draft version to oil companies, and discussions are ongoing, he said. "We've been working very hard to try to help influence the secretary of energy to come up with a proposal that's more in accordance with global standards."

Even if the government is inclined to cut the Talos-led group some slack, there's a political obstacle. Mexico has a presidential election next year, and the early frontrunner is a fiery populist, Andres Manuel Lopez Obrador, who's campaigning against the energy reforms. Last month he reiterated a promise to review oil contracts if he wins. Concessions to foreign capitalists will be grist to his mill.

Deputy Energy Minister Aldo Flores points out that the problem confronting his government isn't unique to Mexico. The process of dividing up an oil find that spans different jurisdictions is known in the industry as unitization, and there are plenty of international precedents.

'Rule of Capture'

"In Mexico, we don't have a rule of capture as they do in Texas. It's not first-come, first-served," Flores said in an interview last month. "If there's enough evidence and certainty that the discovery extends into Pemex's block, then it would have to be shared."

But the legislation won't be written just for the state company's benefit, he said. Future finds will likely require collaboration between private companies with neighboring blocks, and the same rules will apply to them.

Still, since the first case does involve Pemex, it's extra-sensitive.

The industry has already flagged concerns about preferential treatment. Pemex missed a three-year deadline to meet minimum investment or work requirements in some of the 108 fields that it operated. But in August it was granted a two-year extension for 101 of them - including the one next-

door to Talos's patch - by the Energy Ministry, which cited low oil prices as reasoning for granting additional time.

So if the international oil community thinks the sharing deal isn't fair, it could spook investors hoping to tap Mexico's 9 billion barrels of reserves.

"This isn't going to be a one-off situation," said John Padilla, managing director of energy consulting firm IPD Latin America. "If they don't get this right, they are going to jeopardize a lot."

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Draft EU Endocrine Disruptor Pesticide Ban Exterminated

Posted October 04, 2017, 01:29 P.M. ET

By Stephen Gardner

Germany's Bayer AG, Dow AgroSciences, Syngenta and other chemical companies are breathing a sigh of relief after the European Parliament vetoed a draft EU regulation Oct. 4 that could have banned up to 70 pesticides with endocrine disrupting properties.

Endocrine disruptors mimic, block or alter or hormone functions that can shape growth and development.

The veto pleased companies and environmental groups alike. Companies had faulted the draft regulation as a too-blunt instrument that would have led to unjustified pesticide bans, while environmental groups said loopholes in the draft regulation would have allowed continued use of endocrine-disrupting pesticides.

The draft would have set criteria for identifying endocrine disrupting substances in pesticides. The criteria are needed to implement the EU Pesticides Regulation ((EC) No 1107/2009) prohibiting the use of proven endocrine disruptors as pesticides.

European Parliament lawmakers, sitting in Strasbourg, France, voted 389 to 235, with 70 abstentions, to reject the proposal, concluding it would have still allowed a number of pesticides with endocrine disrupting properties as long as those properties only affected the organisms targeted by the pesticide and similar non-vertebrate organisms.

According to the objection adopted by lawmakers, this went too far and would "effectively create a derogation" compared to the intention of the EU Pesticides Regulation to largely outlaw endocrine disruptors.

The effect of Parliament's veto is to send the draft regulation back to the European Commission, the EU's executive arm, which said in an Oct. 4 statement that it would "now need to reflect on next steps to take."

Veto Lauded by Groups

Graeme Taylor, director of public affairs for the European Crop Protection Association, told Bloomberg BNA Oct. 4 that "probably 60 to 70" pesticides might have been banned in the EU under the vetoed draft regulation. Another industry official, Claudia Karsten, spokeswoman for Germany's

Bayer AG, told Bloomberg BNA Oct. 4 the regulation would have been "unworkable, impractical, and would have impacted negatively on the competitiveness of European farming, without providing any increase in protection for health and the environment."

Health and environmental advocates lauded the veto because they believed the draft regulation did not target enough compounds.

Génon K. Jensen, executive director of advocacy group the Health & Environment Alliance, said in an Oct. 4 statement that the European Parliament had shown "remarkable clear-sightedness" in vetoing a proposed regulation "that fails to identify the numerous toxic substances that people are exposed to."

Environmental lawyers ClientEarth said in a statement Oct. 4 that endocrine disruptors "interfere with human hormones and may cause cancer, infertility or impaired brain development," and the European Parliament had been right to reject draft criteria that "would have only benefited the pesticides industry."

Long-Running Process

Bayer, Dow AgroSciences and Syngenta are among the largest suppliers of pesticides in the EU. Dow EU government affairs and science policy leader Filip Cnudde declined to comment to Bloomberg BNA Oct. 4 on the European Parliament vote and referred queries to the European Crop Protection Association.

The parliament's veto of the draft regulation is the latest step in a long process to establish criteria to formally identify endocrine disrupting pesticides. Under the Pesticides Regulation, the criteria should have been proposed by December 2013. The European Commission Oct. 4 did not give an indication of when redrafted criteria might be published.

In the absence of criteria to identify endocrine disruptors in pesticides, certain carcinogenic and reprotoxic substances are by default considered to be endocrine disruptors for the purposes of the EU Pesticides Regulation.

Theresa May's U.K. Energy Price Cap Signals Wafer Thin Margins

Posted October 04, 2017, 02:26 P.M. ET

By Jessica Shankleman, Alex Morales and Mathew Carr

Britain's utilities are the new political punching bag after Theresa May proposed a price cap to insulate customers from higher prices.

Centrica Plc plunged to a 14-year low after the prime minister said she wants to "bring an end to rip-off energy prices once and for all." Earnings may fall at least 10 percent at three of the nation's Big Six utilities, according to a note from RBC Europe Ltd.

The proposals seek to save households 1.4 billion pounds ($1.86 billion) a year and could come at a cost to companies that dominate the energy market that includes almost 60 suppliers. It also signals an end to a period of relative calm in the regulation of electricity and natural gas in the U.K., putting utilities in the firing line.

"People are selling the stock because they're anticipating that the government will push through legislation," said Deepa Venkateswaran, an analyst in London at Sanford C. Bernstein & Co. "It's getting hit again and again for the same thing."

Energy companies wouldn't have it better if voters boot out the Conservatives. Jeremy Corbyn, leader of the Labour opposition, told his members last week he wants to nationalize energy companies, calling for transforming "our economy with a new and dynamic role for the public sector, particularly where the private sector has evidently failed."

The remarks by both of the main parties suggest utilities regulation is about to be rewritten, just when the industry is desperately in need of new investment—and utilities are balking because they're uncertain about the impact of Britain's impending departure from the European Union. The government estimates 100 billion pounds needs to be put into power grids and generation plants within the next decade or so to replace aging facilities and reduce pollution.

May's price cap is just the latest attempt to fix a broken energy market. Ed Miliband, the previous Labour leader, proposed a freeze in 2013. That sparked a debate about overpricing and a two-year investigation by the Competition and Markets Authority. May's predecessor, David Cameron, tried to simplify the market with a limit on the number of tariffs energy companies can offer. Ministers since have scrapped those limits.

"There's a bit of flip flopping that happens in regulation," said Sara Vaughan, political and regulatory affairs director at EON SE.

Market Restructured

Both Labour and Conservative governments spent years reworking the power and gas markets to be more market sensitive. More recently, ministers introduced structures to pay generators that provide steady streams of electricity after competition from wind and solar pushed slashed profits from coal, gas and nuclear. Labour is pressing for more drastic action.

"Today, after pressure from Labour and her own backbenches, Theresa May has finally been forced to recognize that the energy market is broken," Rebecca Long-Bailey, the Labour lawmaker who speaks on business, said in a statement. "Her response doesn't go nearly far enough."

Shares slumped for each of the Big Six -- Centrica, SSE Plc, Innogy SE, EON SE, Iberdrola SA, Electricite de France. RBC said Centrica's earnings per share could be cut 25 percent in a worst-case scenario, while both SSE and Innogy may lose 10 percent of their profit. The operating profit margin for the group as whole may slide to a wafer-thin 0.3 percent from 2.6 percent, RBC analysts John Musk and Olly Jeffery wrote in a note to clients.

The current focus is on so-called Standard Variable Tariffs, which the government says is penalizing passive customers who don't bother to change suppliers. EON last month offered to end the practice of putting people onto those tariffs. Those customers together overpay by 1.4 billion pounds each year, according to a CMA investigation published in 2016.

"We can't be in possession of that information that consumers are being overcharged and not act on it," Greg Clark, the Cabinet secretary overseeing business, energy and industrial strategy, said in a Bloomberg TV interview on Wednesday. He hopes more companies will follow EON and end the practice of putting people onto standard tariff if they don't take action.

Industry View

Scottish Power Ltd., the Iberdrola unit working in the U.K., said it's the government's responsibility to end the tariff system.

"Just as you insure your car and home every year and go to the market for the best deal, so every energy customer should engage regularly with the market," said Neil Clitheroe, chief executive officer of Scottish Power retail and generation unit.

Further details of the Conservative plan, including how long the cap will last, may emerge when the government pushes a draft bill as early as the week of Oct. 9.

"While we are in favor of free markets, we will always take action to fix them when they're broken," May told the Conservative Party conference in Manchester on Oct. 4.

The utilities said the latest maneuvering may backfire by reducing competition and discouraging consumers from switching to better deals.

Britain's energy market is changing rapidly, and consumers are more savvy than when Miliband first called for a price freeze. Three years ago, the Big Six had 99 percent of the market, and less than 4 million people changing suppliers each year, according to the trade association EnergyUK. Since then, dozens of new companies emerged and almost a third of customers started routinely switching, cutting the Big Six's market share to 80 percent.

Any intervention should be "simple to administer, time-limited, and maintain the principles of a competitive energy market to best serve customers' interests," SSE, which is based in Perth, Scotland, said by email.

—With assistance from Anna Edwards.

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Japan Regulator Clears Restart of World's Largest Nuclear Plant

Posted October 04, 2017, 9:07 A.M. ET

By Stephen Stapczynski

Tokyo Electric Power Co. Holdings Inc. moved a step closer to resuming operations of the world's biggest nuclear facility after Japan's atomic regulator gave its tacit approval, delivering a much-needed boost for a company still strapped with the cost to clean up its wrecked Fukushima plant.

Japan's Nuclear Regulation Authority Oct. 4 approved a preliminary report saying Tokyo Electric's No. 6 and 7 reactors at its Kashiwazaki-Kariwa power plant in Niigata prefecture meet post-Fukushima safety rules. Tepco, as the utility is known, must still get the endorsement of the prefecture's government, which currently opposes the restart.

Resuming operations at the two reactors "should displace a lot of coal and LNG, and hence impact the bottom line," Tom O'Sullivan, founder of Tokyo-based energy consultant Mathyos, said by email ahead of the decision. "The restarts would have additional significance as they improve the energy security of the east of Japan and Tokyo."

This is the first time Tepco has been cleared to operate a nuclear reactor since its Fukushima Dai-Ichi facility suffered a triple meltdown in 2011.

Under a turnaround plan released in May, Tepco said it expected the two units at Kashiwazaki-Kariwa to resume operations as soon as the fiscal year ending in March 2020. The No. 1 and 5 reactors at the plant could restart in 2022, while the No. 3 and 4 units could come online in 2025. The utility is aiming to restart the No. 2 unit a year later.

The Niigata plant, 220 kilometers (137 miles) northwest of Tokyo, consists of seven reactor units ranging from 20 years to 32 years in age, according to the NRA. The plant has a total operating capacity of about 8 gigawatts.

Four of Japan's 42 operable reactors are currently online.

Operating a single unit at Kashiwazak-Kariwa would cut costs by as much as 90 billion yen ($800 million) a year by reducing fuel imports, Tepco said in May.

The utility is seeking partnerships in its nuclear and electricity transmission and distribution operations to boost profitability as part of its latest 10-year turnaround plan.

After a 30-day public comment period, the report will then be subject to formal approval.

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Army of Women Tackles Electricity Thieves in Indian Slums

Posted October 04, 2017, 10:42 A.M. ET

By Bhuma Shrivastava

India's power companies have a problem largely responsible for $10 billion a year in losses. Slum dwellers steal electricity and refuse to pay their bills. But company officials often can't go in without being chased by mobs—and sometimes beaten, tied up, urinated on, even murdered.

So officials at Tata Power Co.'s joint venture with the Delhi state government came up with a solution that's turning out to be a model, not just for the rest of India, but for the world: It hired women living in the 223 slums it serves in the northern and northwest parts of the capital and called them "Abhas," from the Sanskrit word for light.

Tata Power Delhi Distribution Ltd.'s force of now 841 wives, mothers, and women as young as 20 go around the slums, knocking on neighbors' doors and persuading, coaxing, cajoling and nagging them to pay their power bills.

The result is a 183 percent increase in revenue over five years from the slums where Tata operates the project, with minimal cost to the company. Active power connections have risen 40 percent to 196,000—meaning that 56,000 previously freeloading homes have become active, bill-paying power customers.

"This gave us a way to get into these neighborhoods, rife with mafia and political influences," said Praveer Sinha, chief executive officer and managing director at Tata Power-DDL, which had started out operating literacy campaigns for slum women in 2010 as a way into the communities. "We

thought educated women would give us a much better buy-in.''

The success of Tata Power-DDL's initiative is inspiring imitation. Rival BSES Delhi, co-owned by the Delhi state government and Anil Ambani-controlled Reliance Infrastructure Ltd., engaged 40 women earlier this year in a pilot project in a west Delhi slum. Having resident women distribute bills and collect payment from neighbors produced "very encouraging results" that will now be used to expand the program, according to BSES spokesman Deepak Shankar.

The World Bank is trying out similar initiatives in Jamaica and Kenya, and is considering adapting it to other African countries. So far, Kenya Power & Lighting Co. has improved connection rates by doing more community engagement based on the Tata model that "has provided a lot of learning, which we are incorporating," Sunita Chikkatur Dubey, a Ghana-based World Bank consultant, said via email.

The slum in north Delhi known as Sanjay Basti, home to 4,000 people just 2 miles (3 kilometers) away from Tata Power-DDL headquarters, was once notorious for harassing power inspectors. Residents would threaten to pull away ladders when company officials climbed electricity poles to disconnect illegal hookups, said Amarjeet Kaur, who used to be an illiterate housewife before she was hired as an Abha in 2013.

"Residents would ask me: 'Why did you become a 'company person' when you are one of us?'" said Kaur, 39, as she walked through the slum's serpentine lanes filled with low-slung electricity cables that these days connect to almost all the brightly painted brick dwellings. "Now, women are in a queue to take up this job. Even the boys want to become Abhas."

Abhas, whose numbers are expected to swell to 1,000 by next year, do more than just hand-deliver electricity bills and collect payments. They advise slum dwellers on power conservation and safe practices: Use LED bulbs, don't use old motors to pump underground water or it will spike your electricity bill, and most importantly, don't use power cables as clotheslines. The Abhas' newest mandate, Tata Power-DDL's Sinha says, is to encourage slum residents to make mobile payments, which reduces the need to handle and safeguard large amounts of cash.

Abhas make about 4,000 rupees ($60) a month on average, which is what some part-time domestic helpers can make. It includes a base salary plus extra pay based on securing full bill payment, partial payment or new meter installation. Abha managers, 25 in total, can make as much as 12,000 rupees a month—about the equivalent of a bus or van driver in Delhi.

Residents say they prefer dealing with women from their own communities—who personally deliver bills when they know neighbors are home and accept partial payment when money is tight—rather than outsiders. If their repeated cajoling and nagging doesn't result in payment, then power is disconnected. The Abhas have the support of the community leaders, known as pradhans, who weigh in if needed.

"Earlier if we weren't home when the company official came to deliver the bill, we'd miss paying and become defaulters," said Usha, 38, who goes by one name and lives in a 90-square-foot room with six other family members. She likes the convenience of dealing with people she knows, and laughs off any questions about feeling nagged. "If we consume electricity, we're supposed to pay for it!"

The scarcity of resources in slums ensures an interdependence among residents that means they're more likely to listen to one of their own, said Purnima Singh, a psychology professor at the Indian Institute of Technology in New Delhi.

"The social fabric is much tighter in slum clusters," said Singh. "An outsider will never match up in having this level of influence."

Tata Power-DDL started zeroing in on slums in 2009, considering them the last hurdle to paring losses. India's power companies lose revenue on about a fifth of the electricity they supply, or about $10.2 billion annually, due to problems including theft, meter tampering, billing issues and leakage due to faulty equipment, according to PricewaterhouseCoopers India estimates.

To thaw the hostility that Tata Power-DDL officials were encountering, it set up a special consumer group to start drug rehabilitation, provide medical vans, install drinking water stations and launch the women's literacy program. The idea to hire women surfaced in 2012 when, Sinha said, the women who had been studying to read and write started asking how to put their education to use.

"These women weren't allowed to go out and work by their families," said Manisha Wadhwa who now heads the group. "But they could always work in their own communities, choose their own hours and still give us better reach in their neighborhoods."

Wadhwa's group is still trying to tame 39 slums Tata Power-DDL serves that remain crime-prone and mafia-ridden, where the few Abhas the company has been able to hire haven't made much headway.

People pelt stones and pour hot water from the roofs" in one of the areas, Wadhwa said. "We are still trying to befriend them."

Still Tata Power-DDL has come a long way from the days before 2012 when officials had to remove their badges to keep from being identified when visiting slums. Now women like Kaur insist on having Tata Power identity cards, as it gives them status.

"We have learned from this initiative that we can work closely with communities to improve economic outcomes," said Sinha. "We don't need to do charity.''

—With Rajesh Kumar Singh and Adrian Leung.

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Brazil to Tap Green Bonds, Fueling Agricultural Expansion

Posted October 04, 2017, 9:10 A.M. ET

By Anna Hirtenstein

Brazil plans to tap green bonds to finance a significant expansion of agricultural exports.

The world's fifth biggest country has underused landmass equivalent to four times the size of France, or, about 190 million hectares (470 million acres), according to Roberto Jaguaribe, president of the Brazilian Trade and Investment Promotion Agency. Green bonds could help finance infrastructure to bring more food to global markets in an environmentally friendly way.

"There's no other country in the world that has the conditions that Brazil has for agricultural supply," said Jaguaribe in an interview in London. "And we want to do it in a very sustainable way, feed the world."

Green bonds could help improve the sustainability of Brazilian agriculture by supporting rules that prevent illegal deforestation or land degradation. The market for the environmentally-focused securities grew from non-existence a decade ago to $95 billion last year. Bloomberg New Energy Finance forecasts issuance will reach $130 billion in 2017.

"We think that almost all of the projects that we have are completely aligned with the green financing," said Jaguaribe, a former ambassador to the U.K. and China at meeting hosted by Brazil's embassy in London. While green bonds won't be the "main source" of financing for the farming expansion they're seen as "increasingly relevant," he said without specifying any amount.

Brazil has already issued about $3 billion of green bonds and could sell a record $5 billion this year. The country has been investing in logistics to get agricultural products to market by building railways such as the Ferrograo, a $4.1 billion project to develop soy exports.

Key Producer

"Green bonds are a way of getting projects financed without using taxpayer money," said Sean Kidney, chief executive officer of the Climate Bond Initiative, an organization that promotes green bonds. The securities could match international investors looking for yield with Brazilian regions that need of financing for infrastructure, he said.

Brazil is a key producer of soy, beef and sugar. Its sustainability credentials are derived from requirements that farmers keep 20 percent to 80 percent a certain percentage of their land fallow for conservation, according to Jaguaribe.

He sees companies in agribusiness, transportation and water sanitation as potential issuers of green securities. Brazil has plans to build railways to crisscross the nation, which are considered to be a more sustainable form of transport because developers cut down less trees than when building highways.

"It's a mode of efficient transport and low carbon approach with green investment and helps reduce deforestation," said Isabella Teixeira, former minister of environment of Brazil.

—With assistance from Vanessa Dezem.

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Here's the Hot Canadian Oil Play You Probably Never Heard About

Posted October 04, 2017, 10:00 A.M. ET

By Robert Tuttle

There's a land grab quietly taking place in a little-known corner of the Canadian oil sands.

Just 200 kilometers (125 miles) southwest of the Fort McMurray oil-sands hub in northern Alberta, investors are rushing to secure rights to land that produces crude at much lower costs than the massive operations the region's known for. That's because beneath the area's characteristic oil-rich soil, which requires expensive extraction and refining techniques, there's crude trapped between layers of rock that can be pumped with conventional gear.

"It's definitely an emerging play," said Roger Tang, chief executive officer Deltastream Energy Corp., one of the companies that's producing oil in the area. "It's new and the production is quite respectable at this price."

The race to acquire drilling rights near the remote Slave Lake community comes as development of Canada's oil-sands, the world's third-largest crude reserves, grinds to a near halt with prices too low to justify the billions of dollars required to build new mines or steam-assisted production sites.

Located roughly between Alberta's Nipisi Lake and an area called Marten Hills, the drilling rights going for sale fall within the Clearwater shale and sandstone formation, with pockets of oil 600 to 700 meters (1,970-2,300 feet) below the ground, Tang said. Crude from the area can be produced for about C$10 ($8) a barrel.

The purchases have been flying under the radar because most of the buyers are closely held companies like Deltastream, which aren't required to disclose what they're up to like listed companies. But one purchase recently stood out.

Under the name Stomp Energy Ltd., the land company Scott Land & Lease Ltd. paid C$10.15 million, or C$1,101 per hectare, in a Sept. 13 provincial land offering for the rights to explore for hydrocarbons near Marten Hills for 15 years, along the far western edge of the Athabasca Oil Sands region.

While that may seem like very little when compared to the prohibitive prices paid for rights in the Permian Basin in Texas, it was the most paid for a single section of exploration land in Alberta since December 2011, provincial data show. And it came amid a flurry of other purchases in the same area by other companies.

Companies including Deltastream, Cenovus Energy Inc. and Spur Petroleum Ltd. have begun drilling in the area over the past year.

Cenovus controls about a third of the play after acquiring drilling rights in the area over recent years, Harbir Chhina, executive vice president of oil-sands development, said in a conference call last June. While Cenovus has drilled a well in the area that produces about 300 barrels a day and plans to drill four or five wells in total, the company lists Marten Hills as a potential divestiture as it seeks to sell C$4 billion to C$5 billion by year end to help cover the cost of buying oil-sands assets from ConocoPhillips.

"We continue to assess what our drilling plans may look like for this property in the coming months," Reg Curren, a Cenovus spokesman, said in an email. "No decision has been made at this time."

Backed by a C$100 million equity line of credit led by ARC Financial Corp. and Wells Fargo & Co., Calgary-based Deltastream has drilled nine wells there since the second quarter, three of which are producing between 150 and 200 barrels a day, Tang said. The company plans to continue drilling new wells into next year.

Well Costs

The advent of multilateral drilling, in which multiple bores are drilled out of a single well hole, has made exploiting the Clearwater formation economically viable, Tang said. Each well costs C$1.1 million to C$1.5 million to drill and produces as much as four times more crude as a conventional horizontal well, he said. That makes the play viable at today's oil price of just over $50 a barrel,

Tang said. By contrast, wells in Alberta's Duvernay Formation cost C$6 million to C$7 million.

Land companies such as Scott typically buy rights in oil-sands areas on behalf of energy producers who want to shield their names from the transaction. Scott declined to comment on the purchase when contacted by phone.

In addition to Scott and Deltastream, Synergy Land Services Ltd. also bought rights to a plot during the Sept. 13 bidding round. It payed C$1,571 per hectare, the most per hectare in the province in more than two years. In July, land company Britt Resources Ltd. paid C$2.99 million for three parcels in the same immediate area, and Scott bought three parcels nearby for C$4.97 million in June of last year.

The drilling rights sales "show you that quiet acquisitions can get hot very quickly," said Mark Oberstoetter, lead analyst for upstream research at Wood Mackenzie in Calgary.

But development of the Clearwater formation in the Marten Hills area is in its infancy and its full potential won't be known until more drilling takes place, Tang said. The Lesser Slave Lake River area that includes Marten Hills pumped just 1.46 million barrels in all of 2015, according to the most recent Alberta government data. But Tang says he's optimistic.

Well results are "looking very good," he said. "Although it's still early stage, you get some indication that it's very exciting."

—With assistance from Dave Merrill.

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Cities Pitch Affordability, Innovation in Curbing Sewer Overflows

Posted October 04, 2017, 9:02 A.M. ET

By Amena H. Saiyid

When it rains, it flows—a nasty soup of stormwater and sewage spilling into local streams. Controlling these sewer system overflows costs a lot of money and can require tricky engineering: some cases require the construction of large storage tunnels burrowing hundreds of feet underground. Many cities want more time to clean up the problem, and they're getting it. Washington, D.C., is among the cities that have taken advantage of the EPA's integrated planning policy, which outlines how communities can prioritize Clean Water Act obligations and develop flexible plans to reduce compliance costs.

DC Water, the district's water and wastewater authority, was able to save more than $1 billion by amending a court-ordered agreement with the Environmental Protection Agency detailing its plan to reduce its overflows. Those changes allowed the district to use green infrastructure to address the problem and accounted for the inability of some of DC Water's 130,000 customers to pay for services.

"The integrated planning policy allowed us to inject affordability into the discussion," George Hawkins, outgoing chief executive officer for DC Water, told Bloomberg BNA.

DC Water was able to achieve those savings by reducing the number of storage tunnels from four to

three and implementing a plan for green infrastructure to absorb some of the stormwater flows.

Eight Cities Renegotiate Deadlines

More than 800 cities—mostly older communities in the Northeast and Great Lake states—have wastewater collection systems built in the early 1900s that combine both stormwater and sanitary sewage in one pipe, according to the EPA. They are designed to overflow through a series of outfalls into streams and lakes during storms so that the sudden gush of this combined waste doesn't overwhelm the treatment plant.

Overflows from combined sewers, as well as those from sanitary sewers and stormwater drains, are a huge pollution problem, dumping pathogens, toxic chemicals, debris and other contaminants into the water. Some systems even overflow when it isn't raining due to pipe blockages, line breaks, and power failures.

Communities that have been lax in addressing their overflow problems have found themselves on the receiving end of lawsuits and EPA enforcement actions for violating the Clean Water Act, which resulted in consent orders laying out long-term control plans. Figuring out how to pay for the needed improvements has been a major driver in the effort of some cities to open up those agreements.

The nation's capital was one of at least eight cities that have renegotiated their agreements with the EPA, giving cities more time to incorporate new strategies, such as better integrated planning with other projects, and solutions that consider their ability to pay for them.

Atlanta was another and extended its deadlines from 2014 to 2037 after arguing it couldn't afford the necessary upgrades to its wastewater collection and treatment system over the prescribed time frame.

The city, like most others, was hit hard by the recession and saw local water use reduced and competing demands for limited municipal resources, Mikita Browning, Atlanta's consent decree manager, told Bloomberg BNA. This is despite the fact that Atlanta raised its water and sewer rates by 252 percent over a 10-year period and imposed a 1 percent municipal sales tax to defray the costs of water infrastructure.

Baltimore negotiated a new 2030 deadline to curb its sanitary sewer overflows and stormwater runoff. The extra 14 years would allow the city, once the court approves the extension, to address stormwater runoff and prioritize its funds to eliminate a sewage blockage leading into the River Wastewater Treatment Plant.

"We used integrated planning to front-load our modified consent decree with projects that would deliver the biggest return, then spend additional money as needed in the out years to complete the work," Jeffrey Raymond, spokesman for Baltimore Public Works Department, told Bloomberg BNA.

Policy Issued in 2012

Since the 2012 integrated planning framework came out, the EPA said it has entered into over 31 agreements with municipalities governing sewer overflows. The agency also has revised 11 decrees, with at least eight involving extended deadlines.

Cities like Lima, Ohio, that entered into consent decrees after 2012 also were able to tap into the EPA's updated financial assessment policy, which supplemented the integrated planning policy, to look at historical sewer and water rates, poverty rates, and income levels to obtain a "more accurate

and complete picture" of their ability to pay for Clean Water Act obligations. Backed by the U.S. Conference of Mayors, Lima Mayor David Berger argued that EPA's existing metric for measuring affordability was unworkable for his city.

Many of the municipalities that came under EPA's enforcement gun for overflows pushed for the planning framework to assist them with prioritizing other environmental mandates and public needs, such as public safety, road building, school upgrades, and hospitals.

In seeking to renegotiate the agreements, some cities pitched using less traditional engineering approaches, such as more cost-effective green infrastructure that involve green roofs, wetlands alongside roads, and swales along parking lots to capture stormwater runoff so it can seep slowly into the ground.

They also argued that extending deadlines for putting the control plan in place would allow them to spread out the cost over a longer period of time, thereby reducing annual costs.

The Hampton Roads Sanitation District, which serves 18 cities and counties in Southeast Virginia, amended its 2010 agreement in January in line with integrated planning but didn't seek a deadline extension for reducing sewer overflows from 13 treatment plants and 500 miles of pipelines. The district will be able to use a region-wide plan to spread the costs and proceed with a project to inject the Potomac Aquifer with wastewater treated to meet drinking water standards.

Advocates Caution Against Misuse

But environmental groups are leery of added flexibility that allows cities to delay complying with their Clean Water Act requirements, even as they support green infrastructure.

Blue Water Baltimore intervened in the city's negotiations to extend its deadline because it wanted to make certain that the city "report measurable progress from infrastructure projects and adaptive management of proposed projects based on water quality monitoring results," Angela Haren, the group's advocacy director, told Bloomberg BNA It has objected to the revised consent decree, which is pending approval in a federal district court, because it doesn't require water quality monitoring.

Larry Levine, the NRDC's senior water attorney, cautioned that the flexibility offered by the EPA shouldn't be "misused and abused" as an excuse to defer real progress in cleaning up polluted urban waterways, or to avoid accountability for meeting the Clean Water Act's "fishable, swimmable" goals for waterbodies.

However, Karen Hansen, an attorney with Beveridge and Diamond P.C. that has represented municipalities in negotiating consent decrees, told Bloomberg BNA she expects to see more integrated planning.

"I see integrated planning will have increased utility end use in a climate where EPA under the current administration is very open to ideas about what's cost effective and what makes sense for the community," Hansen said.

Storms Spur $22 Billion Investment in Battery-Backed Grids

Posted October 04, 2017, 8:47 A.M. ET

By Christopher Martin

Growing demand for more resilient power supplies will spur $22.3 billion of global investment in battery-backed local energy systems over the next decade, according to Navigant Research.

Villages and homes in far-flung places will drive the expansion of microgrids, small-scale solar systems with batteries that can retain power until it's needed. Navigant expects 14.9 gigawatts to be in operation in 2026, up from 238 megawatts this year, according to a report Oct. 3.

North America and the Asia-Pacific region will get about three-quarters of the investment as developers find ways to use microgrids more efficiently, including providing energy-management services to utilities. North America will have 5.85 gigawatts of microgrid storage in operation by 2026 and Asia-Pacific will have 5.57 gigawatts. Declining battery costs and new financing methods will also boost deployment in areas like coastal communities in Florida and Texas exposed to flooding and frequent storms, said researcher Alex Eller.

"The storms helped raise awareness of what's available," Eller said in an interview. "For the next couple years, remote microgrids will make up about half of global installations."

Puerto Rico, where the utility grid was knocked out by Hurricane Maria Sept. 20, has become a target for developers eager to showcase microgrid designs. These include solar panels, small wind turbines and backup diesel or propane generators that may be needed if a string of cloudy days reduces solar production and doesn't fully charge the batteries.

Suppliers including Tesla Inc., battery-maker Sonnen GmbH, and solar rooftop supplier Sunnova Energy Corp. have each begun shipping micro-grid equipment to Puerto Rico to help re-power the island following the storm.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 5/23/2017 10:02:33 PM
Subject: Trump to tap nonproliferation expert as DOE's top lawyer

By Alex Guillén

05/23/2017 05:55 PM EDT

President Donald Trump plans to nominate David Jonas to be the Energy Department's general counsel, the White House announced today.

Jonas, a partner at the Virginia law firm Fluet, Huber and Hoang since 2016, was also a DOE landing team member and is an expert on nuclear nonproliferation.

He previously served as the general counsel for the National Nuclear Security Administration, DOE's nuclear security arm, from 2001 to 2010, according to his LinkedIn page. From 2012 to 2014, Jonas was general counsel for the Defense Nuclear Facilities Safety Board, an independent agency that advises DOE on nuclear defense facilities.

Jonas's resume also includes a year as DOE's director of legal strategy and analysis and a year as a vice president at the Pentagon Federal Credit Union. He holds advanced law degrees in military law and international law.

Jonas's wife, Tina Jonas, served as chief financial officer for the FBI under Robert Mueller and later as CFO and under secretary of Defense from 2004 to 2008.

WHAT'S NEXT: The Senate Energy and Natural Resources Committee likely will schedule a hearing on his nomination for sometime after Congress returns from its Memorial Day recess in early June.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/trump-names-nonproliferation-expert-at-does-top-lawyer-088213

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EHS State Regulatory Alert

June 27, 2017 - Number 122

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Water Pollution Control/Recycled Water
Arizona WATER

Proposed rule of the Department of Environmental Quality amends and renumbers regulations under R18-9-701 through -719 as R18-9-A701 through -D702; adopts regulations under R18-9-A707 and -E701; and repeals regulations under R18-9-601, -602, -603, and -720 to update and restructure requirements for reclaimed water and allow for the treatment of reclaimed water for potable use. The rule reorganizes provisions to clarify that gray water, industrial wastewater, and reclaimed water are all categories of recycled water. The rule also provides an exception to the prohibition against providing reclaimed water for human consumption to allow reclaimed water to be treated appropriately for potable use, adds interim permitting criteria for advanced reclaimed water treatment facilities, and modifies gray water permitting requirements. In addition, the rule revises notification and signage, reporting, and permit revocation requirements and establishes a recycled permit transition provision. A hearing is scheduled for July 25, 2017, in Phoenix. Comments are due July 25, 2017. Contact: Heidi Haggerty; DEQ, Water Quality Division; 602-771-4815; haggerty.heidi@azdeq.gov

—Arizona Administrative Register (06/23/2017)

Regulatory Update

California

AIR
Vehicle Registration and Titling/Clean Air Vehicle Decals
California AIR

Final rule of the Department of Motor Vehicles amends regulations under 13 CCR 156.00

regarding clean air vehicle decals. The rule revises Form 1000 D, the new vehicle dealer application for clean air decals. This change without regulatory effect was filed June 12, 2017. Contact: Randi Calkins; DMV, Legal Affairs Division; 916-657-8898

—California Regulatory Notice Register (06/23/2017)

Regulatory Update

FOOD SAFETY
Lead Level in Candy Containing Chili and Tamarind
California FOOD SAFETY

Notice of the Office of Environmental Health Hazard Assessment announces a hearing on a petition from the Center for Environmental Health requesting the issuance of regulations setting a naturally occurring lead level in candy containing chili and tamarind under Section 110552 of the Health and Safety Code. The hearing is scheduled for July 6, 2017, in Sacramento. Comments are due July 20, 2017. Contact: Monet Vela; OEHHA; 916-323-2517; monet.vela@oehha.ca.gov

—California Regulatory Notice Register (06/23/2017)

Regulatory Update

MINING
Mining and Geology/Vested Rights Determinations, Mining Ordinances
California MINING

Proposed rule of the State Mining and Geology Board amends regulations under 14 CCR 3950 through 3965 and 4000 regarding vested rights determinations and mining ordinances. The rule removes the authority of the board to make vested rights determinations under any circumstances when acting as the lead agency. The rule also clarifies the authority of the board when it assumes full authority as the lead agency when a lead agency fails to adopt a board-certified mining ordinance. In addition, the rule allows lead agencies that have certified mining ordinances to retain their Surface Mining and Reclamation Act authorities if and when the board reviews a proposed amendment to a previously certified ordinance. Hearing requests are due Aug 2, 2017. Comments are due Aug. 17, 2017. Contact: Nick Lash; SMGB; 916-322-1082; Nicholas.Lash@conservation.ca.gov

—California Regulatory Notice Register (06/23/2017)

Regulatory Update

WATER
Appropriation of Water/Drought Emergency Water Conservation
California WATER

Final rule of the State Water Resources Control Board amends regulations under 23 CCR 865 and repeals regulations under 23 CCR 864.5 and 866 regarding drought emergency water conservation. The rule removes water conservation standards developed by the board because the measures are no longer necessary under current conditions. The rule supersedes portions of a Feb. 28, 2017, emergency rule that readopted regulations concerning water conservation. The rule is issued in compliance with an April 7, 2017, executive order (B-40-17) that directed the

rescission of emergency rule requirements for water supply stress tests or mandatory conservation standards for urban water agencies; the continuation of the prohibition of certain wasteful water practices; and the continuation of water use reporting requirements. This change without regulatory effect was filed June 9, 2017. Contact: David Rose; SWRCB; 916-341-5196

—California Regulatory Notice Register (06/23/2017)

Regulatory Update

Illinois

AIR
Fine Particulate Matter SIP
Illinois AIR

Notice of the Illinois EPA, Bureau of Air, announces the availability of a draft state implementation plan (SIP) concerning infrastructure requirements for the 2012 annual fine particulate matter (PM-2.5) national ambient air quality standard. The revisions also address the good neighbor provisions concerning significant contribution to nonattainment and interference with maintenance requirements. The draft plan, which will be submitted to the U.S. EPA for approval, does not include any new or revised requirements. Comments and hearing requests are due July 24, 2017. Contact: Rachel Stewart; Illinois EPA; 217-782-2224; Rachel.Stewart@illinois.gov

—Illinois Register (06/23/2017)

Regulatory Update

RADIATION
Low-Level Radioactive Waste Task Group
Illinois RADIATION

Final rule of the Emergency Management Agency repeals regulations under 2 IAC 2950.10 through .240 and Appendices A and B to delete administrative procedures and organizational provisions for the Low-Level Radioactive Waste Task Group, which has become obsolete. The rule is effective June 9, 2017. Contact: Traci Burton; EMA; 217-785-9860

—Illinois Register (06/23/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Wed 6/7/2017 1:28:22 AM
Subject: Today on Climate Beat

June 6, 2017

Today on Climate Beat . . .

. . . we listened to the radio, where EPA Administrator Scott Pruitt is alluding to the possibility of reviewing the prior administration's finding that greenhouse gas emissions endanger public health and welfare, a landmark document that forms the basis of all of the agency's climate regulations.

Over in China, California Gov. Jerry Brown (D) is signing a series of clean energy technology development deals with Chinese officials and touting the efforts as trailblazing on climate change amid retreats by the Trump administration.

In personnel news, President Donald Trump announced his intent to nominate a former George W. Bush Department of Justice (DOJ) official – who later represented the U.S. Chamber of Commerce in a suit targeting the Obama EPA's early GHG rules – to head DOJ's environment division.

And our daily news roundup looked at how new coalitions of states, cities and companies are pledging to continue to work toward achieving Obama's GHG reduction target under the Paris Agreement even after Trump vowed to leave the deal.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 7/11/2017 5:40:31 PM
Subject: BREAKING NEWS: McConnell: Senate will work through first two weeks of August recess

Senate Majority Leader Mitch McConnell (R-Ky.) will keep the Senate in session the first two weeks of August, according to two sources, as Republicans face a daunting to-do list that includes repealing Obamacare and raising the debt limit.

McConnell made the announcement during a party lunch on Tuesday, according to one of the sources.

Read more: http://www.politico.com/story/2017/07/11/mcconnell-senate-will-work-through-first-two-weeks-of-august-recess-240407

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From: Bloomberg BNA
Sent: Thur 10/5/2017 8:46:07 PM
Subject: Oct. 5 -- Energy and Climate Report - Afternoon Briefing



Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Trump Administration Illegally Delayed Methane Rule: Court

Posted October 05, 2017, 12:45 P.M. ET

By Jennifer A. Dlouhy (Bloomberg News) and Alan Kovski (Bloomberg BNA)

A federal court ruled the Trump administration illegally froze Obama-era requirements aimed at reducing the amount of natural gas from federal land wasted through venting, flaring, and leaking.

The Interior Department postponement of the effective date of the regulations "is not entitled to deference," the court said.

In delaying the requirements, Interior's Bureau of Land Management relied on the Section 705 "administrative stay" provision of the Administrative Procedure Act, which allows agencies to postpone the effectiveness of rules that are the subject of litigation.

The U.S. District Court for the Northern District of California agreed with plaintiffs, including California, New Mexico, and environmental groups, that postponing implementation of the rule after it already had gone into effect ran afoul of the plain language of Section 705 (California v. U.S. Bureau of Land Mgmt., N.D. Cal., No. 3:17-cv-3804, 10/4/17).

Interior tried to convince the court to allow the delay of regulations because they would soon be rescinded or revised. But Judge Elizabeth Laporte wrote that new rules to postpone the regulations and revise the regulations would take a number of months to complete and would not necessarily survive legal challenge.

The Trump administration used a similar rationale for a delay of changes to federal royalty estimates for oil, gas, and coal only to have its delay overruled by a court in August.

"No one is above the law. As a result of this Rule's implementation, oil and gas operators on federal and Indian lands will be compelled to prevent the waste of natural gas. Natural gas emissions threaten the health of nearby residents and contribute to climate change," California Attorney General Xavier Becerra, who filed the suit, said in a statement.

New Regulations Envisioned

The latest ruling came hours after Interior proposed a rule that would postpone some of the Obama

administration's venting, flaring, and leaking regulations until Jan. 17, 2019, while Interior considers new regulations that might be issued through one or more additional rulemakings governing oil and gas production.

That proposed extension is going through the full notice-and-comment rulemaking process.

The contested regulations were issued in 2016 to reduce methane and other gas emissions through technical requirements—such as leak detection and repair—and the imposition of royalties on lost gas to discourage the losses. Royalties already were levied on some lost gas, and the 2016 rules toughened those regulations.

The Trump administration and industry officials described the regulations as clumsy and expensive requirements likely to reduce royalties by deterring oil and gas work.

"The rule is expected to have real and harmful impacts on onshore energy development and could impact state and local jobs and revenue," Acting Assistant Secretary for Lands and Minerals Management Katharine MacGregor said in May. "Small independent oil and gas producers in states like North Dakota, Colorado and New Mexico, which account for a substantial portion of our nation's energy wealth, could be hit the hardest."

Defenders of the 2016 regulations said they would reduce waste and help protect human health and the environment. Methane, the primary constituent of natural gas, is a potent greenhouse gas.

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Federal Regulators Criticize Energy Rule for Distorting Markets

Posted October 05, 2017, 03:27 P.M. ET

By Rebecca Kern

Two of the three members of the Federal Energy Regulatory Commission have publicly criticized an Energy Department proposal that aims to subsidize nuclear and coal plants in the wholesale markets, suggesting it could "destroy" the markets.

"We will not destroy the marketplace," Robert Powelson, a Republican member of the Federal Energy Regulatory Commission, said in a speech at the Organization of PJM States' annual meeting in Arlington, Va., on Oct. 4. Powelson's office confirmed the statement.

Democratic FERC Commissioner Cheryl LaFleur, supported Powelson's comment, saying in an Oct. 4 tweet,"Great message!"

Powelson and LaFleur's comments are the first public reactions from FERC members related to the Energy Department proposal's negative impacts on the wholesale energy markets that the commission is being tasked with overseeing. FERC Chairman Neil Chatterjee (R) has not yet publicly weighed in on the proposal.

The Sept. 28 Energy Department proposal directed FERC to address market challenges facing coal and nuclear plants. The proposal would allow generators with a 90-day supply of fuel on site—which would include coal and nuclear facilities—to recover their operating costs at "a fair rate of return."

"FERC does not do politics. We don't do energy politics," Powelson said at the meeting, which was first reported by SNL.

When it comes to politics, some congressional Republicans have weighed in against the DOE proposal too.

"I really trust the free market. If a power source will survive the market, that's what the people should get," Rep. Pete Olson (R-Texas) told Bloomberg BNA Oct. 5. "This is sort of picking winners and losers, saying, 'I'm going to pick coal and nuclear.' That's not what's good for the consumer."

FERC has set an expedited public comment deadline of Oct. 23 on the proposal. The independent agency published a list of questions on Oct. 4 related to the need, eligibility, implementation, and rates in the proposal for public comment.

The Energy Department gave FERC 60 days to act—a time period that will not begin until a notice is published by the Energy Department in the Federal Register.

Wind in Land of Oil Prompts Surprise Boost in Renewable Spending

Posted October 05, 2017, 12:33 P.M. ET

By Reed Landberg and Anna Hirtenstein

Seven giant wind-power projects, including one in the oil-rich U.S. state of Oklahoma, prompted a surprise investment increase for renewable energy in the third quarter.

Funding for the clean energy industry surged 40 percent from a year ago to $66.9 billion in the three months through September, according to a report by Bloomberg New Energy Finance. Investment rose 2 percent for the first nine months of the year and is on track to finish "close to or a little ahead of" the $287.5 billion recorded in 2016, BNEF said.

The figures marked the fourth consecutive quarterly increase for the industry, where plunging costs for developing wind and solar farms has led to more capacity being built for less money. American Electric Power Co. backed Invenergy LLC's $4.5 billion Wind Catcher project in Oklahoma, which the utility says will save customers $7 billion over more than two decades by delivering electricity cheaper than existing sources.

"Wind Catcher is an example of a regulated utility in a wind-rich area of the U.S. taking advantage of federal tax credits to build a project that will produce electricity at below the cost of its existing coal and gas generating plants," Amy Grace, head of research in North America for BNEF, said in a statement released Oct. 5.

Investment this year is unlikely to match the record $348.5 billion reached in 2015, BNEF said, and a lull continued in some categories of funding that once were among the richest backers of the industry.

Venture capital and private equity provided $662 million in the third quarter, down 79 percent from a year ago and the weakest reading since the start of the modern renewables boom in 2005. Investment from initial public offerings also fell 63 percent to $1.4 billion, the least since early 2016.

"The weak third quarter figure for public markets investment ironically came despite a strong

performance from clean energy stocks," said Abraham Louw, a BNEF researcher who tracks the data. He noted a 22 percent advance so far this year in the WilderHill New Energy Global Innovation Index, which tracks 97 companies in the industry.

Asset finance—which encompass bankers writing project-finance loans, self-funding energy companies, leasing and bonds used to refinance deals—gave renewables their biggest boost. Funding for utility-scale projects jumped 72 percent from a year ago to $54.3 billion in the third quarter, BNEF said.

In addition to the Oklahoma wind farm, six others received funding of at least $600 million, including projects in Mexico, Britain, Germany, China and Australia.

A breakdown by nation showed advances in the biggest economies. China's overall investment in renewables and clean energy rose 35 percent to $23.8 billion. The U.S. advanced 45 percent to $14.8 billion, Europe 43 percent to $11.6 billion and Brazil 32 percent to $1.7 billion.

Investment fell 32 percent in Japan to $2.2 billion and 49 percent in India to $1.1 billion.

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U.S. Trade Dispute Scaring Companies From Buying Solar Power

Posted October 05, 2017, 8:40 A.M. ET

By Brian Eckhouse

A trade dispute over solar imports has stalled clean-energy projects across the U.S.

With the looming prospect of tariffs driving up the price of panels, utilities and businesses are holding off on signing deals to buy solar power. It may be months before they get more clarity.

In the meantime, "projects are on hold," Yumin Liu, president of Canadian Solar Inc.'s Recurrent Energy development unit, said in an interview at Infocast's Solar Connect conference in San Diego. Recurrent has multiple projects that were initially scheduled to begin commercial operations next year. Now it's not clear if that will happen on time.

"It's uncertain," Liu said. "Many companies are in the same boat."

Trade Dispute

The trade case dates to an April complaint from Suniva Inc., a bankrupt solar manufacturer based in Georgia. The U.S. International Trade Commission ruled last month that the U.S. industry has been harmed by a flood of cheap imports, and President Donald Trump will get to decide whether to impose tariffs.

With solar development slowing, some corporate buyers may turn instead to wind farms. Such contracts with businesses have been a significant driver of growth for both types of clean energy in the U.S.

"Solar developers anticipating to grow by signing contracts with corporations and utilities are currently in a standstill," Nathan Serota, a New York-based analyst at BNEF, said in an Oct. 4 phone

interview. “Wind developers don’t have that problem.”

While corporate sales of wind usually exceed solar power, the gap was starting to narrow. That trend is now reversing. While wind deals exceeded solar by about 40 percent last year, this year through mid-September businesses have signed contracts to buy almost three times as much wind power as solar, according to Bloomberg New Energy Finance.

There’s another reason solar may slow this year. On Sept. 29, the U.S. Energy Department proposed a rule that would boost nuclear and coal power—potentially at the expense of renewables.

“The market just got a one-two punch,” said Andrew Redinger, a managing director at KeyCorp, “Even if neither happens, the uncertainty during the interim will lead to stoppage. People don’t like uncertainty.”

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Oil Drillers May See Big U.S. Tax Cut—If Deductions Survive

Posted October 05, 2017, 01:46 P.M. ET

By Alex Nussbaum

U.S. oil explorers could see a multibillion-dollar benefit from a move to slash the U.S. corporate tax rate but some of the industry’s biggest tax breaks could also be under fire.

The tax overhaul outlined last week by Republican leaders and President Donald Trump still faces challenges and could be stalled by a busy political calendar in Washington, Bloomberg Intelligence analysts James Blatchford and Andrew Silverman wrote in a report released Oct. 5.

Still, the total tax bill for U.S. oil and gas companies could “shrink dramatically” if Congress enacts a law cutting the corporate rate to 20 percent from 35 percent, they wrote. A proposal to allow immediate deduction of capital investments is likely to help companies like Exxon Mobil Corp. and Chevron Corp., although there’s also talk of limiting explorers’ ability to deduct interest costs.

The tax blueprint released by six administration officials and Congressional leaders on Sept. 27 promised to cut the corporate rate almost in half but also signaled other breaks could be squeezed to partially offset the hit to tax revenues. The nine-page framework provided few specific on which deductions may be targeted.

U.S. energy producers paid the second-highest effective tax rate of any business sector in 2014, at 37 percent, according to BI research. An earlier Trump proposal to reduce the corporate rate even deeper to 15 percent would have saved $13 billion that year for a group of 56 oil and natural-gas companies tracked by Bloomberg, according to a BI analysis in April.

Tax negotiators are also weighing “serious proposals” to repeal two of the industry’s biggest tax benefits, said Stephen D. Marcus, a tax attorney with Baker Botts LLP in Dallas who works with explorers. One provision allows companies to deduct so-called intangible drilling costs; another, known as “percentage depletion,” lets them reduce taxable income to reflect the depreciation of reserves, Marcus said in an email.

Eliminating those two provisions would force energy companies to pay about $25 billion in additional

taxes between 2016 and 2026, Congress's Joint Committee on Taxation estimated last year.

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TransCanada Ends Pipeline Project, Sees $801 Million Charge

Posted October 05, 2017, 11:10 A.M. ET

By Meenal Vamburkar

TransCanada Corp. has scrapped its Energy East Pipeline and Eastern Mainline projects, oil and natural gas conduits that have faced regulatory hurdles in Canada and stiff opposition from environmental groups.

As a result of the decision, TransCanada expects an estimated C$1 billion ($801 million) after-tax, non-cash charge to be recorded in the fourth quarter, the company said in a statement Oct. 5. Because regulators failed to reach a decision on the projects, TransCanada expects "no recoveries of costs from third parties." The Energy East link to Canada's Atlantic Coast carried a C$15.7 billion price tag.

Energy producers in Alberta had hoped the projects would help them diversify their markets, with most of the existing pipeline network linking the energy-rich province to the U.S. Midwest and Gulf Coast. Last month, TransCanada sought a 30-day suspension of the project applications for more time to review environmental assessment factors.

"TransCanada was forced to make the difficult decision to abandon its project, following years of hard work and millions of dollars in investment," the Canadian Energy Pipeline Association, an industry group, said in a statement. "The loss of this major project means the loss of thousands of jobs and billions of dollars for Canada, and will significantly impact our country's ability to access markets for our oil and gas."

The decision comes as TransCanada seeks again to complete its controversial Keystone XL pipeline, which the Obama administration rejected in 2015. The $8 billion project, which would carry heavy crude from Alberta to Nebraska, is awaiting state approval in Nebraska after a hearing in August. A final decision on whether to build the line is pending.

Atlantic Access

In January, the National Energy Board voided previous decisions on the Energy East application, forcing the company to start the hearing process anew shortly after competing pipeline projects have been approved. The change came after the regulator's previous hearing panel stepped down amid accusations of bias.

TransCanada applied to build Energy East three years ago, seeking to open access for Western Canadian oil producers to the Atlantic Ocean for exports to Europe. It faced intense opposition in Quebec, where the province's premier said the line posed a significant risk to its freshwater resources.

Energy East would carry about 1.1 million barrels of oil a day from Alberta and Saskatchewan to eastern Canadian refineries and a marine terminal in New Brunswick. The Eastern Mainline project would add new gas pipeline and compression facilities to an existing system in Southern Ontario, where most of the country's home and industrial gas consumers are located.

"We are not at all surprised by the decision," given that TransCanada had sought to delay the project applications, said Robert Kwan, an analyst at RBC Dominion Securities Inc., in a research note. The decision won't affect the company's dividend because its growth forecast didn't include those projects, he said.

—With assistance from Josh Wingrove.

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Energy East Death Pins Oil Sands Hopes on Two Troubled Pipelines

Posted October 05, 2017, 02:47 P.M. ET

By Kevin Orland and Robert Tuttle

TransCanada Corp.'s cancellation of the Energy East pipeline leaves Canadian oil producers more dependent than ever on the Keystone XL and Trans Mountain proposals, two projects facing ardent opposition in their own right.

Energy East would have given oil producers in Alberta and Saskatchewan, who are heavily dependent on buyers in the U.S., another market for their crude by carrying about 1.1 million barrels a day to refineries and a marine-shipping terminal in eastern Canada. TransCanada cancelled that project on Thursday amid regulatory hurdles and weaker oil prices.

With Energy East scrapped, Western Canada's producers are now counting on Kinder Morgan Inc.'s project to carry crude to the Pacific Coast, and TransCanada's Keystone XL to connect with U.S. Gulf Coast refineries. Both face significant hurdles: Keystone XL needs approval in Nebraska, and Trans Mountain is hampered by a legal challenge in British Columbia.

With that avenue closed off, Western Canada's oil industry is now counting on Trans Mountain project to help carry crude to the Pacific Coast, where it would be shipped to markets in Asia, as well as TransCanada's long-delayed Keystone XL pipeline, which would move more Alberta oil to refineries along the U.S. Gulf Coast. However, both of those lines face significant hurdles: Keystone XL still needs approval in Nebraska, and Trans Mountain is now the subject of a legal challenge in British Columbia.

"It definitely puts the leverage on the pipes that are on the docket to get through," said Carl Evans, an oil analyst at Genscape Inc. in Boulder, Colorado. Keystone XL and Trans Mountain must be built "or you are looking at an industrywide problem in a very short amount of time."

Stranded Crude

Pipelines in Western Canada, which holds the world's third-largest crude reserves largely in Alberta's oil sands, can carry about 3.3 million barrels of crude a day, according the the Canadian Association of Petroleum Producers, or CAPP. Meanwhile, the area is expected to produce 3.92 million barrels a day this year and 4.2 million next year as a number of large oil-sands projects come online. The pipeline pinch already had producers shipping more of their crude by rail, which can cost as much as three times more to get oil from Alberta to the U.S. Gulf Coast.

Should Keystone XL and Trans Mountain fail to be built, oil producers could end up shipping more

than 300,000 barrels a day via rail for at least five years, and some producers could shut in operations, Evans said.

Evans said it's probable that Trans Mountain will be built and that Enbridge Inc. will be able to proceed with the replacement and expansion of its Line 3, which carries Western Canadian crude to Wisconsin.

Minnesota Approval

While that project still needs approval in Minnesota, the company has repeatedly expressed confidence that it will receive the necessary permits and has already begun construction on the Canadian portion of the line. Trans Mountain and Line 3 would provide a buffer of about 600,000 barrels a day by 2021, Evans said. Suncor Inc., Canada's largest oil producer by market value, supported Energy East and is disappointed in the decision not to move forward with the project, spokeswoman Sneh Seetal said. The pipeline would have provided new markets for Western Canadian crude and enhanced supply for the company's refinery in Montreal, she said.

"That said, we do have a position in all other pipeline projects, and no single pipeline will impact our ability to grow," Seetal said.

Cenovus Energy Inc., an oil-sands producer that had contracted to ship 200,000 barrels a day on Energy East, said the cancellation will reduce options for Canada's oil producers to reach global markets. The nation's regulators must ensure that decisions on infrastructure projects can be made in a timely manner so as not to put domestic producers at a competitive disadvantage, the company said in a statement.

Indian Market

Energy East would have provided Canadian oil producers with access to buyers in India, one of the fastest-growing markets for petroleum, because shipping there is faster from Canada's Atlantic Coast than from its Pacific Coast, said Tim McMillan, chief executive officer of CAPP. Instead, the cancellation makes the domestic industry more reliant on the U.S. to act as its broker in getting crude to world markets, he said.

"They control the market; they control the Canadian flows," he said "By not having our own access to the East Coast, it strengthens their hand."

Alberta Premier Rachel Notley also decried Energy East's demise, calling it "an unfortunate outcome for Canadians" and saying that it would have reduced the nation's imports of foreign oil. The National Energy Board must let the industry know how future project reviews will be conducted so investors can have confidence in the industry, she said.

"This decision highlights the importance of diversifying market access and the subsequent national priority that must be placed on the Trans Mountain expansion project," Notley said in a statement.

—With assistance from Meenal Vamburkar.

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Utilities Rebuke Theresa May's Plan to Cap Power Tariffs

Posted October 05, 2017, 11:31 A.M. ET

By Mathew Carr and Alex Morales

Britain's utilities hit back at Prime Minister Theresa May's vow to cap energy costs, saying the measures would unsettle the industry at a time when government is seeking investment to replace aging power plants.

Centrica Plc, which plunged to a 14-year low on Oct. 4 when the plan was announced, said a limit on charges would also reduce competition among electricity and natural gas suppliers. Scottish Power Ltd. said consumers should be told to shop around for the best deals on offer.

"Price caps are the wrong solution," Centrica Chief Executive Officer Iain Conn said in an emailed response to questions. "Where they have been tried, they have been bad for customers. They limit choice, reduce competition, and prices tend to cluster around the cap."

He amplified his concerns in an interview with the British Broadcasting Corp.'s "Today" program Thursday on Radio 4, saying the proposal "creates exaggerated uncertainty" for utilities.

Centrica's remarks highlight a threat to May's effort to both hold down electricity costs and keep investment flowing into power generation, as more than a dozen coal and nuclear plants finish their service life. The government has estimated the industry may need 100 billion pounds ($132 billion) within the next decade to ensure stable supplies. It's also trying to respond to the concerns of voters worried about rising electricity bills.

The government's move, as soon as this winter, will probably spur big reactions by utilities.

Once in place, the cap may mean utilities scale back on discounts they offer in the market because funding them will become more difficult with standard variable tariffs, said Lakis Athanasiou, a utilities analyst at Agency Partners LLP in London. About two-thirds of customers at the biggest six utilities are on standard variable tariffs.

In the meantime, utilities might embark on a price war to boost market share so they have lots of customers on their books when the discounting ends, Athanasiou said by phone. The deeply discounted tariffs are "severely loss making when taking full costs into account," he said.

Shares Tumble

Shares slumped on Oct. 5 for each of the U.K.'s Big Six utilities-- Centrica, SSE Plc, Innogy SE, EON SE, Iberdrola SA and Electricite de France.

Earnings may fall at least 10 percent at three of six, according to a note from RBC Europe Ltd. The operating profit margin for the group as whole may slide to a wafer-thin 0.3 percent from 2.6 percent, RBC analysts John Musk and Olly Jeffery wrote in a note to clients.

The government's current focus is on the SVTs, which ministers say penalizes passive customers who don't bother to change suppliers. EON last month offered to end the practice of putting people onto those tariffs.

Industry View

Scottish Power Ltd., the Iberdrola unit working in the U.K., said it's the government's responsibility to end the tariff system.

"Just as you insure your car and home every year and go to the market for the best deal, so every energy customer should engage regularly with the market," said Neil Clitheroe, chief executive officer of Scottish Power retail and generation unit.

Further details of the Conservative plan, including how long the cap will last, may emerge when the government pushes a draft bill as early as next week.

"While we are in favor of free markets, we will always take action to fix them when they're broken," May told the Conservative Party conference in Manchester on Oct. 5.

The utilities said the latest maneuvering may backfire by reducing competition and discouraging consumers from switching to better deals.

Britain's energy market is changing rapidly. Three years ago, the Big Six had 99 percent of the market, and less than 4 million people changing suppliers each year, according to the trade association EnergyUK. Since then, dozens of new companies emerged and almost a third of customers started routinely switching, cutting the Big Six's market share to 80 percent.

U.K. homes don't have it bad compared with those across the English Channel. Domestic power prices were 4.9 percent below the EU average last year, according to Eurostat data.

Any intervention should be "simple to administer, time-limited, and maintain the principles of a competitive energy market to best serve customers' interests," SSE, which is based in Perth, Scotland, said by email.

—With assistance from Jessica Shankleman.

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U.K. Seeks Brexit Boost for Renewables, but Onshore Wind Taboo

Posted October 05, 2017, 9:45 A.M. ET

By Jessica Shankleman and Alex Morales

Britain wants a slice of the $30 trillion needed to clean up the world's energy supply—so long as those funds don't go into wind farms in the countryside.

Seeking investment to expand the economy as the U.K. leaves the European Union, the Conservative government is determined to expand the clean energy business while also satisfying its most loyal voters, many of whom see wind farms as an eyesore.

Speaking at the ruling party's annual conference in Manchester, ministers and officials said they were focused on building up other technologies, especially gigantic wind farms placed offshore and carbon capture and storage. There were few signs that onshore wind farms will benefit, even though they're among the cheapest ways to generate low-carbon electricity.

"There was a big debate in recent years about the impact of onshore wind on views and

communities," Greg Clark, the Cabinet secretary in charge of business and energy policy, said in an interview. "Obviously, the greater efficiency that we're seeing in offshore wind comes from much bigger towers and blades that are deployable offshore."

A white paper detailing the plan, setting out how the U.K. "will earn a living in future" once Brexit is complete, is due to be published later this year," Clark said. It'll look at how the U.K. replaces aging power plants and ensures supply for industry and electric cars, something the government has previously estimated may require 100 billion pounds ($132 billion) in investment.

Claire Perry, climate change minister in Clark's department, noted the government is working on both a "Clean Growth Plan" and an "Industrial Strategy" that will affect the energy business. Those probably will include support for carbon capture and storage technology, which is struggling to attract funding despite being seen by the United Nations as a crucial way of cleaning up emissions.

She said about $30 trillion of public and private capital needs to be spent between now and 2035 to help the energy industry shift to low-carbon supplies and meet the goals in the 2015 Paris Agreement on climate change. Britain wants a slice of those funds.

Clean energy could become "as big as coal was," according to Richard Harrington, a junior minister in Clark's business department.

"We really believe that the core of our industrial strategy is our energy policy," Harrington told delegates.

In a contrast with Clark's views, Harrington said there's "no reason" that onshore wind couldn't compete with other renewable technologies in auctions for government support, "provided that it goes through a reasonable local planning system."

In an interview, Clark wouldn't be drawn on whether he'd host a technology neutral auction for capacity that would allow more onshore wind. Instead, he's commissioned a review by University of Oxford Professor Dieter Helm to identify ways to bring down electricity prices. That's due to report back in the coming weeks.

Wind power investors like Richard Nourse, managing partner at Greencoat Capital LLP, urged the government to open energy auctions to all kinds of zero carbon energy, including onshore wind farms. Currently, these projects are banned from receiving new subsidies thanks to a Conservative manifesto pledge against the technology.

Offshore wind energy remains Britain's energy success story, bolstered last month by a auction that prompted developers like Dong Energy A/S to offer electricity from sea-based turbines at 57.50 pounds a megawatt-hour. That's well below the cost of nuclear power and competitive with onshore wind farms.

"We made a manifesto commitment that we would pursue offshore rather than seeking to drive a big expansion onshore, and nothing that I've seen that persuades me that was the wrong judgment," Clark said.

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U.K. Power Grid Trials Real-Time Data to Deal with Renewables

Posted October 05, 2017, 9:18 A.M. ET

By Mathew Carr

National Grid Plc for the first time measured the stability of the U.K.'s power network in real time, allowing it to more confidently manage the system as intermittent renewable energy generation jumps.

The London-based network operator used a new tool to measure the network's resilience continuously, allowing control-room operators to react more quickly to changes in generation levels. That allows for cost savings and lower customer bills, said Marc Borrett, chief executive officer of Reactive Technologies Ltd., which provided the technology, without specifying how much could be saved.

Speedier data on how much various types of power stations are generating helps overcome stability problems created as renewables replace fossil-fuel plants, London-based Reactive said. Large coal and natural gas power stations give the network more resilience, known as inertia, because they have heavy spinning shafts and turbines, while solar and wind plants reduce grid stability as they are dependent on weather conditions.

Reactive's tool, which provides data from a national to a postcode level, "will give grid operators a unique and really important insight into how they can manage a grid and take on more and more renewable generation over time in a safe way," Borrett said by phone.

Clean-energy sources including wind, solar and nuclear met a record 52 percent of U.K. power demand in the three months through Sept. 22, compared with 35 percent four years ago, according to National Grid. The rapid pace of the change has made the power system more costly to manage, but previously inertia wasn't measurable, only estimated, Borrett said.

National Grid is reviewing options on a possible contract with Reactive, said Gemma Stokes, the network manager's spokeswoman, declining to be specific.

"We're in advanced discussions with a good handful of system operators around the world," Borret said.

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Dutch Regulator Tasks Banks and Insurers on Climate-Change Risk

Posted October 05, 2017, 10:58 A.M. ET

By Alessandro Speciale and Eric Roston

Banks, insurers, and other financial institutions must do more to take into account the risks posed by climate change to their business, a Dutch Central Bank study said.

As global warming increases the risk of extreme weather events, regulators are giving more attention to its economic and market implications, with estimates showing that a single high-impact storm could cause damages of as much as 60 billion euros ($71 billion), according to the report published on Oct. 5. The Netherlands, which is largely below sea level, runs an inordinate risk of being affected by such events.

"Dutch insurers will have to deal with an increasing claims-burden as a result of climate-related damage," the central bank said in the report. "This in turn may lead to shock-induced price rises in premiums. Furthermore, climate change is making it more difficult to estimate the likelihood of extreme weather."

Bank of England Governor Mark Carney, chair of the G20's Financial Stability Board, is spearheading an initiative to standardize financial-sector guidelines on how to disclose risks arising from climate change. Carney in late 2015 appointed former New York City Mayor Michael Bloomberg to lead the Task Force on Climate-Related Financial Disclosures, which issued its final recommendations in June. (Bloomberg is the founder and majority owner of Bloomberg LP, the parent company of Bloomberg News.)

Historical data used to assess Northern Europe's future climate may become less effective as climate change accelerates, in turn rendering inaccurate current insurer pricing policies. In some extreme cases, insurance companies may be offering policies on things that, given the effects of climate change, should no longer be insured.

To counter such eventualities, the central bank said it intends to put in place climate stress tests and "embed climate-related risks more firmly in our supervisory approach and address them in our interviews with supervised institutions."

The study also points out risks that may arise from the transition to a low-carbon economy. A majority of financial institutions have yet to include "all relevant energy label data in their risk management systems," and this may undermine market acceptance and the "value of office buildings that do not meet this requirement."

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How Energy-Rich Australia Ended Up With World's Priciest Power

Posted October 05, 2017, 02:42 P.M. ET

By Perry Williams

A bungled transition from coal to clean energy has left resource-rich Australia with an unwanted crown: the highest power prices in the world.

New Yorkers pay half as much as Sydneysiders to keep the lights on, despite Australia boasting among the world's largest coal and natural gas reserves, as well as ideal conditions for clean power generation. A decade of political dithering and climate policy missteps have set its patchwork power system adrift, ratcheting up manufacturing costs and hurting consumers with a doubling in electricity prices since last year and rising risks of blackouts.

"It is not a bit of a mess, it is a major mess," said Sanjeev Gupta, 46, the British billionaire owner of Liberty House Group, who saw firsthand the effects of policy neglect after buying an ailing steel-making business in blackout-beleaguered South Australia in July.

Natural gas was meant to bridge the electricity supply gap left by the shutdown of decaying coal-fired stations and the gradual shift to solar and wind energy. But rising exports of the fuel to higher-paying overseas buyers created a local shortage.

With no long-term solution in sight, Prime Minister Malcolm Turnbull threatened gas producers with export restrictions unless they plugged the domestic shortfall. The government is also trying to convince power generators to patch up old and dilapidated coal-run stations, prolonging dependence on a fossil fuel the rest of the developed world is spurning.

"It takes a while to cause a train-wreck this bad," said Tony Wood, energy program director at the Grattan Institute, a Melbourne-based think tank. "And it also takes a while for a government to think about how they get out of it."

The nation's largest power generators are urging Australia to ditch coal and join the renewables revolution. Turnbull, whose harbor-side mansion is powered by solar panels, is reluctant to remove the fossil fuel from the energy mix lest it boosts power costs further.

The Liddell power station, perched on a lake in the coal-rich Hunter Valley, has come to symbolize Australia's struggle with an industry linked to greenhouse-gas emissions and climate change. The facility, located 240 kilometers (150 miles) north of Sydney, was the most powerful electricity generating station in the country when it was commissioned in the early 1970s.

Its four coal-fired generation units supply the Tomago aluminum smelter, Australia's largest single consumer of energy, and enough to power more than 1 million homes. Nowadays, it's plagued by failures from rusty, leaky equipment that put Liddell on a "sliding scale to oblivion," according to its managers.

The Turnbull government wants to extend its life. But keeping it running beyond its scheduled closure in 2022 would cost as much as A$900 million ($708 million), and lender Australia & New Zealand Banking Group Ltd. said it's unlikely to finance any refurbishment because it probably wouldn't meet the bank's environmental standards. Owner AGL Energy Ltd. instead wants to re-purpose the site, potentially for gas-fired or battery-stored energy.

"It beggars belief that something like Liddell is the backbone of our power supply," said Barry Millar, acting general manager for technical services with plant operator AGL Macquarie. "In the U.K., something of this age would be well and truly gone."

For EnergyAustralia, a power generator owned by Hong-Kong's CLP Holdings, the failure to anticipate electricity demand and supply stems from the absence of a clear climate policy.

"When you've got an environment where the economics will fluctuate from 'this looks like a reasonable project' to 'this is absolutely terrible and don't go anywhere near it' over the space of two years, that is un-investable," said Mark Collette, EnergyAustralia's energy executive, in a phone interview.

Squabbling over climate policy has been a key contributor to political turmoil in Australia, which has changed prime ministers five times in the past decade.

Labor's Kevin Rudd was elected in 2007 promising a carbon-trading scheme, but he shelved the plan amid resistance in the Senate. His successor Julia Gillard introduced a price on carbon, which was scrapped after Tony Abbott led the Liberal-National coalition to victory in 2013. Though replaced by Turnbull in 2015, Abbott's sustained support for coal has emerged as a divisive voice within government ranks.

With the government unable to agree on a clean-energy target and electricity prices surging, energy-intensive industry is demanding investment certainty. Melbourne-based BHP Billiton Ltd., the world's largest mining company, said it may curtail investments in its home country, while rival Rio Tinto Group said price spikes are putting projects at risk.

As well, a third of large industrial users of gas will either cut production or shutter their operations entirely due to the spiraling price of the fuel, according to the Australian Competition and Consumer Commission, the country's antitrust watchdog.

"There are clear sectors of our economy for whom this is a nasty outcome," said the Grattan Institute's Wood. "I think we will see some energy intensive manufacturing close down."

Wood, a former executive at Sydney-based producer and retailer Origin Energy Ltd., doesn't see energy prices falling anytime soon, even as the country tries to ramp up renewable power sources.

Almost 90 percent of the A$88 billion forecast to be spent adding power capacity in Australia through 2040 will go toward clean energy, according to Bloomberg New Energy Finance. It estimates less than 2 percent will be spent on coal, and even then only to refurbish existing plants, with the rest invested in gas.

So far, the move to clean energy has done little to lower the world-topping electricity prices in South Australia, where solar and wind account for about 40 percent of its power generation, the most of any mainland state. A series of blackouts there the past year prompted billionaire Tesla Inc. co-founder Elon Musk to propose building what he said would be the world's biggest battery system in Jamestown, about 210 kilometers north of the state's capital, Adelaide.

Across the Spencer Gulf to the west in Whyalla, Liberty House Group's Gupta is planning to install a variety of alternative energy sources -- including solar electricity, hydropower and storage batteries -- to overcome uncertainty around power supply and prices for his newly acquired steel assets.

"We have every energy resource you could want -- whether its old school or new school -- here in Australia," Gupta said. "Yet, we have the most expensive power in the world."

—With assistance from Jason Scott, Hannah Dormido and Leonard Quong (Bloomberg New Energy Finance).

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Thur 7/13/2017 9:41:37 PM
Subject: Today on Climate Beat

July 13, 2017

Today on Climate Beat . . .

. . . we took a breath, reporting that the Natural Resources Defense Council is warning of twin threats from ozone and pollen levels that are worsened by global warming, urging the Trump administration not to abandon Obama-era policies aimed at curbing greenhouse gases by arguing that the rules would help target the dual threats.

Speaking of rules, EPA appears to be preparing to overhaul its rules governing its new source review permit program, signaling that the Trump administration is backing widespread calls from industry and labor groups to reform the controversial permit program.

In Congress, Democrats on the Senate Judiciary Committee delayed a vote on Jeffrey Clark, President Donald Trump's pick to lead the Justice Department's environment division.

We highlighted pithy quotes from several hot climate stories, including the two sides of the climate policy debate, reactions to the court ruling vacating EPA's pause of its oil and gas methane standards and a proposal for revamping EPA's regulatory review procedures.

And our daily news roundup looked at the surge in litigation from environmental groups in the early months of the Trump administration.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Fri 7/14/2017 10:05:00 PM
Subject: EPA's Weekly Report For 07/14/17

EPA's Weekly Round-Up ...

This week EPA Administrator Scott Pruitt visited Senators on Capitol Hill, promoted the Federal Green Challenge, and talked with reporters from Reuters and Politico about protecting the environment. Here is a look a recap of the work being done each day at EPA.

NATIONAL COVERAGE …

Politico **reports that EPA Administrator Scott Pruitt discussed the hypocrisy of President Trump's European critics. "**EPA Administrator Scott Pruitt dismissed European critics of President Donald Trump's climate policies as hypocrites on Wednesday, while chastising German Chancellor Angela Merkel for phasing out her country's nuclear power plants. 'I just think the hypocrisy runs rampant,' Pruitt said in an interview with POLITICO. 'To look at us as a nation and say, 'You all need to do more' in light of what we've done in leading with innovation and technology — the hypocrisy is palpable in those areas.' Pruitt mentioned Merkel by name, urging the public to press her on the issue. If reducing carbon dioxide emissions 'is so important to you, Madam Chancellor, why are you getting rid of nuclear? Because last time I checked, it's pretty clean on CO2,' he said."

EPA Administrator Scott Pruitt also sat down with Reuters **where he gave a wide-ranging interview about protecting the environment and American jobs.** "U.S. Environmental Protection Agency Administrator Scott Pruitt gave Reuters a wide-ranging interview on Monday at his office in Washington, discussing issues from climate science to automobile emissions."

TO THE STATES …

In California, The Press-Enterprise **reported on EPA granting the Morongo Band of Mission Indians $167,000 that will help replace older vehicles, including a refuse hauler, with newer, more environmentally friendly vehicles.** "The Morongo Band of Mission Indians is one of two western tribes to benefit from an EPA program designed to reduce emissions from diesel trucks and buses. The U.S. Environmental Protection Agency's Pacific Southwest Region awarded more than $167,000 to the Morongo Band to help buy two heavy-duty vehicles through the Diesel Emission Reduction Act."

In Oregon, the East Oregonian **reported that Whitman Mission National Historic Site has been selected to receive an award from the Environmental Protection Agency for water conservation.** "Whitman Mission National Historic Site has been selected to receive an award from the U.S. Environmental Protection Agency for water conservation after the park lowered its water usage by 36 percent in 2016. The award comes from the Federal Green Challenge, part of the EPA's Sustainable Materials Management Program, which challenges government offices throughout the country to reduce their environmental impact."

In Texas, The Gilmer Mirror **reported that EPA awarded $2.7 million to the Texas Commission**

on Environmental Quality to help improve water quality. “The U.S. Environmental Protection Agency (EPA) recently awarded the Texas Commission on Environmental Quality (TCEQ) a performance partnership grant of $2,775,937 for administering water quality and environmental programs.”

In New Mexico, Carla J. Sonntag writes in The Farmington Daily Times about EPA's pursuit of sensible regulatory reform. "So much drama, so little focus on the facts. That’s the heart of methane issues being addressed by both the Environmental Protection Agency and the Bureau of Land Management."

In Kentucky, The Richmond Register reported that EPA has awarded a $200K grant to help facilitate the cleanup of the Parker Seal plant. “A $200,000 grant has been awarded for the environmental clean-up of the former Parker Seal plant in Berea. The Brownfields Program grant was secured from the Environmental Protection Agency (EPA) by the Kentucky River Foothills Development Council Inc. (KRFDC) in partnership with Fahe in Berea. Located at 103 Lewis Street, the Parker Seal building is said to be contaminated with trichloroethene and debris that remained after the plant closed in 2001. The Brownfields Program provides EPA funding for cleanup and reuse of contaminated properties.”

TWEETS ...

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Fri 6/9/2017 11:16:04 PM
Subject: Today on Climate Beat

June 9, 2017

Today on Climate Beat . . .

. . . we took the first step, reporting in our news roundup that EPA has made its first move to roll back the Obama-era Clean Power Plan, which sets first-time greenhouse gas standards for existing power plants.

In Congress, a group of Democratic and Republican lawmakers is floating legislation to improve efforts to curb emissions of short-lived, but potent GHGs, with the lawmakers touting the move as part of a growing bipartisan push to address climate change even as the Trump administration scraps federal climate measures.

In litigation, a federal judge is denying the Trump administration's request to quickly appeal a prior order allowing a constitutional climate change lawsuit brought by youth plaintiffs to proceed, meaning parties will now proceed to trial, including a lengthy discovery process regarding the government's efforts to limit GHGs.

In the court of public opinion, new polling finds a majority of Americans believe it is their state's responsibility to address climate change in the absence of federal action on the issue.

And, of course, we highlighted some of our must-read stories from the past week.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 10/4/2017 7:58:12 PM
Subject: Pruitt picks former Pennsylvania official for Region 3 job

By Alex Guillén

10/04/2017 03:55 PM EDT

A former Pennsylvania environmental official will head EPA's Region 3 office, which oversees Pennsylvania, Delaware, Maryland, West Virginia, Virginia and Washington D.C.

Administrator Scott Pruitt has selected Cosmo Servidio for the post, EPA announced today. Servidio previously was the southeast regional director for Pennsylvania's Department of Environmental Protection from 2012 to October 2016, when he "abruptly" resigned for unknown reasons, according to local reports.

Servidio is currently director of environmental affairs for the Bucks County Water and Sewer Authority, according to EPA. Before joining DEP in 2012, Servidio was a vice president at insurance broker Willis North America. From 2005 to 2009, he was chief of staff for EPA's Region 2 office in New York.

Servidio "brings federal, state, and local administrative experience working in the environmental field," Pruitt said in a statement.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/pruitt-picks-former-pennsylvania-official-for-region-3-job-093934

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From: InsideEPA.com
Sent: Tue 6/27/2017 11:14:11 AM
Subject: The Morning Headlines from InsideEPA.com -- June 27, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 27, 2017

Latest News

Pruitt Faces Early Legal Tests Over Efforts To Delay Obama-Era EPA Rules

EPA is using both the Clean Air Act and the Administrative Procedure Act (APA) to delay Obama-era regulations -- a tactic to buy time for the Trump administration to rewrite the rules -- but environmentalists' challenges to those stalling tactics could be first legal tests to the bounds of EPA's authority to administratively stay its rules.

Three Suits Test Scope Of EPA Authority To Administratively Stay Rules

Three lawsuits in which environmentalists are challenging EPA administrative delays of Obama-era regulations are likely to provide the first legal tests of the agency's authority to stay its rules using administrative tools -- as EPA's use of the statutes has little prior legal precedent and could be legally risky.

EPA Seeks New Science Advisors, But Delay May Halt CASAC In Fall

EPA is poised to call for new experts to join two of its advisory committees, the Clean Air Scientific Advisory Committee (CASAC) and Science Advisory Board (SAB), though the nearly two-month delay in doing so may mean that CASAC, which reviews the science underlying EPA's air quality standards, will be without new members before current members leave in the fall, effectively grinding that group's work to a halt.

Continuing Trend, EPA Taps New Water Office Deputy Ahead Of AA

EPA has named Dennis Lee Forsgren, a former industry lobbyist, Capitol Hill aide and NASA official in the Bush administration, as its new deputy assistant administrator for water, continuing a trend seen in several other offices of appointing deputies who do not require Senate confirmation before nominating office chiefs who require approval.

High Court Declines To Hear Suits On EPA's SSM Policy, Gold King Spill

The Supreme Court has declined to hear an industry suit seeking to overturn an Obama administration policy that emissions limits apply even in cases of

malfunctions as it applied to a boiler air toxics rule, leaving industry groups and the agency to now reconsider the broader issue of waivers for startup, shutdown and malfunctions (SSM) as they apply to state air quality plans.

Critics Say Trump Officials' 'Red Team' Climate Review Would Mislead Public

Trump administration critics say calls by EPA Administrator Scott Pruitt and other cabinet officials for a "red team, blue team" approach to refine climate change science would mislead the public because scientific findings already undergo a rigorous peer-review process and the new approach would give unwarranted weight to claims made by a small percentage of climate skeptics.

Daily Feed

Senate Democrats pledge to block environment 'riders' in spending bills

"To help maintain regular order and to ensure bipartisan support, we urge you to keep the FY 2018 bills free of controversial environmental policy riders," 39 Senate Democrats write.

Report seeks better Superfund data to address cleanup slowdowns

"There is a pressing need to better understand what factors have led to the slowdown in cleanup progress and what steps could be taken to address this issue," the report says.

Democratic AGs fear regulatory reform bill would stymie asbestos ban

A group of 13 Democratic attorneys general says a pending regulatory reform bill in the Senate would block EPA from banning asbestos under the new toxics law.

Our most read: about EPA personnel and revamping rules

The most-accessed stories over the past week involve personnel issues -- including the deputy administrator guessing game -- and rules -- including TSCA and NSR.

RGGI floats 'other ways' to link carbon trading programs

"In cases where jurisdictions may not wish or may not be able to fully adopt the RGGI Model Rule, their program may still allow for trading allowances with the RGGI program," says a presentation from the nine-state program.

Ewire: Pruitt joins Trump to push US energy 'dominance'

The EPA administrator joins the president and other officials to make the case of increasing energy exports. Plus: Clearing BOSC will leave a 'huge void' and mayors step up climate policy work.

9th Circuit rejects rehearing in Navajo haze air plan suit

A federal appeals court has denied a tribe's request to reconsider a ruling that upheld a haze emissions reduction plan EPA issued for a power plant on its land.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Sun 5/28/2017 3:24:18 PM
Subject: POLITICO Playbook, presented by the Coalition for Affordable Prescription Drugs (CAPD): Tweets pour out as Trump returns to DC -- INSIDE THE WEST WING: POLITICO, WaPo and NYT on WH intrigue -- FIRST IN PLAYBOOK: Trump's week -- ANDREW KACZYNSKI's wedding

View online version | Add politicoplaybook@politico.com to your address book.

Today's PLAYBOOK presented by the Coalition for Affordable Prescription Drugs (CAPD)
05/28/2017 11:21 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

FROM THE VATICAN at 7:30 this morning -- **@Pontifex:** "I encourage everyone to engage in constructive forms of communication that reject prejudice towards others and foster hope and trust today."

HE'S BACK!! -- @realDonaldTrump at **8:10 a.m.:** "Just returned from Europe. Trip was a great success for America. Hard work but big results!" ... at **8:33 a.m.:** "It is my opinion that many of the leaks coming out of the White House are fabricated lies made up by the #FakeNews media." ... at **8:34 a.m.:** "Whenever you see the words 'sources say' in the fake news media, and they don't mention names...." at **8:45 a.m.:** "....it is very possible that those sources don't exist but are made up by fake news writers. #FakeNews is the enemy!" ... at **8:45 a.m.:** "Does anyone notice how the Montana Congressional race was such a big deal to Dems & Fake News until the Republican won? V was poorly covered" ... at**10:43 a.m.:** "British Prime Minister May was very angry that the info the U.K. gave to U.S. about Manchester was leaked. Gave me full details!"

-- BY THE WAY ... -- Trump's White House asks for permission to speak without attribution to reporters all the time. Also, just days ago, Trump said he wanted his administration to find the leakers. Now he's saying that leaks "coming out of the White House" are fake. Which one is it?

-- @anniekarni: "I've been told a factor in the lack of tweeting abroad overall was the presence of Melania Trump." ***Note: Melania is supposed to move into the White House sometime next month.***

A QUICK SUNDAY BEST -- TRUMP "WIDE OPEN" ON PARIS ACCORDS -- DEFENSE SECRETARY JAMES MATTIS to **JOHN DICKERSON** on **CBS' "FACE THE NATION" -- DICKERSON:** "Let me ask you about the Paris climate accords. The president is going to make a decision on those. Tell me about the national security role of climate change." **MATTIS:** "You know, we've - we've obviously got a discussion going on about our policy in this regard. And I was sitting in on some of the discussions in Brussels, by the way, where climate change came up, and the president was open, he was curious about why others were in the position they were in - his counterparts in other nations - and I'm quite certain the president is wide open on this issue as he takes in the pros and cons of that accord."

Good Sunday morning. JUST WONDERING.... Will President Trump head to his golf club in Virginia today to take in the final round of the Senior PGA Championship? We hear it's a possibility.

FIRST IN PLAYBOOK -- THE PRESIDENT'S WEEK -- The only items listed on the president's schedule so far are remarks at Arlington tomorrow for Memorial Day, meetings with Rex Tillerson and Vietnamese Prime Minister Nguyen Xuan Phuc on Wednesday and a travel day Thursday (Trump recently canceled a rally in Iowa, but the travel day still remains on his schedule). Lots of free time -- as of now.

INSIDE THE WEST WING -- Expect more rallies to try to jumpstart Trump's legislative agenda. Expect more loyalists in the West Wing. Expect to see an effort to woo high-profile D.C. lawyers. **BUT, BUT, BUT ... --** The old crew -- people like Corey Lewandowski -- were sidelined for a reason. Nationwide rallies do not always spark legislative action. Just ask Barack Obama how his rallies worked out for his legislative agenda. And big-time D.C. scandal lawyers will probably tell Trump to do all sorts of things he doesn't want to do, like stop tweeting whatever comes to mind, dump some advisers and normalize White House operations.

WE HEAR -- That the White House has told people on Capitol Hill that Jared Kushner is willing to cooperate extensively with any investigation.

SO MUCH AWESOME PALACE INTRIGUE ... WHAT YOU NEED TO KNOW --

-- ANNIE KARNI and **JOSH DAWSEY** with **TARA PALMERI, "Russia scandal casts uncertainty over Kushner's future role:** Trump's son-in-law, who's long been above White House infighting, now has to defend his position in the West Wing": "Internally at the White House, according to multiple sources, there is a feeling of resentment among people about Kushner's special status as a family member, and a feeling that it's about time for him to have a turn under the gun. There is also a sense of uncertainty about how long Kushner and Ivanka Trump - who associates say likes, but doesn't love, Washington - are planning to stick it out. Some have noted that they rent their Kalorama mansion, which allows them to keep their options of moving back to Manhattan more open. ...

"Two associates who have spoken to Kushner in recent weeks described him as 'unhappy' and 'miserable,' in part because he has not been able to make the changes he wants to under his father-in-law. Kushner, the source said, has recently seemed resigned to the fact that the internal dysfunction that has defined the first months of Trump's administration is unlikely to pass. 'He's still trying to tell people it will improve but he seems like he was trying to convince himself,' the source said." http://politi.co/2qrU2d8

- WAPO A1, JOHN WAGNER, BOB COSTA and **ASHLEY PARKER, "Trump considers major changes amid escalating Russia crisis"** (print headline: "Trump may retool his staff"): "White House officials ... are trying to find ways to revive Trump's stalled policy agenda in Congress and to more broadly overhaul the way the White House communicates with the public. That includes proposals for more travel and campaign-style rallies nationwide so that Trump can speak directly to his supporters ...

"[T]he beefed-up operation could include the return of some of Trump's more combative campaign aides, including Corey Lewandowski, who was fired as campaign manager nearly a year ago, and David N. Bossie, who was deputy campaign manager and made his name in politics by investigating Bill and Hillary Clinton for two decades. Both men have been part of ongoing discussions about how to build a war room that have been led in part by chief strategist Stephen K. Bannon. ...

"Other Trump players who have drifted from his orbit in recent months, such as Sam Nunberg, are also being courted to play more active roles, either officially joining the White House or in an outside capacity, working through confidants of the president. 'Go to the mattresses,' a line from the film 'The Godfather' about turning to tough mercenaries during troubled times, has circulated among Trump's friends [***The scene*** http://bit.ly/2qwn3nq] ... Underscoring the uncertainty of what lies ahead, some Trump associates said there have been conversations about dispatching Priebus to serve as ambassador to Greece -- his mother is of Greek descent -- as a face-saving way to remove him from the White House. A White House spokeswoman strongly denied that possibility Saturday. ...

"On Thursday, Donald Trump Jr., Eric Trump and Eric's wife, Lara Trump, participated in a two-hour meeting at the RNC headquarters in Washington. ... RNC spokesman Ryan Mahoney ... said the RNC is increasing its efforts to bolster Trump. ... At a recent breakfast in Washington with Ruddy, Lewandowski and Alexandra Preate, a close ally of Bannon, the trio discussed whether Lewandowski and Nunberg could put aside their differences to again rally behind Trump." http://wapo.st/2r9qnH0

-- NYT A1, MAGGIE HABERMAN, GLENN THRUSH and **JULIE HIRSCHFELD DAVIS: "Trump Returns to Crisis Over Kushner as White House Tries to Contain It"** (print headline: "President Faces Growing Crisis On Russia Ties"): "The White House canceled a presidential trip to Iowa in the coming days and was putting together a damage-control plan to expand the president's legal team, reorganize his communications staff and wall off a scandal that has jeopardized his agenda and now

threatens to engulf his family. Mr. Trump's private legal team, led by his New York lawyer, Marc E. Kasowitz, was preparing to meet in Washington to face new questions about contacts between Mr. Kushner and representatives of President Vladimir V. Putin of Russia. Mr. Trump may meet with Mr. Kasowitz as early as Sunday, and aides have recruited a series of prominent Washington lawyers with experience in political investigations for Mr. Trump to interview in hopes that they might join the legal team.

"Mr. Kushner ... has no plans to step down from his role as senior adviser or to reduce his duties, according to people close to him. Still, there are signs that he is tiring of the nonstop combat and the damage to his reputation. He has told friends that he and his wife, Ivanka Trump, have made no long-term commitment to remain by Mr. Trump's side, saying they would review every six months whether to return to private life in New York. ...

"The president, who has more than 30 million followers on Twitter , has been told by his lawyers to limit his posts. Each one, they argue privately, could be used as evidence in a legal case against him, and the president went through his entire overseas trip without posting a single incendiary message.

"Among those most adamant about limiting Mr. Trump's access to the news media was Mr. Kushner, who has been critical internally of the White House press operation and has sought to marginalize Mr. Spicer, whom he views as too undisciplined to control the president's message. Mr. Kushner has also favored creating a rapid-response team to counter reports like the ones that emerged on Friday." http://nyti.ms/2r9pSwz

--WAPO A1, "A high-stakes gamble: How Jared Kushner reacted to previous crises," by Michael Kranish and Jonathan O'Connell in New York. http://wapo.st/2r9j1Dy

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** One in two Americans rely on their employers for health care benefits including affordable access to prescription drugs. That's why employers are partnering with PBMs to provide access to effective medications at the most affordable price and improve health outcomes. Learn more at www.affordableprescriptiondrugs.org. ******

WHAT PEOPLE IN THE KNOW ARE SAYING -- The interesting -- and unpredictable -- element of the Jared saga is what happens when he has to testify on Capitol Hill. He'll be put under oath, either in a private setting or public setting, and be forced to testify about his contacts with the Russians. One slip up could land him in hot water. **ALSO:** As we get closer to 2018 -- and midterm elections -- this chaotic environment will become less tenable for Republicans.

BULLETIN from AP at 9:25 a.m.: "BROOKHAVEN, Mississippi (AP) - Police say eight people are dead, including deputy sheriff, after shooting in Mississippi; suspect in custody."

REAX AFTER THE G7 -- Via AFP/Frankfurt am Main: "Europe 'must take its fate into its own hands' faced with a western alliance divided by Brexit and Donald Trump's presidency, German Chancellor Angela Merkel said Sunday.

"'The times in which we could completely depend on others are on the way out. I've experienced that in the last few days,' Merkel told a crowd at an election rally in Munich, southern Germany. 'We Europeans truly have to take our fate into our own hands,' she added. While Germany and Europe would strive to remain on good terms with America and Britain, 'we have to fight for our own destiny', Merkel went on." http://bit.ly/2rc7qWj

MORE SUNDAY BEST -- CHUCK TODD speaks with **DHS SECRETARY JOHN KELLY** on **NBC'S "MEET THE PRESS" -- TODD:** "Before I get to the stuff that is in your portfolio, I do want to ask about Jared Kushner, the Washington Post report, the president's son-in-law, about this idea of setting up a backchannel communication while he was a private citizen before the president took the oath. Can you add much to this story and to what the White House has said?" **KELLY:** "I can't. I know Jared. He's a great guy, decent guy. His number one, number one interest, really, is the nation so you know there's a lot of different ways to communicate, backchannel, publicly with other countries. I don't see any big issue here relative to Jared. ... I think any time you can open lines of communication with anyone, whether they're good friends or not so good friends, is a smart thing to do." ...

-- TODD: "Do you plan -- you call -- you believe it's treason, to leak some of this stuff, you believe that's treason?" **KELLY:** "I do believe it is. I believe when you leak the kind of information that seems to be routinely leaked - high, high level of classification -- you are telling the --" **TODD:** "And what was leaked on this Manchester bombing you believe maybe even meets the treason standard?" **KELLY:** "I think it's darn close to treason."

CHRIS WALLACE also spoke with **DHS SECRETARY JOHN KELLY** on**"FOX NEWS SUNDAY"** (via Cristiano Lima) -- "While not confirming reports that Kushner discussed with Russian officials how to create secret back channels of communication that escaped potential U.S. monitoring, Kelly said that any attempts to strengthen dialogue with Russia were a positive.

"'I don't know if it is true or not, I know it's being reported in the press,' Kelly said on 'Fox News Sunday,' before being told by anchor Chris Wallace that the network had confirmed that the discussion between Kushner and Russian officials had taken place. 'I think that any channel of communication back or otherwise, with a country like Russia is a good thing,' he said. 'It doesn't bother me.'"

-- SCARY, from Mattis on CBS's "Face the Nation": **DICKERSON:** "Help people understand what a conflict with North Korea would be like and how it would be different?" **MATTIS:** "A conflict in North Korea, John, would be probably the worst kind of fighting in most people's lifetimes. Why do I say this? The North Korean regime has hundreds of artillery cannons and rocket launchers within range of one of the most densely populated cities on earth, which is the capital of South Korea. We are working

with the international community to deal with this issue. This regime is a threat to the region, to Japan, to South Korea. And in the event of war, they would bring danger to China and to Russia as well. But the bottom line is it would be a catastrophic war if this turns into a combat if we're not able to resolve this situation through diplomatic means."

GEORGE STEPHANOPOULOS spoke to **REP. ADAM SCHIFF (D-Calif.)** on **ABC'S "THIS WEEK" --** Schiff on the Kushner-Russia back channel: "If these reports are accurate, right after that campaign, after that intervention, to have the president's son-in-law, a key player within the Trump Organization trying to establish a back channel with the Russians through a Russian diplomatic facility, you have to ask, well, who are they hiding the conversations from? ... I think we need to get to the bottom of these allegations. But I do think there ought to be a review of his security clearance to find out whether he was truthful, whether he was candid. If not then there's no way he can maintain that kind of a clearance."

DANA BASH talks to **SEN. CORY BOOKER (D-N.J.)** on **CNN'S "STATE OF THE UNION" -- BASH:** "In the meantime, while there's an investigation, should Jared Kushner's security clearance be revoked or at least suspended?"**BOOKER** : "Well, again, I think we need to first get to the bottom of it. He needs to answer for what was happening at the time. It raises very serious concerns for me and that could be a potential outcome that I seek, but I want to understand, at least hear from, Jared Kushner as well as the administration about what was exactly going on there." ***Flashback, 7/16/13 "*Trump to host fundraiser for Booker"** http://politi.co/2ruw5q3 (Ivanka and Jared bundled tens of thousands of dollars for Booker.)

THE JUICE ...

-- SPOTTED IN ASPEN: Sen. Ted Cruz (R-Texas) yesterday in the hot tub at the St. Regis spa.

Playbook Reads

PHOTO DU JOUR: President Donald Trump shakes hands as he arrives to speak to U.S. military troops and their families at Naval Air Station Sigonella on May 27 in Sigonella, Italy. | Evan Vucci/AP Photo

COOL NEW FEATURE -- "Inside Trump's war on regulations: The push to block, rewrite and delay scores of Obama-era rules may be the administration's biggest untold success," by Andrew Restuccia and Nancy Cook with help from seven Politico Pro colleagues: "The president's aides say the goal is 'systemic' change. ... Trump is ... setting bureaucratic wheels in motion that could eventually ax or revise hundreds of regulations as agencies reorient themselves toward unwinding red tape and granting speedier approvals to projects. ... If successful, these efforts could represent the most far-reaching rollback of federal regulations since Ronald Reagan's presidency,

especially if Trump's proposed budget cuts make it hard for a future Democratic president to reaccelerate the rule-making apparatus." ***With an interactive look at the fate of regulations across industries*** http://politi.co/2qrQw2N

THE GRADUATION CIRCUIT -- "Defense Secretary Mattis at West Point graduation: 'We Americans are not made of cotton candy'" - AP via Army Times: "He spoke on a sun-drenched day at the military academy's football stadium in New York's Hudson Valley, but spoke of 'storm clouds gathering' around the world. 'Our enemies are watching,' he said. 'By your commitment, you will prove the enemy wrong. Dead wrong.' He drew loud cheers when he added: 'We Americans are not made of cotton candy.'" http://bit.ly/2rL8gKa

BOMBSHELL -- "New accuser sues Dennis Hastert, alleging sexual abuse," by the Chicago Tribune's Marwa Eltagouri: "Less than three months before Dennis Hastert's scheduled release from prison, a new accuser has come forward with allegations saying he was sodomized by Hastert decades ago, according to a lawsuit filed in Kendall County on Friday. ...

"The new accuser, referred to in the lawsuit as Illinois resident 'Richard Doe,' is seeking $50,000 in damages from Hastert and Yorkville Community Unit School District 115 for charges including battery, negligent infliction of emotional distress and intentional infliction of emotional distress.

"The accuser said that during the spring or summer of 1973 or 1974, he stopped by the Game Farm Building, now the Yorkville High School parking lot, to use the bathroom after riding his bike along Game Farm Road. He was 9 or 10 at the time, in fourth grade, the lawsuit alleges. The accuser entered the bathroom and, while sitting on the toilet in a stall, heard a male voice mutter something outside the stall door, according to the lawsuit. The stall door opened, and he alleges he was sodomized." http://trib.in/2r9tsXK

REMEMBERING JIM BUNNING - David Cohen: "Jim Bunning, the only person ever elected both to the U.S. Senate and the Baseball Hall of Fame, died late Friday. He was 85 and, according to his family, died of complications from a stroke suffered last year. Bunning, a blunt, conservative Republican who spent a combined 24 years representing Kentucky in the House and Senate, weathered several close elections to earn his place in both institutions. Sometimes, his two professions seemed to go together perfectly.

"'I have been booed by 60,000 fans at Yankee Stadium standing alone at the pitcher's mound, so I have never really cared if I stood alone here in Congress as long as I stood by my beliefs and my values,' he said in his farewell Senate speech in December 2010. 'I have also thought that being able to throw a curve ball never was a bad skill for a politician to have.'" http://politi.co/2qw7rQW

-- FLASHBACK, per C-SPAN: The moment on March 5, 1996, when then-Rep. Henry Hyde (R-Ill.) informed the House that their colleague Jim Bunning got into the Baseball Hall of Fame and gave him a standing ovation: http://cs.pn/2qoU2Pi (h/t Howard

Mortman)

REMEMBERING GREGG ALLMAN -- Atlanta Journal Constitution's Melissa Ruggieri: "A seminal voice of Southern rock is gone. Gregg Allman, leader of The Allman Brothers Band, died Saturday at his home in Savannah from complications due to liver cancer. He was 69.

"'It's a sad passing,' said Peter Conlon, president of Live Nation Atlanta, who knew and worked with Allman for decades. 'It's not only the end of Gregg Allman, but between him and Butch (Trucks) gone, the end of The Allman Brothers.'" http://on-ajc.com/2rL7tca ... ***Some essential contemporary Allman Bros videos (compiled by Jake)*:** http://bit.ly/2rLvlwd ... http://bit.ly/2r9XR8g... http://bit.ly/2rbXxaU

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** As list prices for brand drugs continue to rise, employers are partnering with PBMs to keep drug costs under control. In fact, every dollar an employer invests in a PBM service returns six dollars in savings. Learn more at www.affordableprescriptiondrugs.org. ******

OBAMA ABROAD -- "Close Personal Friends Prince Harry and Barack Obama Hung Out at Kensington Palace: The visit comes a little over a year since the Obamas' last visit" -- Vanity Fair: http://bit.ly/2rL8MrP ... **@David_Cameron:** "Great to catch up with my good friend @BarackObama today." ***Pic*** http://bit.ly/2r95An6

BONUS GREAT HOLIDAY WEEKEND READS, curated by Daniel Lippman:

--"Writer Evan Ratliff Tried to Vanish: Here's What Happened" - November 2009 in Wired: "The premise is simple: I will try to vanish for a month and start over under a new identity. ... Wired offered a $5,000 bounty - $3,000 of which would come out of my own pocket - to anyone who could locate me between August 15 and September 15, say the password 'fluke,' and take my picture." http://bit.ly/2r8yiX0

--"The Advantage Of Being A Little Underemployed," by Morgan Housel in Collaborative Fund: "Tell your boss you found a trick that will make you more creative and productive, and they ask what you're waiting for. Tell them that your trick is taking a 90-minute walk in the middle of the day, and the answer will be no, you need to work. Another way to put this is that a lot of workers have thought jobs, without much time to think." http://bit.ly/2r4ZiEV

--"How a Small Town Is Standing Up to Fracking," by Justin Nobel in Rolling Stone: "Grant Township, Pennsylvania, population 741, has became the front line of a radical new environmental movement - and they're not backing down."http://rol.st/2qrKkXF

--"The ACLU's Radical Plan to Fight Jeff Sessions," by Ben Wofford in Politico Magazine: "I went canvassing with ex-convicts that are trying to make their case for criminal justice reform." http://politi.co/2r4NT86

--"Andy Slavitt can't stop: How a health care wonk became a rabble-rouser," by Stat's Eric Boodman: "From 2015 to early 2017, he had been the head of the Centers for Medicare and Medicaid Services, the government agency that administers President Obama's Affordable Care Act and that provides health insurance for children, the elderly, the disabled, those on low incomes. ... [Now he] has become one of the strongest voices in the fight against the dismantling of the Affordable Care Act." http://bit.ly/2r1jx7W

--"U.S. Veterans Use Greek Tragedy to Tell Us About War," by NYT's Bruce Headlam: "The ancient Greeks didn't go to the theater just to be entertained. Aristotle believed that audiences saw themselves reflected in tragic characters and that the very act of watching a character's downfall helped purge them of emotions like pity and fear, a process he called catharsis or, roughly, 'purification.' More than 2,500 years later, a young classics major named Bryan Doerries ... [started] a project he calls Theater of War, which has now staged more than 400 performances [of Sophocles] for veterans across the country." http://nyti.ms/2rLeE46

--"Playing the Shell Game in the Mediterranean": "Malta poses as a model member of the European Union, but it makes its living off of large European companies seeking to avoid higher tax rates back home. Der Spiegel went to the island nation to investigate, and found a lot of empty offices and empty words." http://bit.ly/2r4VIKZ (h/t TheBrowser.com)

--"Kafka in Vegas," by ProPublica's Megan Rose, also published in Vanity Fair: "Fred Steese served more than 20 years in prison for the murder of a Vegas showman even though evidence in the prosecution's files proved he didn't do it. But when the truth came to light, he was offered a confounding deal known as an Alford plea. If he took it he could go free, but he'd remain a convicted killer." http://bit.ly/2rYUaC6

--"Norman Lear: The Comedy Godfather of Television," by Michael Paterniti in GQ: "Before TV was a thing (and before it was prefaced by words like 'premium' and 'peak'), Norman Lear had been pushing the boundaries of the small screen for decades. The revolutionary writer and producer who tapped into the hot-to-the-touch culture wars of the '70s with shows like All in the Family, The Jeffersons, and Sanford and Son, is back now, at 94 years young, and may just be the only one out there capable of explaining our times to us." http://bit.ly/2rpFsag (h/t Longform.org)

--"There Aren't Enough Slaughterhouses to Support the Farm-to-Table Economy," by Deena Shanker in Bloomberg Businessweek: "Sellers of high-end pork, beef, and chicken agree: there simply aren't enough facilities to humanely and safely kill their animals." https://bloom.bg/2r6gWdd (h/t Longreads.com)

--"Dress Up: What We Lost in the Casual Revolution," by G. Bruce Boyer in First Things - per ALDaily.com's description: "It used to be simple: dark suit, white shirt, discreet tie, black oxfords. Then came 'casual Fridays' - and all we lost by dressing down..." http://bit.ly/2rHytta

--"Crushing on Crushers," by Theodore Dalrymple in City Journal: "Why do intellectuals fall in love with dictators and totalitarians?" http://bit.ly/2rplj35

--"For 40 Years, This Russian Family Was Cut Off From All Human Contact, Unaware of World War II," by Mike Dash in Smithsonian Magazine: "In 1978, Soviet geologists prospecting in the wilds of Siberia discovered a family of six, lost in the taiga." http://bit.ly/2rzCk8F

--"The Poisoned Generation," by Vann R. Newkirk II in The Atlantic: "When the blood came back, [Casey] Billieson found out that both of her children were poisoned and likely had been for years. She called the lawyer who'd left his card with her. That phone call began a legal war of attrition that spanned more than two decades, three presidents, and one of the most devastating natural disasters in American history." http://theatln.tc/2rYUsce

Playbookers

SPOTTED: Mika and Joe yesterday going for a run in Georgetown, on 33rd and N streets ... John King yesterday at Nats Park on Star Wars day as the Nats beat the San Diego Padres, 3-0.

WEEKEND WEDDINGS - ANDREW KACZYNSKI, reporter at CNN's KFile and a BuzzFeed alum, on Friday married **RACHEL LOUISE ENSIGN** , a banking reporter at the Wall Street Journal. Pool report: "It was decidedly non-scene! Lots of family and old friends ... [celebrating a] wonderful evening at Prospect Park boathouse. The bride and groom were married by the groom's older brother, Steve. There was a reading of a passage from 'All the King's Men' and a reading of the poem 'Ithaka.' A live band played throughout the evening. ... They met in intern group housing in D.C." in 2010. ***Wedding pics by Jocelyn Voo of Everly Studios*** http://bit.ly/2rLkv9x ... http://bit.ly/2qs2IAc ... http://bit.ly/2rbVjIA ... ***Pic of the KFile crew*** http://bit.ly/2qpq25O **SPOTTED**: Nathan McDermott, Christopher Massie, Kyle Blaine, Matt Dornic, McKay Coppins, Miriam Gottfried, Lindsay Gellman

OBAMA ALUMNI -- "Eleanor Blume, Samuel Houshower" -- N.Y. Times: "The bride and groom both received law degrees from the University of California, Berkeley, where they met. Ms. Blume, 31, is a special assistant attorney general in California, working on the executive team in San Francisco. She graduated from Wellesley College. ... Mr. Houshower, 36, is a legal consultant in San Francisco for nonprofit organizations. From 2010 to 2016, he was an associate counsel to President Barack Obama. He graduated with an associate degree from Deep Springs College in California and with a bachelor's degree from Harvard." ***With pic*** http://nyti.ms/2sa1IS3

HILLARY ALUMNI -- "Diana Padilla, Eduardo Cisneros": "Mrs. Cisneros, 32, is the

press secretary for Representative Raúl M. Grijalva, Democrat of Arizona. She graduated from California State University, Fullerton, and received a master's degree in business management from EADA Business School in Barcelona, Spain. ... Mr. Cisneros, 33, is a health care program coordinator for the Service Employees International Union in Washington. During the 2016 presidential campaign, he served as a national regional political director for Hillary for America in Brooklyn. He graduated from California State University, Long Beach, and received a master's degree in public policy from the University of Chicago. ... The couple met in 2013 at an inaugural ball given by the California Democratic Party in Washington." http://nyti.ms/2qw063y

-- "Coral Davenport, David Higgins": "Ms. Davenport, 41, is a correspondent for The New York Times, covering energy and climate change policy from the newspaper's Washington bureau. She graduated from Smith College. ... The bride is the great-great-great maternal granddaughter of Matthew Fontaine Maury, the astronomer, meteorologist and oceanographer who is known as the Pathfinder of the Seas. Mr. Higgins, 39, is an intelligence analyst at the Energy Department in Washington, where he focuses on foreign nuclear weapons programs. He graduated magna cum laude from James Madison University and received a master's degree in international affairs from Georgetown. ... The couple met in 2005 at a party in Washington at a house from which Mr. Higgins had just moved out and which Ms. Davenport was about to move in. He helped her move in, carrying her boxes and assembling her Ikea furniture." ***With pic*** http://nyti.ms/2qw0Wxp

--"Johanna Barr, Joseph Pikowski": "The bride, 29, is a staff editor at The New York Times. She graduated cum laude from Skidmore College and received a master's degree in journalism from Columbia. ... The groom, 28, is a technical solutions manager in Manhattan at Criteo, a global advertising technology company, where he oversees clients' digital advertising campaigns. He graduated cum laude from Tufts. ... The couple met in 2008 during a study abroad program at the British American Drama Academy in London." ***With pic*** http://nyti.ms/2ru6mxP

--"Allison Bernstein, Andrew Garin": "The couple both graduated from Brown, magna cum laude. They met in 2005 as high school seniors while waiting for a flight to an event for prospective Brown students. The bride, 30, works in Providence, R.I., as the deputy communications director for Gov. Gina M. Raimondo. ... The groom, 29, studies labor and public economics as a doctoral candidate at Harvard. ... The groom's father [Geoff Garin] is the president of Hart Research Associates, a strategic public opinion firm in Washington." ***With pic*** http://nyti.ms/2r1fKaI

--"Alexandra Kennedy, Peter Haviland-Eduah": "The bride, 29, works in Baltimore at Under Armour, the footwear and apparel company, where she is the chief of staff to the chief information officer and executive vice president for global operations. She graduated from Princeton. ... The groom, 29, is a senior consultant in the Arlington, Va., office of Deloitte, the professional services firm; he works on projects contracted by the federal government. He is a former aide to Senator Kirsten Gillibrand, Democrat of New York. He graduated from Union College and received a master's degree in public policy

from the University of Michigan." ***With pic*** http://nyti.ms/2rLmeM1

--Christopher Carofine, an SEC communications aide and a Hill GOP alum, on Saturday married **Katherine Clubb**, a teacher in Fairfax. The couple met in 2014 and Chris proposed on the banks of the Potomac in Old Town, one of their favorite spots and where they hold court most weekends. Their wedding was at Fort Belvoir Officers' Club in Virginia. ***Pics*** http://bit.ly/2qvRPN8 ... http://bit.ly/2qp3VfV

TRANSITIONS -- Sam Frizell, who covered the 2016 campaign and was on the Hill for Time Magazine, has left the magazine and is headed to law school at Yale. ... **Vicki Ballagh,** formerly a director at the Incite Agency, is joining Airbnb as the communications manager for the office of trust and risk management, an office led by Nick Shapiro, the global head of the office who is the former CIA deputy chief of staff. ... **John Weber** has joined EMILY's List as comms assistant. He formerly was a press intern for Senate Majority Leader Chuck Schumer and House Minority Leader Nancy Pelosi.

DEBORAH SPRIGGS , who spent "40 years, 1 month and 19 days" working for the House is retiring. "It has been an extraordinarily rewarding experience I will never forget. I have been so fortunate to have worked for so many great Members of Congress including the first female Speaker of the House and to work with so many talented and dedicated professional staff. It has truly been a privilege, working in a Member's personal office, two exclusive Committees (Rules & Appropriations), Leadership and becoming Deputy Clerk; I could not have asked for a better career path."

BIRTHDAYS: Sen. Marco Rubio (R-Fla.) is 46 ... Katharine Weymouth, former Washington Post publisher and CEO ... Rudy Giuliani is 74 ... Pelosi alum Diane Dewhirst ... Andy Stone, policy comms. manager at Facebook ... Elisabeth Hasselbeck is 4-0 ... BBC's Tim Willcox is 54 ... Dan Janison of Newsday ... WSJ editor Carrie Melago ... Ry Triplette of Franklin Square Group ... Uber's Josh Gold ... former Rep. Aaron Schock (R-Ill.) is 36 ... Rep. Steve King (R-Iowa) is 68 ... Rep. Mark Sanford (R-S.C.) and former Rep. Scott Rigell (R-Va.) are both 57 ... former Rep. Tom Petri (R-Wis.) is 77 ... Lauren Mandelker ... Graham Miller ... Natalie Yezbick, press assistant for Sen. John Cornyn - her office celebrated with cake on Friday ... Isabella Moschen ... Politico's Joseph Kennedy ... Giulia Melucci, VP of PR at Harper's ... Coleen Jose ... Tamara Draut, VP of policy and research for Demos and author of "Sleeping Giant" (hat tip: Kelley McCormick) ... Jonathan Jones is 51 (h/t Pete Madigan) ...

... Jessica Anderson, associate director at OMB, is 3-0, celebrating by having their budget out the door (hubby tip: Brandt Anderson, a great Chinook pilot) ... Adam Collins, comms director for Mayor Rahm Emanuel, who celebrated by seeing the Cleveland Indians play the Kansas City Royals yesterday (***pic*** http://bit.ly/2rL16pk), is 35 ... Christopher Downing ... Alan Khazei is 56 (h/ts Teresa Vilmain) ... Julie Hershey Carr, a principal at Kountoupes Denham (h/t David Peluso) ... David Lobl ... Matthew Pritzker is 35 ... Adam Daniel Pearl, son of Daniel Pearl, is 15 (h/ts Jewish Insider) ... Jim Snyder ... Andrea Wuebker ... Texas Tribune editor in chief Emily Ramshaw ... Jon Black ...

Harry Weinstein ... Marty Kramer ... Joe Paulsen ... Ryan Graham ... Christy Harvey Felling ... Omid Memarian ... Adelle Nazarian, politics and national security reporter at Breitbart and a Fox News alum ... Tim Dowling is 32 ... Ron Jacobi of Bryan Cave ... Peter Cobus ... Robert Walter Harleston is 58 ... Carey Mulligan is 32 (h/t AP)

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** One in two Americans rely on their employers to provide health care benefits. So, employers partner with PBMs to provide access to effective medications at the most affordable price. PBMs drive savings in part by using clinical expertise to identify generic alternatives that achieve the same health outcomes for a lower price. With generics accounting for 89 percent of prescriptions filled in 2015, but only 27 percent of drug costs, that represents a savings of $227 billion across the U.S. health care system in just one year. Learn more at www.affordableprescriptiondrugs.org. ******

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From: EPA Press Office
Sent: Thur 10/5/2017 8:22:23 PM
Subject: Andrew Wheeler Nominated as EPA Deputy Administrator

CONTACT: press@epa.gov

Andrew Wheeler Nominated as EPA Deputy Administrator

WASHINGTON (October 5, 2017) Today, President Donald J. Trump announced his intention to nominate Andrew Wheeler as deputy administrator for the U.S. Environmental Protection Agency (EPA).

Mr. Wheeler has spent his entire career working in environmental policy. In addition to spending four years at EPA's Office of Pollution Prevention and Toxics during the George H. W. Bush and Bill Clinton administrations, he also spent many years on Capitol Hill. After serving as general counsel to U.S. Senator James Inhofe, he worked as staff director and chief counsel for two Senate Committees with vital roles in protecting human health and the environment: the U.S. Senate Committee on Environment and Public Works (EPW) and the U.S. Senate Subcommittee for Clean Air Wetlands and Nuclear Safety. Mr. Wheeler currently works as a principal at FaegreBD Consulting providing guidance on federal regulatory and legislative environmental and energy issues.

"Andrew will bring extraordinary credentials to EPA that will greatly assist the Agency as we work to implement our agenda," **said Administrator Pruitt**. "He has spent his entire career working to improve environmental outcomes for Americans across the country and understands the importance of providing regularity certainty for our country."

His nomination is receiving high accolades from across the country:

U.S. Senator James Inhofe: "I am pleased that President Trump has nominated Andrew Wheeler to serve as deputy administrator at the EPA. There is no one more qualified than Andrew to help Scott Pruitt restore EPA to its proper size and scope. When he served as my staff director of the Environment and Public Works Committee, he provided me with invaluable guidance, and in turn became a close friend. I am confident he will serve the American people and President Trump with exceptional skill in this position, and I look forward to ensuring his swift confirmation."

U.S. Congressman Bill Johnson: "Andrew Wheeler will do a fine job at EPA, helping to ensure the agency's mission of protecting the environment is maintained without the EPA becoming an unnecessary impediment to responsible energy exploration and job creation."

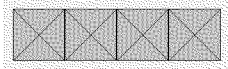
U.S. Congressman David B. McKinley: "With extensive experience working on Capitol Hill, in the Executive branch, and in the private sector, Andrew Wheeler is eminently qualified and a great pick to serve as Deputy Administrator of the EPA. There are few people in Washington who have the same depth of knowledge and experience on energy and environment issues. I look forward to continuing working with Andrew once he is confirmed in his new role."

Former U.S. Senator Joe Lieberman: "Andrew was Republican staff director during part of the time I was on the Senate Environment Committee. We worked together on some issues and disagreed on others. He conducted himself in a fair and professional manner. I hope his nomination will

receive similarly fair consideration by the Senate."

Jay Timmons, President and CEO, National Association of Manufactures: "Andrew's significant experience on Capitol Hill, and his extensive background working on environmental and natural resource policy makes him an outstanding choice to join the leadership at the EPA. Manufacturers have welcomed Administrator Pruitt's efforts to bring balance to rulemaking at the agency and focus on the EPA's core mission. We're confident Andrew will help advance that mission and ensure that our country can achieve the dual goals of responsible environmental stewardship and strong economic growth."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA/climate
Sent: Fri 7/14/2017 8:35:48 PM
Subject: Today on Climate Beat

July 14, 2017

Today on Climate Beat . . .

. . . we took up arms, reporting that several dozen House Republicans joined a unified Democratic caucus to retain a provision in an annual defense authorization bill calling climate change a "direct threat" to national security and requiring the Defense Department to conduct a study of a range of climate risks.

Out West, two former top Obama EPA officials are endorsing a proposal to extend California's cap-and-trade program though 2030, arguing the move would be "a critical leap forward for our country."

We also highlighted some must-read stories from the past week, including news on California's cap-and-trade debate, fallout from the court ruling scrapping EPA's pause of its oil and gas methane rule, as well as the budget, climate science, carbon capture and state climate action.

And our daily news roundup looked at how the Trump administration hopes to use its seat on the board of the Green Climate Fund to advance "high-efficiency" coal plants and other fossil fuel development abroad.

READ THE CLIMATE BEAT →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/16/2017 6:09:43 PM
Subject: BREAKING NEWS: Mistrial declared in Menendez trial

A mistrial was declared in the corruption case of Sen. Robert Menendez (D-N.J.) after jurors remained deadlocked following four days of deliberations.

Read more: http://politi.co/2hIypWZ

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From: InsideEPA.com
Sent: Thur 6/1/2017 11:15:01 AM
Subject: The Morning Headlines from InsideEPA.com -- June 1, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 1, 2017

Latest News

EPA Transportation Chief Touts Enforcement Focus As Major Rules Slow

Chris Grundler, head of EPA's Office of Transportation & Air Quality (OTAQ), says enforcement of existing mobile source rules such as the Volkswagen and Fiat "defeat device" cases is an essential priority for OTAQ's future, as the office faces a budget and staffing cut in fiscal year 2018 and its regulatory work appears to slow down.

DOJ Urges Supreme Court To Reject Suit Over Colorado's Role In Mine Spill

The Department of Justice (DOJ) is urging the Supreme Court to reject New Mexico's novel bid to directly sue Colorado over its contribution to the 2015 Gold King Mine wastewater spill, saying the justices should either dismiss the suit outright as improper or put it on hold indefinitely to allow a district court case over the spill to conclude.

Eying Planned Budget Cuts, States Identify Dozens Of EPA Rules To Scrap

State officials are urging EPA to "repeal, replace or modify" scores of federal rules, steps that if adopted would ease states' abilities to implement federal requirements as they weigh plans to slim their programs to absorb the Trump administration's proposed budget cuts in fiscal year 2018.

Great Lakes Advisers Wrestle With Nutrient Plan Amid EPA Funding Cuts

Members of EPA's Great Lakes Advisory Board (GLAB) are wrestling with how the agency should target future funding to reduce nutrient runoff in the region, even though the agency's proposal to zero out funding for Great Lakes protection in fiscal year 2018 could create significant new hurdles for cleanup efforts in the region.

Nanomaterials Users Fault Draft EPA Reporting Guide, Call For Rule Repeal

Nanomaterials users and producers are faulting EPA's draft guidance for implementing its nano reporting rule for failing to clarify which substances are covered by the regulation, vowing to highlight their concerns in comments on the policy but also renewing their push to repeal the entire rule either administratively or

through litigation.

1st Circuit Urged To Rehear Ruling Prohibiting Local Coal Ash Disposal Bans

Two Puerto Rico municipalities are asking the U.S. Court of Appeals for the 1st Circuit to rehear a suit where judges overturned novel ordinances banning disposal of coal ash within their borders, aiming to send the case to state court and reverse the court's precedent that local governments may not bar ash disposal after state regulators approve it.

Daily Feed

EPA allows Obama-era air and enforcement rules to take effect

EPA says that an Obama-era air emissions modeling rule and rules on enforcement actions have now taken effect after the Trump administration temporarily delayed their effective dates.

Law professors fault Trump '2-for-1' order's cost considerations

Administrative and regulatory law professors say Trump's '2-for-1' rule review order is 'fatally flawed,' according to a new legal filing in a case over the order.

City seeks high legal bar for EPA to justify strict CWA nutrient permits

The U.S. Court of Appeals for the 1st Circuit is set to consider how high a bar EPA must meet to justify stringent permit limits on nutrient levels in wastewater.

Former Corps official discourages transferring EPA cleanup site

Former George W. Bush Army Corps of Engineers official John Paul Woodley, Jr. opposes moving oversight of a Missouri landfill from EPA to the Corps.

Trump extends uncertainty over leaving Paris climate pact

The president says he will announce a decision on whether to leave the landmark Paris climate pact in the next few days, but many observers are expecting him to withdraw.

Ewire: A daily news roundup

Sen. Inhofe says Trump administration doing “pretty well” in their deregulatory efforts despite industry’s reported challenges. Plus: preparing to say goodbye to the Paris Climate Deal.

EPA reviewing Region 6 staffer's retaliation claims after hearing

EPA says it is “currently focusing” on claims from an employee in Region 6 who reported retaliation after taking part in a 2015 House hearing on agency

mismanagement.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/9/2017 8:54:19 PM
Subject: EPA hires energy attorney for enforcement office

By Alex Guillén

06/09/2017 04:50 PM EDT

EPA has hired veteran Hogan Lovells energy attorney Patrick Traylor as a deputy in the Office of Enforcement and Compliance Assurance, according to the agency's website and his LinkedIn profile.

Traylor has been an attorney at Hogan Lovells since 1997 and specialized in Clean Air Act issues, environmental litigation and infrastructure.

According to his law firm biography, Traylor's clients included the utility Southern California Edison; Venture Global LNG, a natural gas exporter; Flint Hills Resources, a Koch subsidiary refiner; Koch Nitrogen, maker of synthetic fertilizer; and several wind companies seeking Endangered Species Act permits. The bio also says he "helped secure an 'against all odds' series of permits authorizing the expansion of a coal mine on the Navajo Nation for BHP Billiton."

Other clients included TransCanada, Dominion Energy, AES Corp., NRG Energy and the Anschutz Corporation, according to the Energy Bar Association.

Traylor earned his law degree from the South Texas College of Law in 1994 and received an advanced degree in environmental law from George Washington University in 1998.

President Donald Trump's nominee to run the enforcement office, Senate Environment and Public Works Committee staffer Susan Bodine, is slated to have a confirmation hearing next week.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-hires-energy-attorney-for-enforcement-office-088892

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Tue 6/27/2017 11:00:20 AM
Subject: POLITICO Playbook, presented by the Coalition for Affordable Prescription Drugs (CAPD): SENATE HEALTH CARE bill 'on brink of defeat' – W.H. warns on Syria -- LIPPMAN/HARRIS on how Trump has disrupted D.C. social rituals – HATCH's dueling fundraisers

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Today's POLITICO Playbook presented by the Coalition for Affordable Prescription Drugs (CAPD)
06/27/2017 06:56 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

BULLETIN at 5:46 a.m. **-- "**BRUSSELS (AP) - EU fines Google record 2.42 billion euros ($2.7 billion) for breaching competition rules in online shopping service."

Good Tuesday morning. BUZZ IN THE CAPITOL -- If Senate Republicans pass their health care bill Friday, House GOP leadership is planning to keep the chamber in session over the weekend until they pass the legislation, according to multiple sources familiar with their plans. There's an unusual level of confidence among House Republicans that they'll be able to pass the Senate bill. Color us much more skeptical.

A REMINDER -- 22 MILLION MORE UNINSURED ... The CBO score , per NYT's Tom Kaplan and Robert Pear: "[T]he report said premiums for older people would be much higher under the Senate bill than under current law. As an example, it said, for a typical 64-year-old with an annual income of $26,500, the net premium in 2026 for a midlevel silver plan, after subsidies, would average $6,500, compared with $1,700 under the Affordable Care Act. And the insurance would cover less of the consumer's medical costs. Likewise, the report said, for a 64-year-old with an annual income of $56,800, the premium in 2026 would average $20,500 a year, or three times the amount expected under the Affordable Care Act." http://nyti.ms/2thE8am

-- NYT's UPSHOT: "A Few Bright Spots for Republicans. The Rest Can Be Scored as Grim." http://nyti.ms/2sh3ZKJ

THE LATEST FROM BURGESS EVERETT AND JEN HABERKORN -- MCCONNELL "WORKING FURIOUSLY" TO SAVE HEALTH CARE BILL -- "Senate Obamacare repeal on brink of defeat": "Senate Republicans' Obamacare repeal effort is on track

to blow up before it even gets started. The GOP is well short of the votes needed to bring their bill to the floor, and party leaders and President Donald Trump are kicking into overdrive to save their imperiled health care overhaul. At least four Republican senators, Susan Collins of Maine, Rand Paul of Kentucky, Dean Heller of Nevada and Ron Johnson of Wisconsin, have signaled they could oppose a key procedural vote that will occur either Tuesday afternoon or Wednesday. A number of other senators, like Shelley Moore Capito of West Virginia and Marco Rubio of Florida, are undecided.

"Senate Majority Leader Mitch McConnell (R-Ky.) and his team are working furiously to round up 50 of the caucus's 52 senators to even bring the bill to the floor, let alone pass it by week's end. GOP leaders said ultimately that even lawmakers that oppose the bill in its current form could be convinced to allow the debate over the party's long-sought Obamacare rollback to begin. 'I would hope ... our members would at least let us get on it,' said Sen. John Thune (R-S.D.), the No. 3 GOP leader. 'Everybody wants to exert whatever leverage that they can, where they can get the most leverage, but I would expect we'd be able to get on the bill.'" http://politi.co/2uaDCaI

-- TO REITERATE ... Forget passage for the moment. Republicans have not yet secured the votes to begin work on the bill. It'll be a crazy week. And make no mistake: Republicans might not be able to repeal and replace Obamacare. The situation is that dire for them.

-- "Pence woos Senate conservatives in Obamacare repeal push," by Eliana Johnson and Seung Min Kim: "With the fate of Republicans' Obamacare repeal bill hanging in the balance, Vice President Mike Pence is swooping in to see if he can work out a deal to secure the 50 votes needed to pass it through the Senate. Pence will host a group of conservative GOP senators including Utah's Mike Lee for dinner on Tuesday to discuss their concerns with the legislation. Invitations have also been extended to Oklahoma Sen. James Lankford and Arkansas Sen. Tom Cotton. Sen. Ben Sasse was also invited to the dinner, although it is unclear whether he will attend." http://politi.co/2sLU96Z

-- AP'S ERICA WERNER: "These senators will make or break the GOP's health care push" http://apne.ws/2rWScSr

-- WARNING, FROM THE WSJ ED BOARD: "The Senate's Health-Care Hour: GOP opponents will be held accountable if they ruin this rare reform moment": "Senate Republicans are headed for a vote on their health-care bill as soon as this week, and Majority Leader Mitch McConnell is still scrambling for 50 votes. What the holdouts should understand is that this is a defining political moment. They may never have a better chance to improve U.S. health care and reform government, and the window is closing. ...

"Another fantasy is that Republicans can vote no and blame Democrats for the collapsing ObamaCare status quo. The media will blame Republicans for every premium hike, and voters believe they elected a GOP Congress and President. If this

bill fails Republicans will be forced to come hat in hand to Chuck Schumer's Democrats for the votes to stop a downward spiral of surging premiums and declining choices. Conservative reform won't be included. ...

"Every consequential legislative reform is difficult, but the GOP anxiety over repeal and replace is excessive. They should have more confidence in their convictions and how their solutions can improve American lives." http://on.wsj.com/2tfmjZq

IMPORTANT STORY -- ANOTHER WAR? -- "White House threatens Syria over possible chemical attack," by Bryan Bender and Annie Karni: "The White House, in a rare high-stakes gambit that took some national security veterans off guard, announced Monday it has evidence that Syria is preparing to launch another chemical attack and warned that it will 'pay a heavy price' for doing so. 'The United States has identified potential preparations for another chemical weapons attack by the Assad regime that would likely result in the mass murder of civilians, including innocent children,' Press Secretary Sean Spicer said in a brief statement issued late in the evening. 'The activities are similar to preparations the regime made before its April 4, 2017 chemical weapons attack.'

"If Syrian President Bashar Assad 'conducts another mass murder attack using chemical weapons,' the statement added, 'he and his military will pay a heavy price.' The public warning was seen as highly unusual -- reflecting both confidence in the intelligence information suggesting that another attack might be imminent and a willingness to take military action should the warning not be heeded." http://politi.co/2rW9xuW

-- WAIT A SECOND... We thought President Donald Trump didn't telegraph what he's going to do?

-- AP REPORTER VIVIAN SALAMA (@vmsalama): "It appears policy advisers at State were not briefed on WH Syria statement. Spoke to one senior official tonight who heard the news from me."

-- BUZZFEED'S CLAUDIA KOERNER and **NANCY YOUSSEF:** "Five U.S. defense officials reached by BuzzFeed News said they did not know where the potential chemical attack would come from, including one US Central Command official who had 'no idea' about its origin. The officials said they were unaware the White House was planning to release its statement; usually such statements are coordinated across the national security agencies and departments before they are released." http://bzfd.it/2sMj8aA

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study found that pharmacy benefit managers (PBMs) reduced spending in Medicare Part D by 58 percent in 2014, driving down costs for the government, taxpayers, and beneficiaries. The study forecasts that PBMs will save $1,800 per Medicare beneficiary, per year over the next ten years. Learn more at

affordableprescriptiondrugs.org ******

FIRST IN PLAYBOOK -- HATCH CLOSELY-TIED POLITICAL, FOUNDATION FUNDRAISING -- Senate Finance Committee Chairman Orrin Hatch (R-Utah), who runs one of the most powerful committee in Congress, is raising money for his reelection at the Montage Deer Valley resort in Park City, Utah, in August. The following two days after that political fundraiser, the Orrin Hatch Foundation is raising money at the same resort. The ties don't end there: the two organizations use the same fundraiser, the Larrison Group. And his fundraising team and allies have targeted lobbyists and consultants with business before Hatch's committee to attend the events.

THE POLITICAL EVENT IS HATCH'S ANNUAL "Fly Fishing & Outdoor Adventure Weekend" Aug. 11 and 12 at Montage Deer Valley. Attendees are asked to contribute up to $5,000 for PACs and $3,000 for individuals to be "Main Street" donors. His "First Annual Golf Tournament & Outdoor Adventure Weekend" for the foundation is Aug. 13 and 14 at the same resort. Foundation donors are asked to contribute at much higher levels, with top "Kings Peak Club" donors contributing $100,000, or more.

NOTHING PROHIBITS LAWMAKERS from raising campaign contributions and also raising money for a nonprofit. However, it is very unusual for lawmakers to host back-to-back destination fundraisers for their campaign and their eponymously titled charity at the same time in the same location. Scott Anderson, chairman of the foundation, said in a statement that "[t]he Orrin G. Hatch Foundation has taken appropriate steps to ensure that its activities comply with all applicable ethics requirements." The foundation has ethics lawyer Rob Walker of Wiley Rein on retainer.

HATCH LAUNCHED HIS FOUNDATION in 2016 in an effort to raise tens of millions of dollars for the "Hatch Center," a place to house documents from his tenure in the Senate, at a university in his home state. While there has been widespread speculation that he won't run for reelection in 2018, Hatch has raised $4.3 million this year, and has $3.5 million in the bank to run for re-election next year.

IF YOU CARE ABOUT THE GOP AGENDA, READ THIS -- "Fight between GOP House chairs imperils budget deal," by Sarah Ferris and Rachael Bade: "A fight between House Republican chairmen is threatening to upend a tentative budget deal enabling the chamber to take the first steps toward tax reform, forcing the budget panel to cancel plans to begin work this week. Republican leadership and House Budget Committee Chairwoman Diane Black (R-Tenn.) reached a fragile agreement with defense hawks over the weekend, defusing a contentious matter over Pentagon spending that had held up the fiscal blueprint for weeks. But several committee chairmen are now balking at the second part of the deal: a promise of about $50 billion in additional cuts to mandatory programs to make those very defense increases more digestible for conservatives." http://politi.co/2sMcgtx

WHAT PAUL RYAN IS THINKING -- "Something Important is Happening" http://bit.ly/2sMrKhj

DEVLIN BARRETT in **WAPO -- "FBI has questioned Trump campaign adviser Carter Page at length in Russia probe":** "FBI agents have repeatedly questioned former Trump campaign adviser Carter Page about his contacts with Russians and his interactions with the Trump campaign, according to people familiar with the investigation. Over a series of five meetings in March, totaling about 10 hours of questioning, Page repeatedly denied wrongdoing when asked about allegations that he may have acted as a kind of -go-between for Russia and the Trump campaign, according to a person familiar with Page's account.

"The interviews with the FBI are the most extensive known questioning of a potential suspect in the probe of possible Russian connections to associates of President Trump. The questioning of Page came more than a month before the Russian investigation was put under the direction of Special Counsel Robert S. Mueller III. Page confirmed Monday that the interviews occurred, calling them 'extensive discussions.' He declined to say if he has spoken to investigators since the March interviews." http://wapo.st/2sg64qh

JOHN BRESNAHAN and **RACHAEL BADE: "Conyers and Lujan face Ethics Committee scrutiny**: John Lewis' top aide is also under review for an alleged campaign violation": "Democratic Reps. John Conyers of Michigan and Ben Ray Lujan of New Mexico are under scrutiny by the House Ethics Committee for alleged violations, although both men strongly deny any wrongdoing.

"The allegation against Lujan is tied to the Democratic 'sit-in' on the House floor in June 2016. Conyers has come under review for his interaction with a former top aide who pleaded guilty to receiving stolen property.

"And Michael Collins, chief of staff for Rep. John Lewis, is also under investigation by the Ethics panel following a complaint from a conservative watchdog group over allegedly serving improperly as the Georgia Democrat's campaign treasurer and top aide at the same time." http://politi.co/2ucw0o6

TRUMP'S TUESDAY -- TRUMP is speaking with French President Emmanuel Macron. He'll meet with H.R. McMaster and will speak with Irish Prime Minister Leo Varadkar.

THE JUICE ...

-- PETER BAKER has a new book out today -- "Obama: The Call of History." It is an illustrated, coffee-table sized book with photographs by Times photographers like Doug Mills and Stephen Crowley, and a narrative account of the Obama presidency by Baker. Baker is promoting the book at a Times Talk in New York tonight with Dean Baquet, Maggie Haberman and Jim Rutenberg, and at a D.C. event at the National Press Club Thursday. ***$31.45 on Amazon*** http://amzn.to/2sVQmTd

-- 2018 WATCH: Republicans have again found their boogeyman: House Minority

Leader Nancy Pelosi. The Congressional Leadership Fund, which is aligned with Speaker Paul Ryan, is out with new polling from 11 Congressional districts showing Pelosi's popularity is underwater. The lesson: Expect Republicans to employ the same tactic they have been using since 2010: make Pelosi a key issue in ads in states like California, Florida, Montana and Nebraska. ***The memo*** http://bit.ly/2teVdBy

-- **FIRST IN PLAYBOOK:** **PENNY PRITZKER** has signed on with the Harry Walker Agency for speaking. She will be speaking on a number of issues, including helping workers adjust and train for today's economy and making sure a modern social safety net is there to support people as needed.

-- AD WARS: SAVE MY CARE up against Sen. Lisa Murkowski in Alaska. It's part of a seven-figure ad buy nationwide. http://bit.ly/2uc2zmh ... **THE ASSOCIATION FOR COMMUNITY AFFILIATED PLANS** is targeting Sens. Shelley Moore Capito (W.Va.), Rob Portman (Ohio), Cory Gardner (Colo.), Dean Heller (Nev.) and Jeff Flake (Ariz.). ***National ad*** http://bit.ly/2shgs0N ... ***One of the ads -- West Virginia:*** http://bit.ly/2th5SvT

PLAYBOOK has been hitting the road, taking our events across the country. We are trying to find out a bit more information on where you, the Playbook community, live. ***Please take this two-question survey*** http://bit.ly/2u9pcYo

NEW "OFF MESSAGE" PODCAST -- NEW ORLEANS MAYOR MITCH LANDRIEU -- What I'm doing is directly challenging what the word 'great' means." Or, to put it more simply: Trump "is wrong most of the time, because he takes a myopic, narrow view." Take the health care bill: "When all those people in the cities don't have health care, where are they supposed to go? And how do we provide enough drug treatment centers and emergency rooms," Landrieu told Isaac Dovere. "And if you don't have an answer for that, why are we doing this again?"

-- ON 2020 CHATTER: "I'm not planning to run for president, I'm not running for president. I can't tell you if they offered me the job I wouldn't take it, but that generally is never going to happen."

-- ON TAKING DOWN NOLA'S CONFEDERATE MONUMENTS: "I miscalculated that. I would have done it anyway, but I really did think it was not going to dig up the kind of vitriol and the kind of intentional intimidation, nor did I think I would find as much institutional bias as I found, which manifested itself to me just in the very simple act of trying to get a crane to take the monuments down. That surprised me, and it bothered me tremendously. It's confirmation that institutional racism continues to exist." http://politi.co/2tfSrMd

PHOTO DU JOUR: Speaker of the House Paul Ryan, Steve Handel, and Representative-elect Karen Handle

(R-GA) participate in a ceremonial swearing-in on Capitol Hill on June 26. | Drew Angerer/Getty Images

#THISTOWN -- DANIEL LIPPMAN and **JOHN F. HARRIS** in the July/Aug. issue of POLITICO Magazine, **"'It's the End of Small Talk in Washington':** There may be no city as unsettled by Donald Trump as the one he just moved to. A social anthropology" (Daniel's print magazine debut): "During the 1968 riots, Washington, D.C., was ablaze with arson and looting when an aide burst in to tell President Lyndon B. Johnson of a rumor that the carnage was headed toward the exclusive precincts of Georgetown. Johnson replied with acid humor: 'I've waited 35 years for this day.' ... If these were normal times, the kind of people LBJ excoriated and Leibovich lampooned would be engaged right now in a familiar ritual. It would involve lunches and dinners with the new White House team, off-the-record chats about the workings of government mixed with let's-be-friends chatter about real estate and schools and fitness routines.

"But these aren't normal times. Team Trump is showing few signs so far of hungering for the sort of social intercourse with permanent Washington that usually accompanies a new administration. Presidential advisers would respond cautiously, flattered by their new social cachet, and correctly worried that they might be suspected of divided loyalties and leaks back at the White House. ... It's common to hear well-known D.C. media figures describe Trump in terms like 'low-class jerk' or diagnose him with maladies, like 'serious personality disorder,' as one did at a recent party." ***With cameos by Sally Quinn, Kellyanne Conway, Tony Podesta, Steve Clemons, Margaret Carlson, Evan Thomas*** http://politi.co/2thNdAe

HISTORY LESSON -- TIM WEINER in the N.Y. Times Magazine, "How Donald Trump Misunderstood the F.B.I.: Since Watergate, the agency has come to view itself as an essential, and essentially independent, check on the president": Former FBI agent John "Mindermann, the young ex-cop with five $27 department-store suits to his name, remembers the president's men who stonewalled the investigation throughout 1972 and early 1973 as 'Ivy Leaguers in their custom-fitted finery - these privileged boys born to be federal judges and Wall Street barons. They were gutless and completely self-serving. They lacked the ability to do the right thing.' By late April 1973, however, the stonewalls were crumbling.

"On Friday, April 27, as Nixon flew off to Camp David for the weekend, mulling his dark future, the F.B.I. moved to secure White House records relevant to Watergate. At 5:15 p.m., 15 agents arose from their dented metal desks in the Old Post Office building and marched in tight formation, fully armed, up Pennsylvania Avenue. On Monday, a highly agitated Nixon returned to the White House to find a skinny F.B.I. accountant standing watch outside a West Wing office. The president pushed him up against a wall and demanded to know how he had the authority to invade the White House." http://nyti.ms/2scv8Dk

AMERICA AND THE WORLD -- "Poll shows U.S. tumbling in world's regard under Trump," by WaPo's Isaac Stanley-Becker in Berlin and Scott Clement: "[I]n the survey of 37 countries, Russia is a bright spot for Trump. As beleaguered as the president is at home, a majority of Russians say they have confidence in him. And Russians' attitudes

toward the United States have improved since Trump took office. Elsewhere, though, and with remarkable speed, Trump's presidency has taken a toll on the United States' image abroad.

"The international survey by the Pew Research Center found that favorable ratings of the United States have decreased from 64 percent of people across all countries surveyed at the end of Barack Obama's presidency to 49 percent this spring. The new figures are similar to those toward the end of the George W. Bush administration. The president himself has fared even worse: A median 22 percent are confident that Trump will do the right thing in global affairs, down from 64 percent who had confidence in Obama." http://wapo.st/2rWlaAD

JARED'S NEW LAWYER -- "Kushner adds powerhouse lawyer Abbe Lowell to legal team," by Josh Dawsey: "Jared Kushner has hired Abbe Lowell, one of the country's leading criminal defense lawyers, to represent him in the special counsel's probe of potential Russian collusion with the Trump campaign and his financial dealings, as well as in separate congressional inquiries. But Kushner has also decided to keep Jamie Gorelick, his current lawyer and a WilmerHale partner, on his legal team ... Lowell, a Democrat, has represented prominent politicians such as John Edwards and lobbyist Jack Abramoff. ... Lowell is currently representing New Jersey Sen. Bob Menendez, who is charged with corruption and faces a trial later this year. He was also chief minority counsel to the Democrats during the Bill Clinton impeachment proceedings." http://politi.co/2tfwqNNr

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD)** : A new study projects pharmacy benefit managers (PBMs) will save Medicare Part D $896 billion over ten years. PBMs drive savings for taxpayers and seniors by negotiating discounts from drug manufacturers; by encouraging the use of lower cost, clinically equivalent drugs; and by providing clinical programs that improve health outcomes. Learn more at affordableprescriptiondrugs.org ******

INSIDE THE TRUMP ADMINISTRATION -- "E.P.A. Official Pressured Scientist on Congressional Testimony, Emails Show," by NYT's Coral Davenport: "The [EPA's] chief of staff pressured the top scientist on the agency's scientific review board to alter her congressional testimony and play down the dismissal of expert advisers, his emails show. Deborah Swackhamer, an environmental chemist who leads the E.P.A.'s Board of Scientific Counselors, was to testify on May 23 before the House Science Committee on the role of states in environmental policy when Ryan Jackson, the E.P.A.'s chief of staff, asked her to stick to the agency's 'talking points' on the dismissals of several members of the scientific board. 'I was stunned that he was pushing me to 'correct' something in my testimony,' said Dr. Swackhamer, a retired University of Minnesota professor. 'I was factual, and he was not. I felt bullied.'" http://nyti.ms/2tQwxwN

SCOTUS WATCH -- "5 questions on the future of Trump's travel ban," by Josh Gerstein: http://politi.co/2sL2V5v

MEDIAWATCH -- "Three CNN employees resign over retracted story on Russia ties," by WaPo's Erik Wemple: "Thomas Frank, a reporter for 'CNN Investigates,' last Thursday appeared to have a compelling exclusive on the story of the year. The Senate Intelligence Committee, reported Frank, was investigating a Russian investment fund - the Direct Investment Fund (RDIF) -- 'whose chief executive met with a member of President Donald Trump's transition team four days before Trump's inauguration.'

"That transition team official is Anthony Scaramucci, a Wall Streeter who was expected to take a prominent White House position but did not. Scaramucci met in January with RDIF head Kirill Dmitriev. The CNN exclusive -- which hung from one unnamed source -- didn't take long to wither. Breitbart News's Matthew Boyle bombed the CNN piece as baseless.

"Sputnik News published a refutation, indicating that the fund was not a part of Russian state bank Vnesheconombank, as the CNN report had claimed. This detail mattered a great deal, considering that Vnesheconombank was listed in a set of sanctions issued by the U.S. government. ... CNN announced on Monday afternoon that three network officials are leaving their jobs over the incident: Frank, the reporter on the story; Eric Lichtblau, a recent CNN addition from the New York Times who edited the piece; and Lex Haris, the executive editor of 'CNN Investigates.' The moves follow an investigation carried out by CNN executives over the weekend, with the conclusion that longstanding network procedures for publishing stories weren't properly followed." http://wapo.st/2tQFxBO

IN THE BREITBART WORLD -- "Exclusive - Donald Trump Jr: Jeff Zucker Must Address CNN's Very Fake News Scandal in On Camera Press Briefing," by Breitbart's Matt Boyle: http://bit.ly/2sM4tMc

Playbookers

SPOTTED -- DEPUTY ATTORNEY GENERAL ROD ROSENSTEIN, on an American Airlines flight from Dallas to DCA Monday night with four federal agents ... Sergio Gor in midtown Manhattan trying to hail a cab yesterday with Eric Bolling ... Rep. Roger Williams (R-Texas), on crutches and with boot, yesterday at the Cubs/Nats game.

OUT AND ABOUT IN NYC -- St. Martin's Press hosted a book party last night at Del Frisco's Steak House in midtown for Fox News host Eric Bolling to celebrate the debut of his second book "The Swamp: Washington's Murky Pool of Corruption and Cronyism and How Trump Can Drain It." ***$17.70 on Amazon*** http://amzn.to/2sLzMXA ... ***FoxNews.com op-ed, "Why Trump must dare to drain the swamp (and four ways he can do it)"*** http://fxn.ws/2tepTTd

SPOTTED: Eric Bolling, Kimberly Guilfoyle, Sean Hannity, Eboni Williams, Fox News president Jack Abernethy, Sergio Gor, Kyle Nolan, Eldad Yaron, Geraldo Rivera, Max

Tani, Oliver Darcy, George Witte, Sally Richardson, Sharri Berg, Mina Pertesis, Brian Palo, Liam Walsh and Todd Seavey.

TRANSITIONS -- Katie Martin has joined the National Partnership for Women & Families as VP for health policy and programs. She most recently was acting assistant secretary for planning and evaluation at HHS ... The Consumer Healthcare Products Association has hired **Taylor Holgate** as senior manager for federal government affairs. She was previously press secretary to Sen. Richard Burr (R-N.C.).

ENGAGED -- Former Iowa Democratic Party and Katie McGinty for Senate press secretary **Josh Levitt** proposed to **Carolyn Spiro** on the roof of their Upper East Side Manhattan apartment building this weekend. Josh is currently communications director for NYC Council Member Rory Lancman and Carolyn is a PhD candidate in clinical psychology at Rutgers University. The relationship has spanned four states and three campaigns. ***Pic*** http://bit.ly/2teDjhM (h/t friend and Republican sparring partner, Charlie Szold)

WELCOME TO THE WORLD -- Vanessa Sinders, SVP and department head of gov't affairs for the American Hotel & Lodging Association, and **Chip Sinders,** who works in gov't affairs for Kraft Heinz Company, welcomed Sam Green Sinders, born at 11:15 p.m. on Friday.

BIRTHWEEK (was yesterday): WSJ's Michael Bender turned 4-0 (h/t Reid Epstein)

BIRTHDAY OF THE DAY: Bush alum **Tony Fratto,** partner at Hamilton Place Strategies. How he got his start in politics: "In the 4th grade I persuaded my classmates at Wilson Elementary School in the McKees Rocks, PA 'bottoms' to support Gerald R. Ford over Jimmy Carter. ('A Ford in your garage or peanuts on your plate?'). I volunteered on campaigns -- Dick Thornburg, John Heinz. Growing up in Pittsburgh in the 1980s, seeing the steel industry evolve, I became very interested in economic policy and trade." Read his Playbook Plus Q&A: http://politi.co/2thJ9j9

BIRTHDAYS: Kelly Ayotte is 49 ... Ross Perot is 87 ... former Interior Secretary Bruce Babbitt is 79 ... Jesse Lehrich, comms director for OFA and an HFA alum, is 28 ... former Rep. Mike Honda (D-Calif.) is 76 ... former Rep. Jeff Miller (R-Fla.) is 58 ... Rep. David Scott (D-Ga.) is 72 ... Rep. Scott Taylor (R-Va.) is 38 ... Rep. Glenn Thompson (R-Pa.) is 58 ... FP1 Strategies founding partner Terry Nelson, a Bush-Cheney alum, is 48 ...Bob Boorstin of the Albright Stonebridge Group and his twin brother Louis of the Osprey Foundation ... Josh Rubin, J.D. candidate at Yale Law School and a John Kerry alum ... Reuters' David Shepardson (h/t Andrea Bitely) ... George Malkin, a student at Stanford's GSB ... France Latremoliere ... Casey Davis-Van Atta ... Carrie Stevenson, executive producer for special projects at CNN (hubby tip: Todd Foley) ... Brent Roske, Iowa gubernatorial candidate and former host of "Roske on Politics" ... Ilya Shapiro, senior fellow in constitutional studies at Cato, former columnist at the Daily Princetonian, and the pride of University of Toronto Schools, is 4-0 (h/t wife Kristin Shapiro and Christian Gomez) ... Jennifer DeCasper, COS for Sen. Tim Scott (h/t Christopher

Gahan) ... Kathleen Welch of Corridor Partners (h/t Jon Haber) ...

... Caroline Adler Morales, who works for former First Lady Michelle Obama ... Scott Livingston ... The New Yorker's Anna Russell is 27 ... RoseAnn Gerson ... Paul Tencher, COS for Sen. Ed Markey, is 37 ... Ron Kirk is 63 ... US News' Robert Schlesinger ... Jon Cardinal ... former Rep. and OMB director Jim Nussle, president of America's Credit Unions, is 57 ... Lisa Friedman ... Shawn Brimley, EVP and director of studies at CNAS ... Isaac Reyes, lobbyist for Target ... CNN's Justin Lear ... Alex Barniea ... Gordon Gerstein, brother of Josh ... Matthew Tilghman is 3-0 ... Matt Letourneau of the U.S. Chamber of Commerce's Institute for 21st Century Energy ... Teresa V Wells ... Eve Galanter ... Mike Sanders ... Rachelle VanGalder ... Reva Bottles ... Taylor Lane ... Kerri Toloczko ... Barry Blackman ... David Kelley ... Monica Showalter ... Steve Beste ... Susan Firey ... Vera Wang is 68 ... Tobey Maguire is 42 ... Khloe Kardashian is 33 (h/ts AP)

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study estimates that Medicare Part D costs would be 58 percent higher without pharmacy benefit managers' (PBMs') clinical tools and price negotiations with drug manufacturers and pharmacies. The study shows PBMs significantly lower premiums and out-of-pocket costs for Medicare beneficiaries. In fact, PBMs are projected to save Medicare Part D $896 billion over the next decade. Thanks to PBMs, Medicare Part D continues to drive savings and value for taxpayers and beneficiaries, ensuring that more than 39 million American seniors can access the prescription drugs they need. Learn more at affordableprescriptiondrugs.org ******

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From: Anna Palmer and Jake Sherman
Sent: Tue 5/30/2017 5:02:52 PM
Subject: Playbook Power Briefing, presented by Morgan Stanley: Why the GOP thinks Trump's theory of the case is flawed -- TRUMP calls for nuclear option in Senate -- JERRY SPRINGER mulling run for Ohio governor -- BUFFY WICKS jumping into politics

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Today's Playbook Power Briefing presented by Morgan Stanley
05/30/2017 01:00 PM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Tuesday afternoon.

WHY REPUBLICANS THINK TRUMP'S THEORY OF THE CASE IS FLAWED -- President Donald Trump is increasingly itching to be surrounded by campaign-style aides, as evidenced by Mike Dubke's departure, Corey Lewandowski and David Bossie's resurgence and talk of a "war room" structure. There are those in the White House who are spooked by Trump's decision making, and are certain this is a mistake. **TRUMP'S** presidential campaign was predicated on -- and amplified by -- his willingness to break stuff and lash out at his party. The presidency is a different beast, and starting fights -- which is what the campaign did, occasionally -- is not a helpful instinct, Republicans we've spoken to say.

IF YOU'RE A REPUBLICAN , here's what might worry you, according to several Republicans both in the administration and dealing with the administration: the president either is not paying attention, or does not understand the simple basics of what his party is trying to do with control of the White House and both chambers of Congress. Trump tweeted: "The U.S. Senate should switch to 51 votes, immediately, and get Healthcare and TAX CUTS approved, fast and easy. Dems would do it, no doubt!" **WELL...** Actually, tax reform and health care are proceeding on reconciliation rules, which only require 51 votes for passage. AND Republicans on Capitol Hill don't want a simple tax cut. They want tax reform. And yesterday, Trump said the tax process was ahead of schedule. That's not what it sounds like this morning. AND McConnell said there aren't 50 Republicans to repeal and replace the health care law.

TOP TWEETS -- @anniekarni : "Spicer is back to being comms director and press secretary, until everything is sorted out." ... **@DylanByers:** "Source tells me Trump could never get over Dubke saying that "there is no Trump doctrine" in a meeting that was leaked to Politico in April." ***The April POLITICO story, from Shane Goldmacher*** http://politi.co/2rjPusB

-- SPICER will be back behind the podium today at 2 p.m.

--WHAT DUBKE WILL DO NEXT -- Daniel Lippman and Alex Isenstadt: "Dubke, who spoke with POLITICO as he drove into the White House early Tuesday morning, said he expects to go back to Black Rock Group, his communications and public affairs firm. ... In a notoriously leak-prone White House, Dubke told POLITICO he was surprised that the news of his planned departure took 12 days to leak out. ... Trump told friends in recent weeks that he was unhappy with Dubke -- and that he wondered why he never seemed to get positive press anymore." http://politi.co/2qx4U9V

ATTENTION TRAVELERS -- "US tells EU: No laptop ban," by Cathy Buyck: "The U.S. today opted not to introduce a ban on bringing laptops into the cabins of flights to the U.S. from Europe, sources told POLITICO. 'No ban,' a Commission official said. 'Both sides have agreed to intensify technical talks and try to find a common solution.'" http://politi.co/2sijYZo

SCOOP: MCCASKILL'S CANCUN ADVENTURE -- Sen. Claire McCaskill (D-Mo.) paid more than $15,000 for Senate Minority Leader Chuck Schumer (D-N.Y.) and Sen. Jon Tester (D-Mont.) and their spouses to spend a few days in Cancun in February 2016. Recently filed financial disclosure documents show McCaskill paid $8,235.11 for Schumer and his wife to travel, stay and eat in Mexico, and $7,410.27 for Tester and his wife to take the trip. Schumer traveled from Dallas and returned to Houston, Schumer's wife traveled from New York and Tester and his wife from Great Falls, Montana.

ON RUSSIA -- "Sources: Russians discussed potentially 'derogatory' information about Trump and associates during campaign," by CNN's Pamela Brown, Jim Sciutto and Dana Bash: "Russian government officials discussed having potentially 'derogatory' information about then-presidential candidate Donald Trump and some of his top aides in conversations intercepted by U.S. intelligence during the 2016 election, according to two former intelligence officials and a congressional source.

"One source described the information as financial in nature and said the discussion centered on whether the Russians had leverage over Trump's inner circle. The source said the intercepted communications suggested to U.S. intelligence that Russians believed 'they had the ability to influence the administration through the derogatory information.' But the sources, privy to the descriptions of the communications written by U.S. intelligence, cautioned the Russian claims to one another 'could have been exaggerated or even made up' as part of a disinformation campaign that the Russians did during the election. ...

"None of the sources would say which specific Trump aides were discussed. One of the officials said the intelligence report masked the American names but it was clear the conversations revolved around the Trump campaign team. Another source would not give more specifics, citing the classified nature of the information. ... A White House spokesman told CNN: 'This is yet another round of false and unverified claims made by anonymous sources to smear the President. The reality is, a review of the President's income from the last ten years showed he had virtually no financial ties at all. There

appears to be no limit to which the President's political opponents will go to perpetuate this false narrative, including illegally leaking classified material. All this does is play into the hands of our adversaries and put our country at risk.'" http://cnn.it/2shIFoR

****** **A message from Morgan Stanley:** Morgan Stanley helped E-commerce leader Alibaba Group advance technologies to give rural communities access to goods and services once considered out of reach. Capital creates change. Read the full story at morganstanley.com/alibaba CRC 1221469 06/15 ******

TRUMP'S TWEETS -- @realDonaldTrump at **6:40 a.m.**: "We have a MASSIVE trade deficit with Germany, plus they pay FAR LESS than they should on NATO & military. Very bad for U.S. This will change" ... at **7:04 a.m.:** "Russian officials must be laughing at the U.S. & how a lame excuse for why the Dems lost the election has taken over the Fake News." ... at **9:59 a.m.:** "The U.S. Senate should switch to 51 votes, immediately, and get Healthcare and TAX CUTS approved, fast and easy. Dems would do it, no doubt!"

-- @jdawsey1: "Trump hates anonymous 'sources.' But he just re-tweeted a Fox News story, with no byline and one anonymous source, that defends Kushner."

OKAY -- "Democrats are pushing an unlikely source - Jerry Springer - to run for governor in Ohio," by Business Insider's Allan Smith and Maxwell Tani: "Influential Ohio Democrats are pushing former Cincinnati mayor and daytime TV host Jerry Springer to run for Ohio governor in 2018, more than half-a-dozen Democrats familiar with the race told Business Insider. Many said Springer, who sought the Democratic nomination for governor of Ohio in 1982 and remains active in state politics, could be a good fit for the current political climate. ...

"Those discussing a possible run with the talk-show host include former Ohio Gov. Ted Strickland, who ran for Senate last year, said Tim Burke, the Hamilton County Democratic Party chairman. And several Democrats said recent conversations with Springer, as well as his schedule, suggested he seemed to be more seriously interested in running this time than in years past. ... Strickland confirmed to Business Insider that he had discussed a potential run with Springer. He said he has also spoken with candidates such as Dayton mayor Nan Whaley, former state representative Connie Pillich, and the former state Senate minority leader, Joe Schiavoni." http://read.bi/2shG8Lm

NEWT'S NEXT ACT -- "Speaker of the House of Trump," by The Atlantic's McKay Coppins: "Even as the unique brand of politics that Trump championed in the campaign has been all but sapped of meaning in the early months of his presidency, an ever-growing number of opportunists and stakeholders has emerged to compete for the mantle of Trumpism's premier public intellectual. Arguably no one has pursued that title more aggressively than Gingrich. ...

"'Total energy,' he told me when I asked what he admired about Trump. '[He's] more

energetic than any president since Theodore Roosevelt.' And then: 'It's not an accident that he put Andrew Jackson in the Oval Office. He identifies with Andrew Jackson as a disruptive figure.' Laudatory talk like this is not surprising coming from Gingrich, who spent much of the 2016 campaign as a Trump surrogate, and much of the post-campaign as a quasi-authorized Trump biographer (his forthcoming book includes a foreword by Eric Trump). More notable, perhaps, is his analysis of the president's weaknesses. Trump is 'too restless,' Gingrich told me, and 'not introspective.' Though he possesses great talent for marketing, he lacks either the desire or the ability to persuade his constituents through education." http://theatln.tc/2shYb4b

OBAMA ALUMNI -- BUFFY WICKS, one of the architects of the 2008 and 2012 Obama campaigns' grassroots organization, is jumping into politics. She's running for a California Assembly seat in the East Bay, one of the bluest in the state. More from our California Playbook colleagues Carla Marinucci and David Siders: "With 18 months until the 2018 elections, Wicks' entry into politics comes at a time when Obama himself is calling on young Democratic activists to revitalize their party and step forward to run for office. And it also comes as women's groups have expressed concern about the dismal numbers of women in the California State legislature -- now at just 22 percent, a 20-year low. And only 5 percent are women with young children. ...

"'I think November was a turning point for me,' Wicks told POLITICO on Monday. 'President Trump was elected, and he goes against everything I believe in -- especially coming off my time in the Obama years. ... It was a big awakening for me, in terms of the kind of country we want our baby to grow up in. We have the opportunity to drive for a set of bold policies that are going to help people -- and I'm uniquely situated, with my background in political organizing, to lead that fight.' **Why she's one to watch:** Wicks has a vast and loyal network of political friends and contacts developed from her work on the Obama campaign -- including Obama himself -- and her impressive skills in grassroots organizing and knowledge of fundraising could make her formidable in future state politics." http://politi.co/2rjxJda

TODAY'S BEYOND THE BELTWAY -- Multiple bidders emerge for Chicago Sun-Times -- NYC Puerto Rican Day Parade surrounded in controversy
http://politi.co/2rjECei

DEEP DIVE -- "Uber, But for Meltdowns: Sexual harassment, corporate-espionage charges, taking advantage of drivers: The company that practically courts bad PR is in an existential crisis," by Reeves Wiedeman in NYMag: "When Kalanick got to Palo Alto, he told the assembled engineers that, seven years after the app launched, it was time for ... Uber [to] become not simply a better place to work but 'the most just place to work in the world.' In a blue V-neck sweater over a white undershirt, Kalanick cited Harriet Tubman, Gandhi, and Martin Luther King Jr. as inspirations ...

"Coming from Kalanick, who is described by even his supporters as an 'a***hole,' the talk sounded forced ('I talk a lot about justice - I'm just about it'), especially when he put up a photograph on a projector screen of the Fearless Girl statue that had recently been

installed in downtown Manhattan, across from the Wall Street bull. 'When I saw it, I was inspired,' Kalanick said. He wanted Uber's employees, especially its women, to 'be that fierce girl standing up to the bull,' while adding that he intended to make Uber a place that 'doesn't have bulls all over the freaking place.' He sat back as the crowd applauded." http://slct.al/2rRdc04

PROBLEMATIC -- "Forest Service women: We faced assault, mistreatment, retaliation if we complained," by McClatchy DC's Michael Doyle: "Female Forest Service workers in California reported enduring sexual misconduct, harassment and a fear of retaliation if they complained, according to a previously unreleased study obtained by McClatchy under the Freedom of Information Act.

"While many Forest Service employees voiced general satisfaction with their workplaces, women were much more likely than men to identify serious problems in the 2015 survey. Their grievances spanned a wide range, from misdeeds to mismanagement, and they echoed complaints lodged by women in the military and other federal agencies." http://bit.ly/2shsyHG

AFTERNOON READ -- "Schmucks Like Us," by National Review's Kevin Williamson: "Maybe you haven't behaved the way Tiger Woods does -- but how many Playboy models do you have on speed-dial? How many of them were calling you at the peak of your career or slightly thereafter? Maybe you lead a more virtuous life. Maybe you just lead a smaller one. It is difficult to say without being tested. And that may be why we love the ritual public denunciation of fallen idols. If we convince ourselves that they are monsters and moral outliers, then we do not have to face the much more terrifying possibility that they are schmucks like us - and that we are schmucks like them." http://bit.ly/2shSOC3

PLAYBOOK METRO SECTION -- POPVILLE: "Whoa - Politics and Prose coming to Union Market this Fall!!" http://bit.ly/2qwnHWL

TRANSITIONS -- Eric Sutton has joined FP1 Strategies as a SVP of public affairs. He previously was VP of corporate relations at Transurban and VP at Weber Shandwick - Powell Tate. http://politi.co/2rkddJe

WEEKEND WEDDING - Jake Goldman, VP of comms at Vice Media and former deputy press secretary for NYC Mayor Mike Bloomberg, on Saturday married **Roni Pelleg,** account manager for product migration at GrubHub. The wedding, planned by Leah Weinberg, was at 501 Union in Brooklyn. They met in Israel where she living and completing her masters at the time; he was doing advance work for Bloomberg. Pool report: "People traveled far and wide from Australia, Israel, the UK and even the Upper East Side to partake in the open bar, chair lifting and hours of dancing. [Jake's] brother Ben went to the bodega just ahead of the ceremony to buy jalapenos because 'what's a wedding without spicy margaritas?'" The couple is heading to Sicily today for their honeymoon. ***Pic by Carmel Geoghegan*** http://bit.ly/2qxy9cy ... ***Josh Dawsey's Instapic*** http://bit.ly/2qv9IRj

SPOTTED: Alex Detrick, Paul Cafiero, Josh Dawsey, and lots of Bloomberg alums (both City Hall and others from the campaign): Patrick Muncie, Matt Gorton, Mark Botnick, Barbara Morgan, Ryan Whalen, Kathryn Oliver, Lauren Passalacqua, Xavier Stewart, Katherine Oliver, Korinne Kubena, Nick Martin, Ben Lee and Danny Hatem.

****** **A message from Morgan Stanley:** Capital creates more commerce. New technology can make even small businesses big. E-commerce leader Alibaba Group built an online and mobile marketplace connecting small businesses to customers in China and beyond. Morgan Stanley helped take the company public, leading a $25 billion IPO-the largest in history[1]. Alibaba's subsequent growth is helping fulfill the company's ambition of giving rural communities access to goods and services once considered out of reach. Across the globe, we're working to advance the technologies that help more people to prosper. Capital creates change. morganstanley.com/alibaba

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Subject: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Scott Pruitt reaffirms Trump Administration's commitment to American farmers

WASHINGTON, D.C. (July 11, 2017) - U.S. Environmental Protection Agency Administrator Scott Pruitt addressed the American Farm Bureau Federation's State Leadership Meeting earlier today to discuss EPA's recent decision to begin rescinding the 'Waters of the U.S.' rule (WOTUS), as well as other issues of concern to American farmers.

"EPA is returning power to the states and standing with farmers who have been hurt by misguided policies of the past," said Administrator Pruitt. **"The farming industry deserves regulatory certainty and I committed that to them today. The group expressed gratitude that their voices are being heard for the first time in a long time and I look forward to an ongoing partnership with the agriculture community in the future."**

The address follows the Administrator's visit to Gully Branch Tree Farm in rural Georgia last week where he and U.S. Secretary of Agriculture Sonny Perdue visited one of Georgia's premier outdoor classrooms to promote environmental stewardship and reaffirm the Trump Administration's commitment to farmers and foresters.

U.S. Environmental Protection Agency Administrator Scott Pruitt addresses American Farm Bureau's State Leadership Meeting

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From: POLITICO Pro Energy Whiteboard
Sent: Thur 7/13/2017 9:16:42 PM
Subject: Heller confirms hold on nominee for DOE No. 2 spot

By Darius Dixon

07/13/2017 05:12 PM EDT

Sen. Dean Heller said he put a hold on deputy Energy secretary nominee Dan Brouillette because of his support for resuming work on the Yucca Mountain nuclear waste repository.

"If you're pro-Yucca, we're not friends," the Nevada Republican told POLITICO this afternoon.

Brouillette was approved by the Senate Energy and Natural Resources Committee more than five weeks ago. He voiced support for Yucca Mountain during his nomination hearing.

The hold, Heller said, "is to send a message" about H.R. 3053 (115), a nuclear waste bill approved 49-4 by the House Energy and Commerce Committee last month, and funding for Yucca Mountain in the House fiscal 2018 energy and water appropriations bill.

"I want people to know how I feel — how Nevada feels — about this atrocious piece of legislation that's coming out of the House. There's no room for it. There's nothing right about it," he said.

When asked whether he sought to stop the House bill or get money out of the spending bill, Heller answered, "all of the above."

WHAT'S NEXT: Both bills are awaiting time on the House floor. The Senate energy and water spending bill is expected to be released this month but it's unclear if it will also have money for Yucca Mountain.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/heller-confirms-hold-on-nominee-for-doe-no-2-spot-090524

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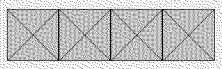
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ABC NEWS

EPA Administrator Scott Pruitt on Hurricane Irma: 'Powerhouse Politics Podcast'

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From: Bloomberg BNA
Sent: Fri 7/14/2017 8:07:12 PM
Subject: July 14 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Military Climate Study Survives With Crucial House GOP Votes

Posted July 14, 2017, 12:14 P.M. ET

By Dean Scott

A small but growing number of climate-friendly House Republicans scored their first big victory July 13 when 46 of them joined Democrats to defend language in a defense spending bill highlighting national security concerns posed by climate change.

Republican Reps. Scott Perry (Pa.) and Ken Buck (Colo.) were confident their amendment to strike the the climate change language from the fiscal year 2018 Defense Department spending bill would prevail, given a string of Republican victories that have derailed climate funding and policies in recent years. But their amendment, which appeared to have sailed through an afternoon voice vote, fell to defeat by a vote of 185–234 in a recorded vote. A small but growing coalition of Republicans in favor of climate action joined all Democrats in defeating the measure.

The debate was over a section that would put the House on record in viewing climate change as a "direct threat" to U.S. national security and refers to ways in which increasing temperatures, droughts, and other climate impacts may already be contributing to conflicts around the world. It also directs the Defense Department to compile a sort of top 10 list of U.S. military installations within each branch of the military that are most vulnerable to sea-level rise and other climate impacts.

Buck, who co-sponsored the amendment targeting the section, told Bloomberg BNA before the vote that he recognizes that the climate is changing, but is skeptical that the impacts will be as grave over the coming decades as some scientists predict.

"The issue here is whether we need to spend money on climate change in the Department of Defense," he said, arguing that the money would be better spent addressing backlogs in maintenance for U.S. Navy planes and other defense needs.

"I think we have better priorities, and I want to make sure that we fund the core mission," of U.S. defense, he said.

Big Oil Just Woke Up to Threat of Rising Electric Car Demand

Posted July 14, 2017, 9:40 A.M. ET

By Jessica Shankleman

The world's biggest oil producers are starting to take electric vehicles seriously as a long-term threat.

OPEC quintupled its forecast for sales of plug-in EVs, and oil producers from Exxon Mobil Corp. to BP Plc also revised up their outlooks in the past year, according to a July 14 study by Bloomberg New Energy Finance. The London-based researcher expects those cars to reduce oil demand 8 million barrels by 2040, more than the current combined production of Iran and Iraq.

Growing popularity of EVs increases the risk that oil demand will stagnate in the decades ahead, raising questions about the more than $700 billion a year that's flowing into fossil-fuel industries. While the oil producers' outlook isn't nearly as aggressive as BNEF's, the numbers indicate an acceleration in the number of EVs likely to be in the global fleet.

"The number of EVs on the road will have major implications for automakers, oil companies, electric utilities and others," Colin McKerracher, head of advanced-transport analysis at BNEF in London, wrote in a note to clients. "There is significant disagreement on how fast adoption will be, and views are changing quickly."

BNEF expects electric cars to outsell gasoline and diesel models by 2040, reflecting a rapid decline in the cost of lithium-ion battery units that store power for the vehicles. It expects 530 million plug-in cars on the road by 2040, a third of worldwide total number of cars.

The Organization of Petroleum Exporting Countries raised its 2040 EV fleet prediction to 266 million from the 46 million it anticipated a year ago. Battery cars under the new projection account for 12 percent of the market within 23 years, compared to 2 percent in the 2015 forecast. Based in Vienna, the group representing 14 nations expects half the number of diesel vehicles as it did a year ago.

Others making similar expectations according to the BNEF note include:

• The International Energy Agency more than doubled its central forecast for EVs, raising its 2030 EV fleet size estimate from to 58 million from 23 million,

• Exxon Mobil boosted its 2040 estimate to about 100 million from 65 million,

• BP anticipates 100 million EVs on the road by 2035, a 40 percent increase in its outlook compared with a year ago,

• Statoil ASA, the Norwegian state oil company, says EVs will account for a 30 percent of new sales by 2030.

Just a fraction of the world's cars sold today are powered by batteries instead of gasoline. Many analysts increasingly say the market will expand rapidly as almost all major auto makers bring dozens of new EV models to market. OPEC said in its oil market report on July 12 that electric vehicle sale targets could dampen demand in some parts of Asia as soon as 2018.

Long-term growth depends on a wide range of factors, including policy decisions by governments seeking to tackle air pollution to the cost of the lithium-ion batteries that account for about a third of the cost of each one.

Yet even as oil majors lift their outlook, they remain much less optimistic than the automakers. The world's top automakers have a combined plan to sell 6 million EVs a year by 2025, rising to 8 million in 2030, according to Bloomberg New Energy Finance.

Some big companies plan to go all electric. Volvo AB expects to have an electric motor in every car by 2019. It joins Elon Musk's Tesla Inc. as a major EV maker and Geely Automobile Holdings Ltd., the Hong Kong-based maker of London's black cabs, which is re-branding itself to focus on EVs.

"What oil companies and car companies are saying is diverging," said McKerracher, the BNEF analyst. "This is a trillion dollar question, and somebody is going to be wrong."

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Trump Picks Lawyer for Energy Regulator Crippled Without Quorum

Posted July 14, 2017, 7:37 A.M. ET

By Catherine Traywick

President Donald Trump named attorney Kevin McIntyre as his pick for chairman of the Federal Energy Regulatory Commission, paving the way for the agency to regain its authority to rule on natural gas pipelines and contested utility mergers.

McIntyre, co-head of Jones Day's global energy practice, would take the reins from acting chairman Cheryl LaFleur and is the third Republican Trump has named to the commission, according to a July 13 statement from the White House. In May, Trump named Neil Chatterjee, senior energy adviser to Senate Majority Leader Mitch McConnell, and Robert Powelson, former chairman of the Pennsylvania Public Utility Commission, to fill the remaining two seats on the commission.

Trump has been under pressure to fill three vacancies on the panel following the February resignation of former chairman Norman Bay, whose departure left the commission without the quorum it needs to make major decisions. Until new commissioners are confirmed, the agency can't approve multibillion-dollar natural gas pipelines, potentially stalling a massive expansion of the U.S. gas pipeline network brought on by the shale boom.

More than $50 billion worth of project applications are pending before the commission, including an application for the $2 billion Nexus gas line in the Midwest, which is scheduled to start by year-end. Other issues awaiting agency action are a proposed rule on commercial battery storage, and a decision on the commission's income tax allowance policy for pipelines run by master limited partnerships.

"They've got a hell of a mess to clean up," former commission member Marc Spitzer said of the candidates. "There's several months of backlog. They'll be drinking from a fire hose."

Energy Practice

At Jones Day in Washington, McIntyre represents companies in cases involving energy markets, utilities and oil and gas pipeline regulations. His global energy practice focuses on compliance and enforcement, and energy marketing and trading among other issues, according to the firm's website.

Chatterjee and Powelson are still waiting for a Senate floor vote to confirm their nominations. During a committee hearing, both nominees expressed limited support of state subsidies for ailing nuclear plants, an issue that has drawn controversy across the power industry. Once confirmed, the commissioners would have to rule on cases challenging those subsidies, as well as determine whether the agency should issue new rules addressing their impact on wholesale markets.

The commission normally consists of five members who serve five-year terms. Right now, it's made up of one. LaFleur, a Democrat and former utility executive, has been on the commission since 2010. The term of another commissioner, Colette Honorable, a Democrat who previously served as chair of the Arkansas Public Service Commission, ended in June.

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Brazil Projects Rapid Growth in Wind and Solar by 2026

Posted July 14, 2017, 12:41 P.M. ET

By Michael Kepp

Brazil's latest 10-year energy expansion plan sees wind power doubling to a 13 percent share of the electricity matrix, while solar power stands to also gain a foothold.

The country's Mines and Energy Ministry unveiled July 10 its 269-page 10-year energy expansion plan, one that includes both electricity and combustion-fuel energy generation through 2026.

Increased wind and solar power capacity would offset decreased hydropower capacity by the end of 2026, according to the plan. But, wind and solar associations have even more optimistic projects for sector growth through 2026.

Rodrigo Lopes Sauaia, executive director of the Brazilian Photovoltaic Solar Energy Association (Absolar) told Bloomberg BNA July 13, that the government's latest 10-year energy expansion plan's projections for solar power growth "are conservative."

Absolar projects that if the government follows Absolar's investment recommendations, large-scale solar power could have an installed capacity of 14,000 megawatts by 2026, compared to 9,660 megawatts in the government's plan. Reaching this projection would require 70 billion reais ($21.8 billion) worth of investments, compared to 50 billion reais ($15.6 billion) in the government's plan, Lopes Sauaia said.

"Solar polar is growing in Brazil in part because solar equipment prices are rapidly declining making solar power more competitive with other energy sources," Lopes Sauaia said. "That's is why we are even more optimistic about such growth potential than the government, now trying diversify the electricity matrix to include a greater share of power from non-hydro renewable sources, another reason for solar power's projected growth here."

Renewables could offset a decade-long decrease in hydropower installed capacity, which will drop from 69 percent of the electricity matrix in 2016 to 56 percent in 2026. Hydropower generation will drop because over 80 percent of its remaining potential is in the Amazon where impacts caused by dam reservoirs' flooding parts of rainforests, some of them protected, will make it increasingly hard to get licenses from environmental agencies.

Wind power—which in 2016 accounted for 6.7 percent (10, 025 megawatts) of the electricity matrix—would account for 13 percent (28,470 megawatts) in 2026. The plan also said that large-scale (non-rooftop) solar power, which accounted for .01 percent (21 megawatts) of the electricity matrix in 2016 would account for 4.5 percent (9,660 megawatts) of the matrix in 2026.

Elbia Gannoum, president of the Brazilian Association of Wind Power Producers (Abeeolica), told Bloomberg BNA July 13, that the energy expansion plan's wind growth projections were just below Abeeolica's.

"The energy expansion plan projects that 1,800 megawatts per year of wind power will be added to the electricity matrix by 2026, just below the 2,000 megawatts per year that Abeeolica estimates," said Gannoum. "And according to our estimates such wind power growth will require 50 billion reais ($15.6 billion) in investments by 2026."

Carbon from L.A. to Paris Jumps as Lawmakers Plan Tightening

Posted July 14, 2017, 10:33 A.M. ET

By Mathew Carr, Joe Ryan and Marine Strauss

Carbon prices from California to New Zealand are soaring as lawmakers across the globe seek more stringent rules for their greenhouse-gas markets.

California emission permits surged to a four-year high this week after Gov. Jerry Brown (D) published a plan to extend the biggest U.S. carbon trading program. In Europe, allowances reached their highest level since March as politicians debate proposals to cut a permit glut, while New Zealand carbon contracts rose before a review of its system.

Most countries are looking for the most cost-effective way to switch from the fossil fuels blamed for climate change. Even in the U.S., President Donald Trump's decision last month to pull out of the landmark Paris accord on cutting emissions triggered widespread condemnation by civic and state leaders across the country including from the governors of New York and Massachusetts.

China is planning to install the world's largest carbon market this year, though it's seen phasing in industries over time to smooth the impact on the economy. The biggest energy consumer burned the least coal in six years in 2016, became the number one producer of renewable energy and even lowered its emissions of climate-warming gases, BP Plc data show.

"There seems to be a clearer political will to lift carbon prices," said Ingo Ramming, the London-based co-head of commodity solutions for Commerzbank AG. "Even if China's national carbon market takes longer to install than expected, globally there's a lot happening, especially among the North American states and provinces."

In carbon trading, governments set a limit on emissions and then auction off or give away rights to pollute within the cap. These permits can be sold by more efficient companies to those that are less efficient. As governments periodically lower the caps, overall emissions fall.

No Poison

California's proposed legislation is designed to extend the basic current structure of its cap-and-

trade program through 2030. Brown emphasized early this week that his plan would not only help limit global warming, but "protect vulnerable communities from industrial poisons."

On July 13, he urged lawmakers to extend the program to show the world how to lower the risks of mass migration, fires and disease. "This isn't for me. I'm going to be dead. It's for you. And it's damned real. So I just ask you; take it seriously."

California's December allowances closed at a peak of $15.41 a metric ton this week, the highest since January 2013 when the program started, according to data from exchange ICE Futures.

"They've never been this high, except for the very beginning of the market," said Lenny Hochschild, managing director at Evolution Markets Inc., the environmental broker based in White Plains, N.Y.

In Europe, lawmakers are currently debating proposals to control the supply of emission allowances as a way to boost prices in its 12-year-old carbon market. Per Lekander, a fund manager at Lansdowne Partners U.K. LLP in London, reckons permit values will double within a year if the plans are approved.

"Finally, after 10 years of oversupply, this mechanism is now about to deliver what was intended," Lekander said.

European Union efforts to reform its $48 billion cap-and-trade system have repeatedly failed to increase the penalty for polluting, with the price of emissions slumping more than 80 percent since 2008 because of the glut. Futures fell 0.8 percent to 5.32 euros ($6.07) a ton on ICE Futures Europe July 14.

The latest steps to overhaul the market looked "promising" after legislators met July 10, said Siim Kiisler, the environment minister of Estonia, current holder of the European Union's rotating presidency. Lawmakers meet again on the market changes in September.

The Group of 20 nations published its first-ever climate and energy action plan at the weekend. The U.S. was the only member that didn't agree that the Paris accord was "irreversible."

"It's good to see the countries taking a stand against the regressive climate policies of President Trump," said Trevor Sikorski, head of carbon and natural gas at Energy Aspects Ltd. in London.

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U.S. Said to Stymie Japan's Plan to Explore for Russian Oil

Posted July 14, 2017, 10:13 A.M. ET

By Jack Farchy

A Japanese group's plans to explore for Russian oil with state-run Rosneft PJSC have been stymied by U.S. intervention over sanctions, according to people familiar with the matter.

Washington's objection to the Japanese project to explore for oil in the ocean off Russia's Far East shows the U.S. Treasury is maintaining a firm line on sanctions, even as some international companies press on with Russian energy deals. In April, the U.S. turned down a request from ExxonMobil Corp. for a waiver to allow it to drill with Rosneft in the Black Sea.

Rosneft signed a preliminary deal with a Japanese consortium of Japan Oil, Gas & Metals National Corp., known as Jogmec, Inpex Corp., and Marubeni Corp. for offshore exploration at a license to the south west of Sakhalin Island in December, one of more than 60 agreements and memorandums signed during Russian President Vladimir Putin's visit to Japan.

However, since then the U.S. government has objected to the project, according to two people familiar with the discussions who asked not to be identified discussing a sensitive matter.

Washington's Allies

The U.S. objection to the project is based on the principle that Washington's G7 allies should not "backfill" the sanctions by allowing their companies to carry out projects that U.S. companies would be prohibited from working on. Tokyo's position is that the project with Rosneft does not represent backfilling, since the Japanese consortium was not competing with U.S. companies, according to one of the people.

As well as political pressure from its closest ally, Japan also risked falling foul of U.S. sanctions on Russia that prevent foreign companies exploring in deepwater with equipment that is 25 percent or more originated in the U.S.

The Japanese project's struggles come as U.S. lawmakers are working on new sanctions targeting energy projects in Russia. The measures were passed almost unanimously by the Senate last month, but are currently stalled in the House.

Japan's Ministry of Economy, Trade and Industry declined to comment. The U.S. Treasury Department didn't respond to requests for comment.

While the Japanese consortium joins Exxon in being frustrated by sanctions, some Chinese, Indian and European companies are pressing ahead with projects in Russia. China's Beijing Gas Group last month completed a $1.1 billion deal to buy a stake in Rosneft's Verkhnechonskneftegaz unit. Italy's Eni SpA is set to start exploration drilling with Rosneft in the Black Sea this summer, Rosneft Chief Executive Igor Sechin said in May.

Deep Water

The license area due to be explored by Rosneft and the Japanese group—which the companies did not name but can be identified as Central Tatarsky by maps they published—includes areas deeper than 500 feet (152 meters). They are subject to U.S. sanctions on the provision of equipment and services to Russian deepwater oil projects, the people said.

A spokesman for Inpex wasn't immediately able to comment. Marubeni and Jogmec declined to comment citing a confidentiality agreement. Rosneft also declined to comment.

Sechin said last September that Rosneft planned to carry out 2D and 3D seismic surveys at the Central Tatarsky license starting in summer 2017. The Japanese consortium had planned to use Shigen, a seismic vessel owned by the Japanese Ministry of Economic, Trade and Industry, to carry out the research, Jogmec said in a December statement. As of July 13, the vessel was off the east coast of Japan, on its way to the west coast port of Nigata, according to ship tracking data.

The U.S. intervention is a blow to Japanese hopes of converting warmer relations between Prime

Minister Shinzo Abe and President Putin into economic gains. The Japanese companies said in a joint statement in December that they expected "to strengthen Japan-Russia economic cooperation through this joint project."

In the past three years, Tokyo has attempted to take a diplomatic line that supports its western allies without alienating Moscow. It imposed some sanctions on Russia in 2014 but stopped short of the wide-ranging restrictions on the financial and energy sectors that have been imposed by the U.S. and EU.

The Japanese and U.S. governments are still negotiating and may yet find a way for the project to go ahead, the people said. Some of the license lies in waters shallower than 500 feet, which is not classified as deepwater under the sanctions. A Japanese government official said that all Japanese projects would comply with sanctions.

—With assistance from Isabel Reynolds, Nick Wadhams, Stephen Stapczynski and Tsuyoshi Inajima.

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Asia at Risk of Deeper Poverty Due to Climate Change, Bank Says

Posted July 14, 2017, 9:34 A.M. ET

By Bloomberg News

Asia and the Pacific, home to two thirds of the world's poor, are at the highest risk of suffering deeper poverty and disaster due to unabated climate change, reversing current development gains, according to the Asian Development Bank.

The Asian landmass will see a temperature increase of 6 degrees Celsius (10.8 degrees Fahrenheit) by the end of the century under a business-as-usual scenario, ADB said in a July 14 statement. The comment is based on findings included in a report from the bank and Potsdam Institute for Climate Impact Research that analyses climate risks in Asia and the Pacific.

Some countries in the region could experience significantly hotter climates, with temperature increases in Tajikistan, Afghanistan, Pakistan, and northwest China projected to hit 8 degrees Celsius, ADB said.

Hotter climates would cause drastic changes in the region's weather system, agriculture and fisheries sectors, land and marine biodiversity, domestic and regional security, trade, urban development, migration, and health, and may even pose an existential threat to some countries, the ADB said.

The findings underscore the need for the region to reduce greenhouse gas emissions along the lines of those agreed to by the global community under the Paris accord—which calls for warming to be limited to well below 2 degrees Celsius—and to explore better strategies to mitigate the impact of climate change.

ADB approved a record $3.7 billion in climate financing last year and has pledged to further boost its investments to $6 billion by 2020, it said.

Other findings in the report include:

• Under a business-as-usual scenario, annual precipitation is expected to rise by as much as 50 percent over most land areas in the region, although nations such as Pakistan and Afghanistan may see a decline in rainfall by 20 to 50 percent,

• 19 of the 25 cities most exposed to a 1 meter sea-level rise are located in the region, 7 of which are in the Philippines alone. Indonesia, however, will be the country in the region most affected by coastal flooding,

• 13 of the top 20 cities with the largest growth of annual flood losses from 2005-2050 are in the region.

Climate change also will make food production in the region harder and will raise production costs. In some countries of Southeast Asia, rice yields could tumble by up to 50 percent by 2100 if no adaption efforts are made

Marine ecosystems, particularly in the Western Pacific, will be in serious danger by 2100. Even with a 1.5 degree Celsius temperature increase, 89 percent of coral reefs are expected to suffer from serious bleaching, severely affecting reef-related fisheries and tourism in Southeast Asia

Heat-related deaths in the region among the elderly are expected to rise by about 52,000 cases by 2050 due to climate change, according to data from the World Health Organization. Deaths related to vector-borne diseases such as malaria and dengue may also increase

Climate change can exacerbate energy insecurity through continued reliance on unsustainable fossil fuels, reduced capacities of thermal power plants due to a scarcity of cooling water, and intermittent performance of hydropower plants as a result of uncertain water discharges, among other factors

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Solar Eclipse Could Wipe Out 9,000 Megawatts of Power Supplies

Posted July 14, 2017, 7:54 A.M. ET

By Naureen S. Malik

The eclipse set to darken skies next month threatens to sideline solar farms and rooftop panels in a wide swath of the U.S., wiping out enough power generation to supply about 7 million homes.

This rare event, during which the moon will completely obscure the sun, will cast a shadow along a 70-mile-wide (113-kilometer) corridor stretching from Oregon to South Carolina on Aug. 21. Based on a Bloomberg calculation of grid forecasts, more than 9,000 megawatts of solar power may go down. That's the equivalent of about nine nuclear reactors.

The impact is a testament to the ninefold increase in solar installed in the U.S. since 2012 and highlights the risks associated with relying on an intermittent resource such as the sun for power. The onslaught of wind and solar resources is already regularly contributing to wild swings in power supplies across grids, sending wholesale electricity prices below zero on some days.

On July 13, PJM Interconnection LLC, operator of the nation's largest power grid covering parts of the eastern U.S., estimated the eclipse could take out as much as 2,500 megawatts of solar

generation on its system from about 1:30 p.m. to 3:40 p.m. North Carolina and New Jersey may bear the brunt because so many panels are installed in those states. PJM said rooftop solar panels will account for 80 percent of the anticipated outages.

The duration of the eclipse (12:05 p.m. to 4:09 p.m. EDT) is too short to meaningfully boost demand for fossil fuels. But it could trigger spikes in wholesale power prices, especially since demand tends to surge in the summer as people blast their air conditioners. The last time the contiguous U.S. saw a total eclipse was in 1979, according to NASA.

"If it is sunny and all of the sudden the eclipse comes through, there may be a pricing spike in real-time" power trading, said Tom DiCapua, managing director at Con Edison Energy in Valhalla, New York.

California may see the biggest impact to solar generation as it meets about 40 percent of the state's demand on some days. The eclipse stands to dim solar radiation by about 70 percent, said Dave Quinn, a power market analyst at energy data provider Genscape Inc.

According to California's grid operator, generation from large solar farms may plunge by 70 megawatts a minute over an 82-minute period and then begin surging 90 megawatts a minute as the sun re-emerges. The market will need to fill a gap of 6,008 megawatts, Steven Greenlee, spokesman for the grid operator, said by email.

Texas's power grid operator expects the eclipse to affect about 600 megawatts of solar generation over an hour to 90 minutes. The operator of a grid that stretches from the Midwest into Louisiana estimated a potential impact of as much as 125 megawatts.

—With assistance from Joe Ryan and Brian K. Sullivan.

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Week Ahead: New Jersey Republican Lawmaker Boosting EPA's Budget

Posted July 14, 2017, 03:57 P.M. ET

By Chuck McCutcheon

Rep. Rodney Frelinghuysen (R-N.J.) will get an initial public crack at boosting EPA spending as House Appropriations Committee chairman at a Tuesday committee markup of the fiscal 2018 budget bill, one of numerous environment and energy events scheduled for the week of July 17.

Frelinghuysen, who took over as Appropriations chairman in January, has compiled a moderate voting record since arriving in Congress in 1995, though he has grown more conservative in recent years as his caucus shifted to the right.

He worked with environmental advocates on a 2004 law to preserve land in environmentally sensitive areas of New Jersey and nearby states. He differs with some of his Republican colleagues in having said publicly that humans have "some effect" on climate change.

Frelinghuysen questioned Environmental Protection Agency Administrator Scott Pruitt at a June hearing about the Trump administration's proposed 31 percent cut to the EPA's budget. The House Appropriations' Interior, Environment and Related Agencies Subcommittee approved a spending bill

this month that would cut the EPA's budget about 7 percent.

In particular, Frelinghuysen cited his home state's large number of Superfund sites and noted that the majority of cleanup money comes not from the federal government, but from companies and other parties found responsible for contamination. He also lauded the EPA's "damn good team" serving the mid-Atlantic region.

"I think it's good to sort of move with precaution and caution before you take any, too many dramatic steps," Freylinghuysen told Pruitt.

The House subcommittee's spending bill would provide more than $1.1 billion for the Superfund program, well above the $516 million requested in Trump's budget. Pruitt told Frelinghuysen, however, that Superfund remains "absolutely a priority for this administration." Tiffany Stecker will cover the appropriations markup.

In Other News

House bills: The House is expected to consider several environment-related bills:

• H.R. 806, which would delay deadlines for the EPA's 2015 ozone standards and has drawn sharp criticism from Democrats. Catherine Douglas Moran will cover.

• H.R. 2883, which would accelerate the permitting process for cross-border pipelines, transmission lines, and other energy projects. Bloomberg BNA staff will cover.

• H.R. 2910, which would reinforce the Federal Energy Regulatory Commission's role as the lead agency for siting interstate natural gas pipelines. Bloomberg BNA staff will cover.

Senate energy bill: Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-Alaska) will hold a Tuesday hearing to help build support for comprehensive energy legislation (S. 1460) she introduced with Sen. Maria Cantwell (D-Wash.), the committee's ranking member. The hearing will feature testimony from representatives of the American Nuclear Society, International Energy Agency, and Carmot Strategic Group. Brian Dabbs will cover.

Energy Committee nominations: The Energy and Natural Resources Committee will meet Thursday to consider six Trump administration nominees, including Mark Wesley Menezes to be undersecretary of Energy; Paul Dabbar to be Energy's undersecretary for science; David Jonas to be Energy's general counsel; and Susan Combs to be an assistant secretary of the Interior for policy, management and budget. Rebecca Kern will follow.

Electricity industry: The House Energy and Commerce's Energy Subcommittee will hold a Tuesday hearing on the state of the electricity industry. Panelists include representatives from Duke Energy Corp., NextEra Energy, and American Municipal Power Inc. Rebecca Kern will cover.

Energy technology: The House Science, Space and Technology Committee will hold a Wednesday hearing on how the private sector can commercialize next-generation energy technology to increase efficiency, environmental benefit, and consumer savings. Panelists include representatives from Oklo and AES Energy Storage. Bloomberg BNA staff will monitor.

Resources bills: The House Natural Resources Committee will hold a Wednesday hearing on five bills, including a measure (H.R. 424) that would delist gray wolves from federal Endangered Species Act protections in Minnesota, Wisconsin, Michigan, and Wyoming. Alan Kovski will track.

California cap-and-trade: California lawmakers are scheduled to vote Monday on a bill that would extend the state's cap-and-trade program for greenhouse gas emissions. The measure (A.B. 398) would preserve the basic structure of the existing trading program, which establishes declining annual caps that businesses such as oil refineries, power plants, cement producers, and distributors of natural gas and transportation fuels must meet. California's powerful environmental justice community says the bill is too friendly to the oil industry. Carolyn Whetzel will handle.

Perry at Press Club: Energy Secretary Rick Perry will speak Tuesday at the National Press Club with International Energy Agency Executive Director Fatih Birol. Perry is expected to discuss how the combination of hydraulic fracturing and horizontal drilling for oil and gas will provide energy security for the U.S., as well as trading partners and allies. Rebecca Kern will cover.

Renewable fuels: The Center for Strategic & International Studies will hold a Wednesday forum on the renewable fuel standard. Participants include representatives from Citi Research and Harvard's Kennedy School of Government. Brian Dabbs will monitor.

Children's health panel: The EPA's Children's Health Protection Advisory Committee will discuss lead emissions from aircraft fuel, lead in drinking water, chemical safety, and other issues Tuesday and Wednesday. Sylvia Carignan, David Schultz, and Pat Rizzuto will cover.

Colorado pipelines: An update on a recent flowline notice to operators will be the focus of a Colorado Oil and Gas Conservation Commission industry operations meeting on Tuesday. The commission issued the notice, which required inspections and pressure testing of underground natural gas and oil pipelines within 1,000 feet of homes and other occupied buildings, after a fatal explosion was caused by a severed natural gas line near a home in Firestone in April. Tripp Baltz will watch.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 6/23/2017 5:06:11 PM
Subject: Playbook Power Briefing, presented by Starbucks: WaPo bombshell: How OBAMA struggled with Russia's election attack -- House to vote on immigration bills next week -- GOP lawmakers discuss upping security -- SCARBOROUGH'S new EP, pics from release party

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Today's Playbook Power Briefing presented by Starbucks

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

SCOOP FROM THE BEST-IN-CLASS POLITICO HILL TEAM -- "House to vote on immigration bills next week," by Seung Min Kim and John Bresnahan: "One of the bills to see a floor vote, dubbed Kate's Law, boosts penalties for immigrants who try to re-enter the United States after being deported. It is named after Kate Steinle, a young woman who was shot and killed in San Francisco by an immigrant who had been deported repeatedly yet returned. Trump frequently discussed the killing on the campaign trail last year.

"The second is legislation that goes after so-called sanctuary cities -- localities that limit cooperation with federal immigration authorities, including by refusing to hold an immigrant in jail longer just so federal officials can pick him or her up to be deported. Sanctuary cities, usually liberal jurisdictions such as New York, have also been a major Trump target." http://politi.co/2tXevYC

THIS MORNING'S STUNNING READ -- WAPO -- "Obama's secret struggle to punish Russia for Putin's election assault," by Greg Miller, Ellen Nakashima and Adam Entous: "Early last August, an envelope with extraordinary handling restrictions arrived at the White House. Sent by courier from the CIA, it carried 'eyes only' instructions that its contents be shown to just four people: President Barack Obama and three senior aides. Inside was an intelligence bombshell, a report drawn from sourcing deep inside the Russian government that detailed Russian President Vladi-mir Putin's direct involvement in a cyber campaign to disrupt and discredit the U.S. presidential race. But it went further. The intelligence captured Putin's specific instructions on the operation's audacious objectives -- defeat or at least damage the Democratic nominee, Hillary Clinton, and help elect her opponent, Donald Trump....

"[A]t the highest levels of government, among those responsible for managing the crisis, the first moment of true foreboding about Russia's intentions arrived with that CIA intelligence.

The material was so sensitive that CIA Director John Brennan kept it out of the

President's Daily Brief, concerned that even that restricted report's distribution was too broad. The CIA package came with instructions that it be returned immediately after it was read. To guard against leaks, subsequent meetings in the Situation Room followed the same protocols as planning sessions for the Osama bin Laden raid.

"But in the end, in late December, Obama approved a modest package combining measures that had been drawn up to punish Russia for other issues -- expulsions of 35 diplomats and the closure of two Russian compounds -- with economic sanctions so narrowly targeted that even those who helped design them describe their impact as largely symbolic. Obama also approved a previously undisclosed covert measure that authorized planting cyber weapons in Russia's infrastructure, the digital equivalent of bombs that could be detonated if the United States found itself in an escalating exchange with Moscow. The project, which Obama approved in a covert-action finding, was still in its planning stages when Obama left office. It would be up to President Trump to decide whether to use the capability." http://wapo.st/2sYrs7A

Good Friday afternoon. FACEBOOK IN ASPEN - per the company: "Facebook will have a big presence at the Aspen Ideas Festival this year, including a pop-up tent in the heart of the Aspen Institute's Campus featuring a Facebook Live studio, an Oculus demo, and a Facebook Journalism Project help desk. The Live broadcasts will bring the best of Aspen Ideas to the rest of the world and encourage viewers to engage directly with conference speakers.

Attendees expected to go live from the studio include: Facebook's Head of News Partnerships Campbell Brown and Civic Engagement Product Manager Samidh Chakrabarti, Cecile Richards, Pat Mitchell, Jose Antonio Vargas, and Jean Case with The Atlantic's Steve Clemons. Visit the Facebook Journalism Project Page as the Festival kicks off for the full Live lineup here": http://bit.ly/2rY1WQE ***(Anna and Daniel will be at the festival next week. Email us at*** *anna@politico.com* ***and*** *daniel@politico.com* ***if you will be there and want to meet up.)***

DRIP DRIP -- "F.B.I. Investigating Deals Involving Paul Manafort and Son-in-Law," by NYT's Mike McIntire: "Federal investigators are examining financial transactions involving Paul Manafort and his son-in-law, who embarked on a series of real estate deals in recent years fueled by millions of dollars from Mr. Manafort, according to two people familiar with the matter.

"The transactions involve the financing of apartments and luxury homes in New York and California using money from Mr. Manafort, as well as from other investors solicited by the son-in-law, Jeffrey Yohai, including the actor Dustin Hoffman and his son. F.B.I. agents have reviewed financial records related to Mr. Yohai, who has been accused in a lawsuit of defrauding investors, the sources said. It was not clear if the F.B.I.'s interest was part of the broader investigation that has ensnared Mr. Manafort, who was President Trump's campaign chairman until he resigned last August amid reports that he had received millions of dollars in off-the-book payments for his consulting work in Ukraine." http://nyti.ms/2sYUTpX

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ON RUSSIA -- BRYAN BENDER in POLITICO Mag: **"How a U.S.-Russia Back Channel Came to Life":** "Inside the Russian-American room of the Russian Cultural Center, in a tony Washington neighborhood, negotiators from the American and Russian governments this week sipped wine and nibbled on caviar after spending the day trying to live up to that charge-a quaint reminder of the former Cold War rivals' warm relationship in the 1990s. Despite tense relations that President Donald Trump has said may be at 'an all-time low,' the small group of military and civilian officials exchanged closely held information that might help determine what happened to the thousands of U.S. and Russian military personnel lost in conflicts stretching from World War II to the Cold War and even the fate of a Russian pilot shot down over the Republic of Georgia in 2008.

"The so-called technical talks of the U.S.-Russian Joint Commission on POW/MIAs-the first since 2005-were the result of a surprising new level of Russian willingness to engage in recent months, according to the Americans. They were also an eerie reflection of how far the relationship has fallen since 1999, when the cultural center was dedicated." http://politi.co/2sZiU05

-- "Under pressure, Western tech firms bow to Russian demands to share cyber secrets," by Reuters' Joel Schectman, Dustin Volz and Jack Stubbs: "Western technology companies, including Cisco, IBM and SAP, are acceding to demands by Moscow for access to closely guarded product security secrets, at a time when Russia has been accused of a growing number of cyber attacks on the West, a Reuters investigation has found.

"Russian authorities are asking Western tech companies to allow them to review source code for security products such as firewalls, anti-virus applications and software containing encryption before permitting the products to be imported and sold in the country. The requests, which have increased since 2014, are ostensibly done to ensure foreign spy agencies have not hidden any 'backdoors' that would allow them to burrow into Russian systems." http://reut.rs/2tX0Dhn

GOOD NEWS -- @ABC7News: "JUST IN: Hospital says Matt Mika, lobbyist who was shot in ballpark attack, is now in good condition and was visited by #Nats Jayson Werth." http://bit.ly/2sZnWd6

PROTECTING LAWMAKERS -- "Rattled by shooting, GOP lawmakers discuss beefing up security funding," by Kyle Cheney and Rachael Bade: "In a closed-door meeting of the House Republican conference, Speaker Paul Ryan discussed beefing up

members' security budgets by as much as $25,000 apiece. Lawmakers exiting the meeting said the funds would likely help lawmakers hire personal protection, especially in districts where local police aren't able to provide round-the-clock security. The funds could also be used to help members pay for alarms in their homes or panic buttons if they're ever in physical danger. ...

"Members also discussed obtaining a blanket waiver from the Federal Election Commission permitting members to use campaign funds for security while conducting political business as well. Members can obtain individual waivers now, but lawmakers are interested in securing a broader standing waiver that wouldn't require them to individually seek FEC permission." http://politi.co/2tWRmpq

PAGING MITCH MCCONNELL -- @RalstonReports: "Here we go: Sandoval and Heller with joint presser on Medicaid today in Vegas."

THE OPPOSITION - NEERA TANDEN sat down for a POLITICO "PULSE CHECK" podcast to discuss how Democrats can seize on the GOP health bill. The head of the Center for American Progress tells POLITICO's Dan Diamond that progressives need to link themselves to Obamacare - and that even if they lose the health care battle now, they'll end up ahead. http://bit.ly/2tWtEcZ

JOE SCARBOROUGH'S BAND, Scarborough, had a release party for the new Mystified EP last night at The Cutting Room in New York. ***Pics*** http://bit.ly/2sYJLtp ... http://bit.ly/2sYtQey ... http://bit.ly/2sYMrXF ... http://bit.ly/2sYM0MX ... ***The EP*** http://bit.ly/2sZvlsl

MEDIAWATCH -- JEFF MASON, president of the White House Correspondents' Association, wrote a letter to members of the association this morning saying he met with Sean Spicer and Sarah Huckabee Sanders yesterday to talk about press briefing and gaggles. From the letter: "[W]e believe strongly that Americans should be able to watch and listen to senior government officials face questions from an independent news media, in keeping with the principles of the First Amendment and the need for transparency at the highest levels of government. ... we have urged the White House not to replace on-camera briefings with 'gaggles,' not-for-broadcast question & answer sessions. ...

"Sean and Sarah agreed to consider these positions, and the Board will follow up with them in the coming days. We are not satisfied with the current state-of-play, and we will work hard to change it. In the meantime, I have asked that reporters be able to use audio from all gaggles going forward. We will keep you posted as developments occur."

-- @JamilAnderlini: "At the Beijing airport where every issue of Thursday's @FT has had the comment page with my latest column ripped out" http://bit.ly/2tWWx8J

-- "Be honest: People outside a Trump rally told us why they hate the media," by Vice News' Evan McMorris-Santoro http://bit.ly/2tXfg48

OUT AND ABOUT -- Bush-Cheney alums gathered at The Ritz-Carlton for a "Portraits of Courage" book signing last night with the former president. *($21.18 on Amazon* http://amzn.to/2rZjbRv). Bush ribbed Josh Bolten, his final chief of staff, saying he "thought I was a cultural cretin and wouldn't know who Bono was when I first met him." Bush called Steve Hadley "the best NSA ever, don't tell Condi." He said he hoped PEPFAR would get funded, and spoke about the work he's doing in Africa. Bush said spending money to teach democracy "is out of fashion now" but you have to give them a way to get freedom.

Asked why he isn't speaking out against this or any president, Bush said he is "muted" because actions speak louder than words. He specifically noted his democracy fund. Bush said it is impossible to garner press coverage unless you criticize the current president. He ended by urging the crowd to not take themselves too seriously, and closed with "keep laughing and thank you for serving." ***Pics from last night's Bush-related events*** http://bit.ly/2sZeIh4 ... http://bit.ly/2sZeXIP ... http://bit.ly/2sZnLhG ... http://bit.ly/2sZq5pe

SPOTTED: Josh Bolten, Steve Hadley, Joel Kaplan, Brian McCormack, Marilyn Baker, Becky Relic, Sara Fagen, Ashley and Garrett Marquis, Jeanne Phillips, former DHS secretary Michael Chertoff, former HUD Secretary Alphonso Jackson, Chris Frech, Holly Kuzmich, Tracy Schmitt, Tony Fratto, Jeanie Mamo, Matthew Downer, Amber Downer, Tony Fratto, Stuart Siciliano, Andrew Olivastro, Valerie Boyd, Andrea Wuebker, Nate Bailey, David McFadden, ER Anderson, Emily Miller, Judy Pino, Brian Jones, Christie Parell, Col. Mark Tillman, Eryn Witcher, Rob and Tonya Klause, David and Julie Almacy, Scott and Mary Sforza, Dan Ronayne.

--SPOTTED last night at a small dinner at the new AEI building in advance of today's Bush Institute-hosted "Stand-To" for military veterans, in which more than 70 organizations are gathering to provide best practices for education, health and employment for vets: former President George W. Bush and Laura Bush, Veterans Affairs Secretary David Shulkin and Merle Bari, Steve Hadley, Rep. Francis Rooney (R-Fla.) and his wife Kathleen, Wayne and Lea Berman, William Wood, Margaret Spellings, Josh Bolten and Nick Calio.

-- EFB Advocacy hosted a party last night featuring a specially designed drink called the EGB. **SPOTTED:** John Easton, John and Kerry Feehery, Adam Belmar, Chris Brown, Carl Hulse, Julie Davis, Jared Rizzi, Alex Treadway, Mitch Bainwol, Ziad Ojakli, Meg Hauck, Katie Anderson, Lauren Maddox, John Scofield, Kate Dickens, Jill Kozeny, Lindsay Slater, Stacy Hughes, Jack Smedile, Doug Schwartz, Gayle Osterberg, Kathy Ramsey and Kris Jones.

SUNDAY PREVIEW -- MEGYN KELLY will interview J.D. Vance, the author of the best-selling "Hillbilly Elegy" on this week's "Sunday Night with Megyn Kelly." *Preview* http://nbcnews.to/2sYDFsT

-- "Food & Wine Magazine Will Leave New York for Alabama," by NYT's Stephanie Strom: "Food & Wine, the glossy, chef-focused food magazine, is moving to Birmingham, Ala., joining a stable of other publications owned by Time Inc. that includes Cooking Light and Southern Living.

Hunter Lewis, the editor of Cooking Light, will become Food & Wine's new editor in chief, replacing Nilou Motamed, who is leaving the company after a little more than a year. Ms. Motamed had taken over from Dana Cowin, who edited the magazine for more than 20 years. The magazine started in New York in 1978 as The International Review of Food and Wine." http://nyti.ms/2tXm81j

SPOTTED: Senate Majority Whip John Coryn having lunch with Sen. Dan Sullivan (R-Alaska) in the Senate dining room today ... Rep. Robert Pittenger (R-N.C.) this morning wearing a light gray suit and pink tie, typing on his phone, while waiting to board American flight 1727 from DCA to Charlotte ... Ben Jacobs, glasses intact, in the second row of coach on American flight 1849 from DCA to West Palm Beach, en route to the Michelle Fields-Jamie Weinstein wedding this weekend at The Breakers in Palm Beach ... Rep. Lois Frankel (D-Fla.) was on the same flight as Ben.

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Today's PLAYBOOK presented by Morgan Stanley
06/01/2017 06:35 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman) and ANNA PALMER (anna@politico.com; @apalmerdc) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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THAT SETTLES IT! -- AP at 5:54 a.m.: "ST.PETERSBURG, Russia (AP) - Putin denies Russian state involvement in hacking, says hackers can't affect elections results abroad."

Good Thursday morning and happy first day of June. **THE PARIS ANNOUNCEMENT -- 3 P.M. TODAY -- THE BACKDROP --** President Donald Trump -- joined by Vice President Mike Pence -- will announce whether the United States will drop out of the Paris climate agreement, joining Syria, which is in the midst of a civil war, and Nicaragua, which wanted the agreement to go further in punishing nations that don't comply. Inside the White House, there is near uniform agreement Trump will pull out, but some senior aides still think Trump will try to squeeze out a "better deal" by only partially ditching the climate accord.

ANDREW RESTUCCIA and **JOSH DAWSEY -- "Inside the struggle to sway Trump on Paris:** Steve Bannon and Scott Pruitt have spent months building pressure on the president to exit the climate deal -- and trying to outmaneuver Ivanka Trump": "Donald Trump's chief strategist and EPA administrator maneuvered for months to get the president to exit the Paris climate accord, shrewdly playing to his populist instincts and publicly pressing the narrative that the nearly 200-nation deal was effectively dead - boxing in the president on one of his highest-profile decisions to date.

"Steve Bannon and Scott Pruitt have sought to outsmart the administration's pro-Paris group of advisers, including Trump's daughter Ivanka, who were hoping the

president could be swayed by a global swell of support for the deal from major corporations, U.S. allies, Al Gore and even the pope. But some of that pro-Paris sentiment wound up being surprisingly tepid, according to White House aides who had expected that European leaders would make a stronger case during Trump's trip abroad earlier this month. ...

"Some White House aides held out the prospect that the president still might take the middle course that Ivanka Trump and others had advocated -- staying in the deal while drastically scaling back the Obama administration's non-binding carbon cleanup promises. But three White House officials said Wednesday that they expect Trump to make a clean break by withdrawing from the agreement, though they noted it's possible the president changes his mind at the last minute." http://politi.co/2rsvPXM

THE NITTY GRITTY ON HOW TRUMP CAN WITHDRAW , from Dawsey and Restuccia: "If he withdraws, how will Trump do it? He could abide by the formal procedures in the underlying text of the agreement, which mandate that a formal withdrawal will not go into effect until at least Nov. 4, 2020. Or he could pull out of the United Nations Framework Convention on Climate Change, the underlying 1992 treaty that governs the negotiations, which would allow for a speedier pullout -- a far more radical step that would see the U.S. abstain from the entire climate negotiating process. He could also declare that the agreement is a treaty, which would require a two-thirds-majority ratification vote in the Senate that would certainly fail."

GOOD DETAIL, from NYT's Mike Shear and Coral Davenport: "At home, he faced urgent pleas from corporate leaders, including Tim Cook, the chief executive of Apple, who told Mr. Trump on Tuesday that pulling out was wrong for business, the economy and the environment. Elon Musk, the chief executive of Tesla, threatened to resign from two White House advisory boards if the president withdrew from the Paris agreement." http://nyti.ms/2shnrbA

--"All the ways Trump is shredding Obama's climate agenda" - Politico
http://politi.co/2qDy5MD

-- BOSTON GLOBE: "Boston scraps summit on climate with China": "The State Department-sponsored summit in Boston, revealed last June by then-secretary of state John F. Kerry, would have brought thousands of urban and business leaders to Boston from cities across the United States and China. It would have been the third such conference." http://bit.ly/2sgZTU2

ONLY IN PLAYBOOK: UNDERSTANDING TRUMP -- THE DAWSEY DOWNLOAD : "Senior administration officials told a dozen news outlets President Trump would withdraw from the Paris Accord, leaving few people completely sure he would do so. It is one of many hall-of-mirrors, sometimes head-spinning aspects of Trump's White House. Administration officials and advisers fan flames of firing officials like Sean Spicer and Reince Priebus, and even speculate on replacements, while the current aide works. As one Spicer ally recently said: 'How many times have people said he was going to be

fired? He is still at the podium.'

"Administration officials leak to the media hoping it will eventually become true and that coverage will sway Trump. White House officials sometimes don't trust one another and spread rumors. They call other aides and advisers to see what he is saying about them. And officials are contradicted by other officials -- and even Trump, who tests different strategies aloud to different people. He sometimes agrees with whoever is in the room with him. He likes to please and can dial dozens of friends in a weekend.

"So while Trump told people he was pulling out of the accord, and officials began moves to make it so, no one was exactly sure if he would change his mind before 3 p.m., when he promised a Rose Garden announcement. As one adviser he frequently speaks to said of a different issue last week: 'I heard that two days ago. That might not be true anymore.' Corey Lewandowski, Trump's first campaign manager, reminded people on the trail: The only person who speaks for Trump is Trump. It just depends who he is speaking to -- and when he is speaking."

****** **A message from Morgan Stanley:** Morgan Stanley helped First Solar raise capital to bring clean, renewable energy to new markets worldwide. Capital creates change. Read the full story at morganstanley.com/firstsolar. CRC 1678408 01/17 ******

THE STORY DRIVING NEXT WEEK -- "Comey Expected to Testify Before Senate, if He Isn't Blocked," by NYT's Matt Apuzzo and Mike Schmidt: "Senators expect the former F.B.I. director, James B. Comey, to testify next week about his conversations with President Trump, congressional officials said on Wednesday, setting up a test of the White House's willingness to cooperate with investigations into Mr. Trump's associates.

"Putting the highly anticipated hearing on the calendar would force Mr. Trump to decide whether to invoke executive privilege and try to prevent Mr. Comey from testifying. Mr. Comey is expected to be asked about several conversations he had with the president, including one in which he says Mr. Trump encouraged him to stop investigating his former national security adviser, Michael T. Flynn." http://nyti.ms/2qDSUHM

THE LATEST ON RUSSIA -- "House Russia investigators subpoena Flynn, Cohen," by Austin Wright: "The House Intelligence Committee on Wednesday approved subpoenas for former National Security Adviser Michael Flynn and President Donald Trump's longtime personal attorney, Michael Cohen, as part of the panel's investigation into Russia's meddling in the presidential election. The panel is also issuing subpoenas to businesses owned by the two men. The subpoenas to Flynn and Cohen were part of seven total subpoenas issued by the House committee on Wednesday, according to a congressional source who spoke on the condition of anonymity. Four of the subpoenas were related to the Russia probe, and three others were related to the issue of 'unmasking' - the process used by intelligence officials to learn the identities of people inside the United States who are referenced in intelligence

reports." http://politi.co/2rX1QYt

WELCOME BACK -- "Trump administration moves to return Russian compounds in Maryland and New York," by WaPo's Karen DeYoung and Adam Entous: "The Trump administration is moving toward handing back to Russia two diplomatic compounds, near New York City and on Maryland's Eastern Shore, that its officials were ejected from in late December as punishment for Moscow's interference in the 2016 presidential election. ... Early last month, the Trump administration told the Russians that it would consider turning the properties back over to them if Moscow would lift its freeze, imposed in 2014 in retaliation for U.S. sanctions related to Ukraine, on construction of a new U.S. consulate on a certain parcel of land in St. Petersburg. Two days later, the U.S. position changed. Secretary of State Rex Tillerson told Russian Foreign Minister Sergei Lavrov and Russian Ambassador Sergey Kislyak at a meeting in Washington that the United States had dropped any linkage between the compounds and the consulate, according to several people with knowledge of the exchanges." http://wapo.st/2qIWT0R

--**"Russia escalates spy games after years of U.S. neglect,"** by Ali Watkins: "In the throes of the 2016 campaign, the FBI found itself with an escalating problem: Russian diplomats, whose travel was supposed to be tracked by the State Department, were going missing. The diplomats, widely assumed to be intelligence operatives, would eventually turn up in odd places, often in middle-of-nowhere USA. One was found on a beach, nowhere near where he was supposed to be. In one particularly bizarre case, relayed by a U.S. intelligence official, another turned up wandering around in the middle of the desert.

"Interestingly, both seemed to be lingering where underground fiber optics cables tend to run. According to another U.S. intelligence official, 'they find these guys driving around in circles in Kansas. It's a pretty aggressive effort.' It's a trend that has led intelligence officials to conclude the Kremlin is waging a quiet effort to map the United States' telecommunications infrastructure, perhaps preparing for an opportunity to disrupt it." http://politi.co/2qDSyNh

COMING ATTRACTIONS -- "Benghazi investigators set for rematch on Trump-Russia scandal," by Kyle Cheney and Austin Wright: "The last time Trey Gowdy and Elijah Cummings oversaw a politically explosive investigation, the two congressmen ripped into each other on national TV, as a grimacing Hillary Clinton looked on. With Washington in the grip of a new scandal over President Donald Trump and his team's possible ties to Russia, Gowdy and Cummings appear set for a reunion that would test a deeply divided Congress' ability to hold the White House to account. ...

"The Gowdy-Cummings relationship, forged over two years as the leaders of the House Select Committee on Benghazi, is as complicated as it will be critical. It's often harder for the executive branch to ignore bipartisan requests, which was a difficult hurdle during the Benghazi probe. The two men have squabbled publicly, but when the cameras are off, both profess respect for each other and an ability to work together,

however haltingly." http://politi.co/2qJk2jD

KEN VOGEL: "We were used, abused and exploited": "As he built support for his signature political issue, Donald Trump formed a powerful partnership with a non-profit group dedicated to families of those killed by undocumented immigrants, but now some of those families are alleging they were exploited by both the non-profit group and President Trump. More than a dozen families involved in the Houston-based Remembrance Project - including two who spoke at the Republican National Convention and several more who spoke at Trump's rallies or were featured in his campaign ads -- have parted ways with the organization, according to people familiar with the situation, including six of the families." http://politi.co/2rHsXr0

PAGE SIX: "CBS scrambling to find Scott Pelley replacement": "CBS insiders say Norah O'Donnell has the gravitas for the job, but news chiefs are reluctant to take her out of 'CBS This Morning,' which she hosts alongside Charlie Rose and Gayle King, because the show is doing so well it could soon overtake NBC's 'Today' in overall ratings.

"One insider said, 'Norah would be willing to do both the evening and the morning if CBS wanted her to do so, but it would be a lot of work.' CBS News chiefs had been in talks with Willie Geist last year, but insiders said he wanted too much money to leave NBC. Other TV insiders say CNN's Jake Tapper could have been up for the role as he 'had been making it clear that he's ready for something bigger.' But Tapper, as well as Anderson Cooper, who's reported for '60 Minutes,' have long-term contracts with CNN. Plus, CBS News doesn't need to get the new evening anchor into the chair until September for the fall-ratings push." http://pge.sx/2qJ17W7

THE JUICE ...

--JOE AND MIKA will serve as visiting fellows this summer and fall at Harvard Kennedy School's Institute of Politics. They'll do a D.C. event with IOP students and alums in the "Summer in Washington" program and will go up to Cambridge in the fall to do more campus events with students. http://bit.ly/2reEdcP

-- WAPO SCOOP: The Obamas paid $8.1 million to buy the Kalorama home they've been renting from Joe and Giovanna Lockhart. Lockhart purchased the house for $5.295 million in 2014. http://wapo.st/2refFRg

-- EVERETT EISSENSTAT , the Senate Finance Committee's top Republican trade counsel, is expected to join the National Economic Council as deputy director, Adam Behsudi, Andrew Restuccia and Ben White report. http://politi.co/2rsGcLc

-- PETER J. BOYER to the Weekly Standard: "Morning Media has learned that he'll be a national correspondent at the 22-year-old conservative publication, as part of what EIC Stephen Hayes is calling a 'big staff expansion.' Boyer is an illustrious magazine veteran who has done tours at Vanity Fair, The New Yorker and Newsweek. But his

most recent job, as an editor at large for Fox News, included a brush with controversy, as it was revealed that Boyer was present for a series of 'war room' meetings in which Roger Ailes plotted a smear campaign against biographer Gabriel Sherman."

-- DAVID SUTPHEN is leaving the Brunswick Group after nearly nine years at the firm. He is joining 2U, which partners with colleges and universities to work on digital education, as chief communications and engagement officer. **George Little** will replace Sutphen as head of the Brunswick Group's D.C. office. Little joined the firm in 2015 as a partner. He previously was a Pentagon press secretary and director of public affairs and spokesman for the CIA.

THE MOMENT -- per California Playbook: Recode's Kara Swisher to Sen. Kamala Harris on stage Tuesday night at the #codecon conference in Rancho Palos Verdes: "Are you planning on running for President in 2020?" Harris: "I'm not giving that any considering. I've got to stay focused." Swisher: "That's a yes." http://bit.ly/2qEeWWK

Playbook Reads

PHOTO DU JOUR: A member of the Secret Service looks out on the North Lawn from a balcony of the White House on May 31. | Andrew Harnik/AP Photo

CLICKER - Mary Meeker's annual report -- "Internet Trends 2017 -- Code Conference" http://bit.ly/1dB4Zm9

LETHAL DUO -- ADAM NAGOURNEY and **JONATHAN MARTIN** in Vista, California: **"Democrats' Bid to Regain Hold on House Begins in California":** "If Democrats have any chance of capturing the 24 Republican seats they need to take back control of the House, the road to victory starts here in California, and particularly in Orange County, a former conservative bastion that favored Hillary Clinton in 2016. It was the first time the county had voted for a Democratic presidential candidate since Franklin D. Roosevelt in 1936.

"All 14 members of the California Republican congressional delegation voted to repeal the Affordable Care Act, including seven who, like Mr. Issa, represent districts that voted for Mrs. Clinton. Four of those come from districts that include Orange County. With its changing demographics and its declining Republican Party, California has increasingly loomed as the center of any national battle for House control. The Trump fervor this year offers an opportunity for Democrats to make the sort of congressional district gains that have eluded them even as they have come to dominate state politics over the last decade.

"At least for one election, it seems, there will be a role reversal: The state that has

long served mostly as just an A.T.M. for candidates from across the nation will be on the receiving end of campaign cash. The Democratic Congressional Campaign Committee, in an early show of force, is opening an office in Irvine. The committee's western director, Kyle Layman, is already on the scene, working at a cafe table outside a Whole Foods Market in Tustin until a lease is signed." http://nyti.ms/2sqW2mO

THE ECONOMIST WEIGHS IN ON U.K. ELECTIONS -- "Backing the open, free-market centre is not just directed towards this election. We know that this year the Lib Dems are going nowhere. But the whirlwind unleashed by Brexit is unpredictable. Labour has been on the brink of breaking up since [Jeremy] Corbyn took over. If [Theresa] May polls badly or messes up Brexit, the Tories may split, too. Many moderate Conservative and Labour MPs could join a new liberal centre party-just as parts of the left and right have recently in France. So consider a vote for the Lib Dems as a down-payment for the future. Our hope is that they become one element of a party of the radical centre, essential for a thriving, prosperous Britain." http://econ.st/2rHxOYU

2020 WATCH -- "Trump to hold reelection fundraiser in June," by Alex Isenstadt: "President Donald Trump continues to prepare for his next election - in 2020. Trump is slated to headline a Washington, D.C. fundraising dinner on June 28 that will benefit Trump Victory, a joint fundraising agreement between Trump's campaign and the Republican National Committee, according to an invitation obtained by POLITICO. Funds raised at the event will be split between the two accounts." http://politi.co/2rncyoh

-- "Biden launches PAC, keeping options open," by Isaac Dovere: Former Vice President Joe Biden will launch a new PAC on Thursday, American Possibilities, giving him a way of supporting candidates and keeping his own options open for a potential 2020 presidential run. Officially, the group will be 'dedicated to electing people who believe that this country is about dreaming big, and supporting groups and causes that embody that spirit,' according to the PAC's launch materials. Biden has hired Greg Schultz, his political director during his second term as vice president, as the executive director of the PAC." http://politi.co/2qDwana

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THE FAMILY -- "How Jared Kushner built a luxury skyscraper using loans meant for job-starved areas," by WaPo's Shawn Boburg: "Jared Kushner and his real estate partners wanted to take advantage of a federal program in 2015 that would save them

millions of dollars as they built an opulent, 50-story residential tower in this city's booming waterfront district, just across the Hudson River from Lower Manhattan. There was just one problem: The program was designed to benefit projects in poor, job-starved areas. So the project's consultants got creative, records show.

"They worked with state officials in New Jersey to come up with a map that defined the area around 65 Bay Street as a swath of land that stretched nearly four miles and included some of the city's poorest and most crime-ridden neighborhoods. At the same time, they excluded some wealthy neighborhoods only blocks away. The tactic - critics liken it to the gerrymandering of legislative districts - made it appear that the luxury tower was in an area with extraordinarily high unemployment, allowing Kushner Companies and its partners to get $50 million in low-cost financing through the EB-5 visa program." http://wapo.st/2sqUvNx

-- "Trump administration approves tougher visa vetting, including social media checks," by Reuters' Yeganeh Torbati: "Critics argued that the new questions would be overly burdensome, lead to long delays in processing and discourage international students and scientists from coming to the United States. Under the new procedures, consular officials can request all prior passport numbers, five years' worth of social media handles, email addresses and phone numbers and 15 years of biographical information including addresses, employment and travel history." http://reut.rs/2rsrX94

TRUMP'S WHITE HOUSE -- "Trump White House grants waivers of ethics rules," by Josh Gerstein: "President Donald Trump's executive order on ethics has been waived at least 11 times since the administration came into office in January, according to records the White House posted online Wednesday night. The waivers allow White House staffers to work on matters that could affect their former employers or clients or involve issues from which the aides would be normally be excluded because of past lobbying work. The waivers allow White House staffers to work on matters that could affect their former employers or clients or involve issues from which the aides would be normally be excluded because of past lobbying work." http://politi.co/2rHz1zL

-- WHO GOT THE WAIVERS: Kellyanne Conway to work with former clients, Stephen Bannon to engage with Breitbart, energy lobbyist Michael Catanzaro to work on "energy and environmental policy issues," and tax policy adviser Shahira Knight, formerly of Fidelity, to work on tax issues. Andrew Olmem, a White House economic aide, to work on finance issues although he previously lobbied for the industries, Mike Pence's chief of staff Josh Pitcock to work on issues related to Indiana and six lawyers from Jones Day, "including [Don] McGahn, were granted approval to take part in meetings with their former Jones Day colleagues relating to the firm's ongoing legal representation of Trump, his campaign and related entities."

-- POLITICO EUROPE has launched a U.K. Election Tracker. ***Available for iPhones*** http://politi.co/2sl4gN1

MEDIAWATCH - SiriusXM later this week is launching two new weekend shows, as it

continues to brand itself as "The Voice of the Resistance" to the Trump administration. "Signal Boost" is hosted by former Clinton campaign staffers Zerlina Maxwell and Jess McIntosh and will premiere on Saturday at 10 a.m. ET, while "#WokeAF" launches Sunday at 10 a.m. ET on SiriusXM Progress channel 127.

Playbookers

SPOTTED: Janet Yellen on yesterday's 1:25 pm United flight from Washington to Chicago with four security guards ... Kurt Bardella as a background actor as a "Reporter" in a few episodes of this new season of "House of Cards" -- ***pics*** http://bit.ly/2rnCnoc

HAPPENING TODAY: Former HHS Secretary Sylvia Mathews Burwell starts her first day as American University's first female president. Burwell's scheduled to meet with faculty, staff and students as part of a listening tour.

WASHINGTON INC. - Targeted Victory is forming a new partnership with Chris Wilson's polling and intelligence firm WPAi. http://politi.co/2shekY8

TRANSITIONS -- Christine Wormuth will be the Atlantic Council's first director of its new Adrienne Arsht Center for Resilience. She was formerly under secretary of defense for policy under President Barack Obama.

WELCOME TO THE WORLD -- Mary Beth Gombita, director of media relations at the Competitive Enterprise Institute, and **Stephen Gombita,** an associate at DLA Piper, recently welcomed Palmer Stephen Gombita. ***Pic*** http://politi.co/2rnDDrz

-- **Alicia D'Angelo**, account manager for audience solutions at POLITICO, and **Charles D'Angelo,** president at Westmount Capital Group welcomed their daughter into the world on Tuesday at 11:30 p.m. "Arabella Charlotte D'Angelo arrived almost 2 weeks after her due date, and while mom and dad are thrilled she is finally with them, everyone on the Audience Solutions team is slightly disappointed that no one won the due date betting pool." ***Pics*** http://politi.co/2qEmsoo ... http://politi.co/2sh5oSV

BIRTHDAY OF THE DAY: Alex Seitz-Wald, political reporter for NBC News and MSNBC. How he's celebrating: "My wife and I went to a bed and breakfast on the water in the Eastern Shore of Maryland over the Memorial Day weekend, which was also our first anniversary! I'll also get together with some friends at a bar in D.C. on my actual birthday." Read his Playbook Plus Q&A: http://politi.co/2rsLnuC

BIRTHDAYS: Sam Smith -- her parents are coming into town to take her to dinner at Le Diplomate (hat tips: Bubba and Charlie the dog) ... Alex Allbritton is 10 ... Dan Bartlett ... Alex Stoddard (h/t Geoff Morrell) ... Rep. Gregg Harper (R-Miss.) is 61 ... Spencer Ackerman, national security reporter at the Daily Beast and a Guardian and Wired alum,

is 37 ... Washington's favorite winemaker Alex Gambal ... Jenny Cizner of the Chicago Council on Global Affairs ... Karen Tramontano of Blue Star Strategies ... Leslie Harris (h/ts Jon Haber) ... Constance Boozer, research assistant for Senate Majority Leader Leader Schumer ... Elizabeth Glidden ... former Rep. Mark Green (R-Wisc.) is 57 ... Axios news desk reporter Shane Savitsky (h/t Bubba) ... Irena Vidulovic ... Elizabeth Rojas Levi ... Forest Harger ... Cruz-world's Jason Johnson ... Greg Nelson ... Nairi Hourdajian, VP of marketing and comms at Canaan Partners and an Uber and GPG alum ... Ronnie Dunn, one half of the legendary duo Brooks & Dunn (h/t Kurt Bardella) ...

... Erin Shields Britt, director of corporate comms. at CVS Health ... GOP ad man and Pittsburgh native Jim Innocenzi ... Mark Lotto ... Matt Burns ... Mac O'Brien, senior associate at Hamilton Place Strategies ... Suzanne Merkelson ... Addie Bryant ... Sean Kennedy, former Obama WH aide turned SVP for global gov't affairs for Airlines for America ... Steve Duprey ... Diane Zeleny ... Bill Shuler ... Christopher Minakowski is 46 ... Dominic Vilmain ... Abby Spring ... Timothy Gannon ... Heather Matson ... Addisu Demissie (h/ts Teresa Vilmain) ... Steven Holmes ... Dee Sachetti ... Terrance Green ... Pat Boone is 83 ... Morgan Freeman is 8-0 ... Heidi Klum is 44 ... Alanis Morissette is 43 (h/ts AP)

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 10/4/2017 7:06:09 PM
Subject: DOE electricity, fossil picks easily clear Senate energy committee

By Darius Dixon

10/04/2017 03:03 PM EDT

The Senate Energy and Natural Resources Committee gave its support to two Energy Department assistant secretary nominees today, the panel announced.

President Donald Trump has tapped Bruce Walker to lead DOE's electricity delivery and energy reliability office, while Steven Winberg was picked to head the agency's fossil energy programs. Both were approved by the Energy committee on a voice vote.

The panel held a hearing last week to consider both nominees and was supposed to vote on them out at a Tuesday markup that was canceled Monday night.

WHAT'S NEXT: The Winberg and Walker nominations move to the full Senate but it's unclear when they will get approved.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/doe-electricity-fossil-picks-easily-clear-senate-energy-committee-093930

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 5/23/2017 8:55:47 PM
Subject: BREAKING NEWS: Senate Intelligence Committee issues two new subpoenas for Michael Flynn

The Senate Intelligence Committee is issuing two new subpoenas to compel Michael Flynn to turn over documents about his contacts with Russian officials, committee leaders said Tuesday. President Donald Trump's former national security adviser has invoked his Fifth Amendment rights in response to the committee's previous subpoena attempt. Committee leaders are directing the new subpoenas at his businesses, believing they can't invoke the Fifth.

Read more: http://politi.co/2rxaTzi

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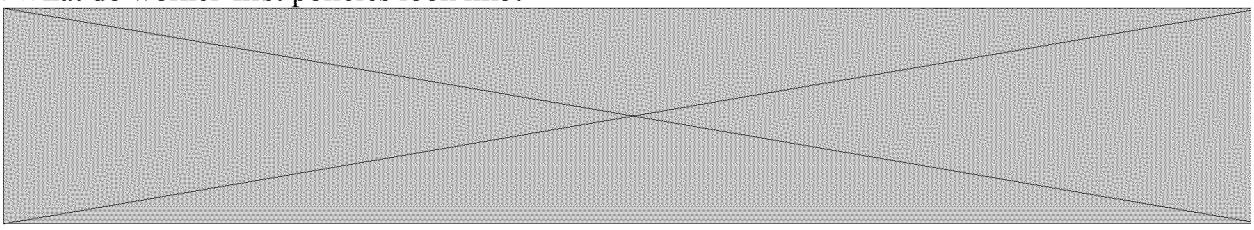
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Tue 6/27/2017 10:09:17 AM
Subject: AEI Today: What do worker-first policies look like?

. What do worker-first policies look like?



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Reuters

What do worker-first policies look like?

Ryan Streeter | Forbes

With his proposal to expand apprenticeships last week, President Trump has put forward the first worker-centric policy of his administration. Carried into the White House on a wave of working-class unrest in America's heartland, the president has until now walked back his populist campaign rhetoric on trade and pushed a tax plan that is conventionally Republican. The problem with apprenticeships, though, is that alone they are too small a solution for the challenges faced by workers.

Reuters

Fighting back in the war on crime kingpins

Roger Noriega, Kirsten Madison, et al. | AEI

Transnational organized crime resides at the heart of nearly every major threat confronting the Americas today. These organizations

systematically degrade democratic institutions and the rule of law, stunting economic growth and stifling legitimate commerce and investment. The threat of transnational organized crime in the Americas requires greater focus and investment from policymakers to effectively combat illicit trafficking networks, corrupt government officials, and gang activity and violence.

Twenty20

Why calling addiction 'brain disease' is dangerous

Sally Satel and Scott Lilienfeld | The Boston Globe

At last official count, in 2015, more than 33,000 people have died from opioid painkillers, heroin, and fentanyl — twice the number killed by guns — and the number of fatalities is rising. Health officials, police, and politicians at all levels of government are desperately looking for solutions. In the medical and research communities, the dominant narrative holds that that addiction is a “brain disease.” This is the wrong approach.

Reuters

Seattle's fight for $15 is coming home to roost (2014)

Michael R. Strain | The Washington Post

A recently released report from The National Bureau of Economic Research dives into the effects of Seattle rapidly increasing its minimum

wage from $9.47 an hour to $13 over the past two years. The research finds that the average low-wage employee now takes home $125 less a month. In an article from 2014, AEI's Michael Strain predicted this policy backfiring: "a city-specific $15 per hour minimum wage is simply reckless."

More from AEI

Taking a look at the national housing market index
Edward J. Pinto and Tobias Peter | AEIdeas

India's generic drug problem
Roger Bate | AEIdeas

How to promote innovation in higher education
Andrew P. Kelly and Kevin J. James | National Affairs

The latest threat to the World Trade Organization
Claude Barfield | AEIdeas

Reforming student loans and tax credits
Jason D. Delisle | National Affairs

The outsized influence of moderates in the health care debate
Ramesh Ponnuru | Bloomberg View

Ways to increase transparency in higher education
Mark Schneider | National Affairs

Exposing the many problems of a carbon tax
Benjamin Zycher | AEIdeas

Making changes to how need-based aid is structured
Andrew P. Kelly | National Affairs

Wishing a happy birthday to the most revolutionary consumer product ever: The iPhone
Mark J. Perry | AEIdeas

Breaking down the rules for student aid
Kevin J. James | National Affairs

Understanding Trump's new apprenticeship program
Gerard Robinson | AEIdeas

Podcast: Discussing criminal justice reform with Judiciary Chairman Sen. Chuck Grassley (R-IA)
AEI Events Podcast

Can an ancient Greek win America's wars?
Frederick W. Kagan and Kimberly Kagan | Bloomberg

How can we reduce poverty by half in 10 years?
Robert Doar | Committee on Building an Agenda to Reduce the Number of Children in Poverty

The regulatory reforms higher education needs
Andrew P. Kelly | National Affairs

Watch live: The return of blue-collar conservatism
Karlyn Bowman and Jonah Goldberg | AEI event today at 5:30 PM ET

Around the web: The real threat of artificial intelligence
Matt Winesett | AEIdeas

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Wed 11/15/2017 3:03:45 PM
Subject: POLITICO's Morning Score: GOP super PAC warns members to prep for 2018 storm — Moore scandal spills into other Republicans' campaigns — If Moore wins, Senate Republicans poised to expel

By Elena Schneider | 11/15/2017 10:00 AM EDT

With Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

DISASTER PREPAREDNESS - "GOP super PAC warns members to prep for 2018 storm," by Campaign Pro's Elena Schneider: "House Republicans' top super PAC strategist has a blunt message for some of them: Work harder in 2018, or prepare to lose next November. The group, Congressional Leadership Fund, is already fortifying weak spots in the GOP's 24-seat House majority as it builds a massive field program to defend Republican districts during the midterms. The process is expensive and time-consuming, demanding an early start - and making it clear, one year before the election, that the data-driven super PAC foresees tough races ahead in territory Republicans have held for a generation. ... But Corry Bliss, CLF's executive director, said that although most perennial battleground incumbents are suiting up for battle, not all of the Republican House members are preparing seriously for a difficult election." **Full story.**

MOORE HEADLINES, MOORE PROBLEMS - "Moore scandal spirals into other Republicans' campaigns," by Campaign Pro's Kevin Robillard: "Roy Moore's political blast radius is expanding rapidly, encompassing GOP candidates far beyond Alabama and pouring gasoline on the intense battle between establishment and nationalist Republicans. ... But beyond Alabama, Democratic groups are pressuring Republican Senate and gubernatorial candidates to go on the record about the accusations against Moore. Republicans aligned with McConnell are blaming Republicans aligned with former White House strategist Steve Bannon for the predicament, and Bannon allies are on the defensive." **Full story.**

- "Senate Republicans poised to expel Moore if he wins," by POLITICO's Seung Min Kim and John Bresnahan: "Senate Majority Leader Mitch McConnell and Senate Republicans say that Alabama Senate GOP candidate Roy Moore is virtually certain to face a formal ethics complaint - which would lead to expulsion proceedings - should he get elected next month. It's an outcome that senior Republicans say privately is all but unavoidable after the embattled Senate hopeful was accused of sexual misconduct, including with a 14-year-old girl. ... McConnell initially outlined his thinking at his weekly leadership meeting earlier this week: The majority leader said if Moore is elected next month, he expects a senator to file an ethics complaint against Moore, according to multiple sources. That process would eventually lead to a vote on expelling him." **Full story.**

- "Trump faces wrenching call on Moore," by POLITICO's Alex Isenstadt, Eliana Johnson

and Josh Dawsey: "President Donald Trump is returning from Asia to a political maelstrom in the United States - one that could force him to decide whether to push out Attorney General Jeff Sessions in a Hail Mary attempt to save the Alabama Senate seat Sessions once held." **Full story.**

- "RNC cuts off Moore," by Isenstadt: "The Republican National Committee is withdrawing its support for besieged Alabama Senate candidate Roy Moore, leaving him increasingly isolated as he confronts charges of sexual misconduct with teenagers." **Full story.**

- "Sen. Dean Heller calls for Moore to drop out of Alabama Senate race," The Las Vegas Review-Journal reported. But Heller's primary opponent, Danny Tarkanian, told the newspaper that "he didn't think Moore should drop out."

Days until the 2018 election: 356.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring technology reporter Margaret Harding McGill and the artwork of Pulitzer Prize-winning cartoonist Matt Wuerker. Click HERE to watch.

JOHNSON AMENDMENT - "House tax bill frees churches, nonprofits from political restrictions," by Campaign Pro's Maggie Severns: "A small provision added to the House tax reform bill last week would free up churches to get more involved in politics - and could insert a massive new nonprofit loophole into the campaign finance system, some experts are warning. The addition to the bill would end a long-standing prohibition on churches, schools and charities endorsing candidates, called the Johnson Amendment, after a major behind-the-scenes lobbying campaign by religious conservatives. While the House bill has contained some Johnson Amendment language since it was introduced, the provisions were dramatically expanded last week - with little fanfare, in the final hours of a multi-day markup of the House bill - to include all nonprofits, not just religious institutions." **Full story.**

POLLING DATA - Quinnipiac, Marist polls show Democrats with double-digit edge in 2018: A pair of public polls released Tuesday shows Democrats with a double-digit edge over Republicans in the upcoming midterm elections. A Quinnipiac University poll found that 51 percent of voters want Democrats to control the House in 2018, while 52 percent said they want Democrats to control the Senate. A Marist poll found Democrats hold a 15-point edge on the generic ballot, as 51 percent of voters are opting for Democrats, while 36 percent support Republicans.

FIRST IN SCORE - Survey finds voters want bipartisanship in midterms: A Global Strategy Group poll commissioned by Center Forward found that 72 percent of nationwide voters are more likely to support a candidate who will work with both parties. Eight in 10 voters nationally also said they strongly agree that they wanted members of Congress to work together, while 91 percent of voters called Congress "dysfunctional." The poll also found House leaders in both parties to be unpopular with 54 percent of voters disapproving of both Speaker Paul Ryan and Minority Leader Nancy Pelosi. **Check out the full polling memo here.**

FROM THE COURTROOM - "No verdict in Menendez case, jury will resume deliberations Wednesday," by POLITICO New Jersey's Matt Friedman: "Jurors in the federal corruption trial of Sen. Bob Menendez went home Tuesday without reaching a verdict, a day after telling the court they were deadlocked on all charges. Jurors sent no notes and asked no questions during their five-and-a-half hours of deliberations on Tuesday, giving no clue as to whether they were any closer to reaching a verdict on the 12 counts against Menendez, a Democrat and New Jersey's senior senator, and the 11 counts against his co-defendent, Florida eye doctor Salomon Melgen." **Full story.**

CODA - QUOTE OF THE DAY: "Good luck." - Ed Gillespie's campaign manager, Chris Leavitt, said, referring to Republicans running in 2018, The Richmond Times-Dispatch reported.

To view online:
https://www.politico.com/newsletters/morning-score/2017/11/15/gop-super-pac-warns-members-to-prep-for-2018-storm-223366

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From: Bloomberg BNA
Sent: Tue 6/6/2017 11:38:40 PM
Subject: June 07 -- Daily Environment Report

Daily Environment Report

June 07, 2017 - Number 108

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Leading the News

Pesticides
States to Pruitt: Don't Reverse Course on Dow Insect-Killer
Seven states want the EPA to ban most uses of the pesticide chlorpyrifos, challenging the agency's decision not to further regulate the chemical.

News

Agriculture
FDA Again Postpones Deadlines on Farm Water Quality Rules
The Food and Drug Administration has again pushed back the compliance dates for agricultural water quality rules created by the Food Safety Modernization Act.

Air Pollution
EPA Could Delay Decisions on Which States Exceed Ozone Standards
The EPA could postpone for up to a year the next step in implementing more stringent federal air pollution standards for ozone, which may signal the requirements could come under assault from the Trump administration.

Air Pollution
EPA Missed Deadlines for California Ozone Plans, Lawsuit Says
The EPA missed legal deadlines to act on overdue plans to tackle ozone pollution in California, environmental groups said in a lawsuit seeking to force the agency to take action.

Air Pollution
Indian State Introduces First Emissions Rating System for Factories
The heavily industrialized state of Maharashtra launched India's first emissions rating

system for factories in eight sectors identified as highly polluting.

Chemicals
Trump's Infrastructure Push Could Soothe Chemical Makers' Worry
President Donald Trump's plan to channel $1 trillion into improving the country's infrastructure couldn't come at a better time for chemical makers increasingly concerned that the country won't be able to handle exports from a record wave of new factories.

Climate Change
Top U.S. Diplomat in China Steps Down Over Climate Move
The top U.S. diplomat in China, David Rank, has resigned in protest of President Donald Trump's decision to withdraw from the Paris climate change accord, according to three people familiar with the matter.

Coal Mining
India's Adani Approves Controversial Australian Coal Project
India's Adani Group will proceed with its $16.5 billion Carmichael coal project in Australia's Queensland state after its board approved an investment decision on the development.

Congress
David Vitter Tackles Energy Issues at New Orleans Law Firm
Former Sen. David Vitter (R-La.) has joined Butler Snow LLP to work on energy issues, the law firm announced June 6.

Energy
Historic California Gas Leak Spurs Boom in Big Batteries
Installations of large-scale energy-storage systems surged to record levels during the first quarter as power companies and state officials pushed to better incorporate electricity from wind and solar farms.

Energy
NuScale CEO: Energy Department Must Keep Funding Small Reactor
The Energy Department should keep its public-private funding commitment to NuScale Power LLC, which is developing the country's first small modular nuclear reactor, the company's CEO said June 6.

Energy
Senate Panel Advances FERC, Interior, Energy Nominees
A Senate committee voted June 6 to advance two nominations for the Federal Energy Regulatory Commission, a step toward restoring the quorum the commission needs to make basic decisions on electric grid regulation, natural gas pipeline projects and more.

Enforcement
Jeffrey Bossert Clark Chosen for Justice Environment Division
Jeffrey Bossert Clark, a George W. Bush administration Justice Department official, is President Donald Trump's choice to lead the department's Energy and Natural Resources Division.

International Climate
Paris Climate Deal Needs New Rules and Clarity, Scientists Say
The Paris climate accord needs to be strengthened through new negotiations and national commitments to transparency, scientists argued in a report.

International Issues

California Governor Says China 'On the Move,' U.S. Role Reduced

California Governor Jerry Brown said "America can't rest on its laurels" as competitive pressures from China become more intense, particularly in light of the U.S. moving away from the Paris climate change agreement.

Natural Resources

Gabon to Protect Quarter of Offshore Waters as Marine Reserves

Gabon President Ali Bongo created a network of 20 protected offshore marine reserves covering about 26 percent of the central African nation's territorial waters.

Oil & Gas

Cowboy Country Turns Oil-Basin Bargain Versus Pricey Permian

A year ago, it cost the family-owned Kirkwood Oil & Gas LLC a relative pittance to secure drilling rights in the Powder River Basin, the lonely, scrubby corner of northeast Wyoming known mostly as a home to cattle ranches and coal mines. Today, it's a different story.

Renewable Energy

Germany Rejects Curbing Wind Auctions as Clean Power Surges

Germany's ruling coalition has no plans to curb auctions of onshore wind power even though capacity coming online has strained the electricity grid.

Renewable Energy

Governor Says He Intends to Sign Nevada Net Metering Bill

Nevada Gov. Brian Sandoval (R) plans to sign legislation that will restore net metering for the rooftop solar industry.

Renewable Energy

Prince on Funding Solar Power: Let's Go Crazy

Before his abrupt death a year ago, the pop musician Prince made an investment in green energy that's now helping solar start-ups weather an assault from President Donald Trump.

Vehicle Fuels

California Biodiesel Credits on Hold as Court Orders New Analysis

Biodiesel producers are going to have to wait a little longer to get more California credits under the state's low-carbon fuel standard.

Water Infrastructure

Cities Line Up for EPA Water Financing Assistance

The EPA released new details on the applicants that applied to its new water infrastructure financing program, with a high level of interest coming in from dozens of cities across the country.

U.K. Election Results, Emissions Plan Are Up in the Air

The only thing certain about the U.K.'s general election this week is nobody's sure what's going to happen.

Special Report

Environmental Justice

For Polluted Communities, Data Drives Action; Will Trump Listen?

Flint, Mich., residents held protests and spoke out at town halls for months about their brown, foul-smelling drinking water. But it took a university and a pediatrician's tests of the water and children's blood lead levels before the crisis spurred government action. "We substantiated what Flint residents had been screaming for months and put it on the internet for the world to see," Siddhartha Roy, one of the graduate students at Virginia Polytechnic Institute and ...

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/6/2017 11:56:26 AM
Subject: July 06 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 06, 2017 - Number 128

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

California Regions

AIR
Fees
California Regions AIR

Final rule of the Santa Barbara County Air Pollution Control District amends regulations under Rules 210 and 213 to adjust fees for fiscal year 2017-2018 based on the state consumer price index increase of 2.2 percent. The rule is effective July 1, 2017. Contact: Kristina Aguilar; Santa Barbara County APCD; 805-961-8813

—California RegionsRegulations (07/01/2017)

Regulatory Update

AIR
Fees
California Regions AIR

Final rule of the South Coast Air Quality Management District amends Regulation III, Rules 301 through 315 (nonconsecutive), to increase fees to correspond to the 2016 California consumer price index increase of 2.5 percent, effective July 1, 2017. The rule also increases Title V annual operating permit renewal and permit processing fees by an additional 16 percent above the CPI for the next two fiscal years. In addition, the rule increases annual operating permit renewal, permit processing and plan fees for non-Title V facilities by 4 percent above the CPI for the next two fiscal years. Finally, the rule updates and clarifies references, removes obsolete provisions, makes technical corrections, and extends certain due dates. The rule is effective July 1, 2017. Contact: Michael O'Kelly; South Coast AQMD; 909-396-2828; mokelly@aqmd.gov

—California RegionsRegulations (06/02/2017)

Regulatory Update

Illinois

GENERAL ENVIRONMENT AND SAFETY
Illinois EPA/Regulatory Agenda
Illinois GENERAL ENVIRONMENT AND SAFETY

Notice of the Illinois EPA announces the issuance of the July 2017 regulatory agenda that lists anticipated amendments to regulations under 35 IAC 164 through 875 (nonconsecutive) regarding the air pollution control permit program, grain handling and drying operations, process weight rate calculations, permits for coal-fired combustion emission sources, the nitrogen oxides trading and the clean air set-aside programs, and transfer efficiency for surface coating operations in wood furniture coating facilities. The agenda also addresses the water pollution control loan program, loan priorities and operator certifications for municipal wastewater treatment works, combined sewer overflow exception criteria and first flush determinations, the public water supply loan program, municipal waste planning and nonhazardous solid or municipal waste enforcement grants, and white goods collection grants. Contact: Charles Matoesian; IEPA; 217-782-5544; charles.matoesian@illinois.gov

—Illinois Register (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pollution Control Board/Regulatory Agenda
Illinois GENERAL ENVIRONMENT AND SAFETY

Notice of the Pollution Control Board announces the issuance of the July 2017 regulatory agenda that lists anticipated amendments to regulations under 35 IAC 201 through 1000 (nonconsecutive) regarding permits, air quality standards, emission standards and limitations, asbestos, radiation hazards, water quality and primary drinking water standards, and National Pollutant Discharge Elimination System permits. The agenda also addresses sewer discharge criteria, pretreatment programs, community water supplies permits and criteria, RCRA and underground injection control permit programs, hazardous waste management systems, injection control, hazardous waste, land disposal and landfills, management of used oil, special waste and solid waste, underground storage tanks, and sound emissions. Contact: Nancy Hoepfner; PCB; 312-814-3620; nancy.hoepfner@illinois.gov

—Illinois Register (06/30/2017)

Regulatory Update

Minnesota

WATER
Municipal Water Supplies/Fluoride Levels
Minnesota WATER

Notice announces the intention of the Department of Health, Division of Environmental Health, to amend regulations under MNR 4720.0030 regarding public water supplies. The amendments would reduce the minimum, maximum, and average fluoride levels in municipal public water systems to 0.5 milligrams per liter (mg/L), 0.9 mg/L, and 0.7 mg/L, respectively, based on recommendations from the Centers for Disease Control and Prevention. Comments are requested, but a due date is not specified. Contact: David Rindal; DOH; 651-201-4660; health.dwp-rules@state.mn.us

—Minnesota State Register (07/03/2017)

Regulatory Update

New Jersey

AIR
Air Pollution Control
New Jersey AIR

Proposed rule of the Department of Environmental Protection, Division of Air Quality, amends regulations under NJAC 7:27-8.1 through :27-22.33 (nonconsecutive) and :27A-3.10 and repeals regulations under NJAC 7:27-34 concerning air pollution control requirements for t-butyl acetate emissions. The rule discontinues t-butyl acetate emissions reporting requirements for the air permitting and gasoline transfer operations standards and deletes related penalties to reflect Feb. 25, 2016, EPA amendments to 40 CFR 51.100. The rule will be submitted to the EPA as a revision to the state implementation plan. A hearing is scheduled for Aug. 24, 2017, in Trenton. Comments are due Sept. 1, 2017. Contact: Alice Previte; DEP; 609-292-9398

—New Jersey Register (07/03/2017)

Regulatory Update

AIR
Technical Manuals for Control of Air Contaminant Emissions
New Jersey AIR

Notice of the Department of Environmental Protection, Division of Air Quality, announces the withdrawal of the state-of-the-art technical manuals for the control of air contaminant emissions from petroleum refineries, degreasers, and other solvent-based metal surface cleaners and nonhazardous onsite remediation processes. The department has determined that the manuals no longer satisfy applicable requirements under NJAC 7:27-8.12 for preconstruction permits for minor facilities and NJAC 7:27-22.35 for operating permits for major facilities. The department also is updating the effective dates for five other state-of-the-art technical manuals for the control of air contaminant emissions. Comments are due Aug. 2, 2017. Contact: DEP, Air Quality Permitting Program; 609-292-6722; NJDEP-BAQP@dep.nj.gov

—New Jersey Register (07/03/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Certification of Laboratories and Environmental Measurements
New Jersey GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Environmental Protection announces action on a petition for rulemaking to amend regulations under NJAC 7:18-5.5 regarding certification of laboratories and environmental measurements. The petitioner requests that the department modify requirements for calibration of optical dissolved oxygen sensors to require calibration quarterly rather than weekly. The department denied the petition and provides the basis for the decision. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Register (07/03/2017)

Regulatory Update

NOISE
Noise Control
New Jersey NOISE

Notice of the Department of Environmental Protection announces action on a petition for rulemaking to amend regulations under NJAC 7:29-1.2 regarding noise control. The petitioner requested that the department extend the sound level limits for industrial, commercial, or community service facilities to residential properties based on measurements at the property line. The department denied the petition and provides the basis for the decision. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Register (07/03/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Elevator Safety Code
New Jersey OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Community Affairs, Division of Codes and Standards, amends regulations under NJAC 5:23-12.1, .2, .3, .6, and .9 concerning the elevator safety code. The rule removes the requirement for visual inspection of elevator devices at six-month intervals and removes the associated fee. The rule also specifies that building owners are responsible for performing required maintenance under national standards and to record maintenance on a checklist. The rule is effective July 3, 2017. Contact: Gabrielle Gallagher; DCA; 609-292-4096; gabrielle.gallagher@dca.nj.gov

—New Jersey Register (07/03/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Licensing of Crane Operators
New Jersey OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Workforce Development, Division of Public Safety and Occupational Safety and Health, readopts with amendments regulations under NJAC 12:121-2.1, -3.1, -4.2, -4.8, and -7.1 concerning licensing of crane operators. The rule specifies that an application for renewal must be submitted at least 45 days prior to the permit's expiration date, updates the definition of "approved," and replaces outdated agency titles. The rule also removes obsolete provisions concerning the Crane Operators License Advisory Board and license expiration and renewal. A hearing is scheduled for Aug. 1, 2017, in Trenton. Comments are due Sept. 1, 2017. Contact: David Fish; DLWD; 609-292-2789; david.fish@dol.nj.gov

—New Jersey Register (07/03/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Safety and Health Standards for Public Employees
New Jersey OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Workforce Development, Division of Public Safety and Occupational Safety and Health, readopts with amendments regulations under NJAC 12:100-2.1, -4.1, -10.1, -13.2, and -19.3 concerning safety and health standards for public employees. The rule clarifies the definition for "employer," updates web and mailing addresses, and replaces outdated agency references. A hearing is scheduled for July 26, 2017, in Trenton. Comments are due Sept. 1, 2017. Contact: David Fish; DLWD; 609-292-2789; david.fish@dol.nj.gov

—New Jersey Register (07/03/2017)

Regulatory Update

Pennsylvania

AIR
Annual Ambient Air Monitoring Network Plan
Pennsylvania AIR

Notice of the Department of Environmental Protection announces the availability of the 2017 Annual Ambient Air Monitoring Network Plan, pursuant to national ambient air monitoring requirements for criteria pollutants under 40 CFR 53 and 58. The plan reflects updates to the ambient air monitoring network and identifies changes that are anticipated in the remainder of 2017 and in 2018. Comments are due Aug. 1, 2017. Contact: Sean Nolan; DEP; 717-772-3377; senolan@pa.gov

—Pennsylvania Bulletin (07/01/2017)

Regulatory Update

AIR
SIP Revision/Warren County Sulfur Dioxide Nonatttainment Area
Pennsylvania AIR

Notice of the Department of Environmental Protection announces a proposed revision to the state implementation plan (SIP) regarding the Warren County nonattainment area for the 2010 one-hour sulfur dioxide national ambient air quality standards (NAAQS). The SIP revision sets forth a base-year emission inventory, reasonable further progress toward attainment, reasonably available control measures/technology, dispersion modeling demonstrating attainment in 2018, an approved new source review program, and contingency measures. The department has drafted a consent order and agreement with United Refining Co. to incorporate control measures, emission limits, and contingency measures applicable to its facility into a federally enforceable vehicle. The revision will be submitted to the EPA for approval. A hearing is scheduled for Aug. 2, 2017, in North Warren. Comments are due Aug. 4, 2017. Contact: Roma Monteiro; DEP; 717-787-9495; rmonteiro@pa.gov

—Pennsylvania Bulletin (07/01/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 9/8/2017 5:12:47 PM
Subject: Playbook Power Briefing, presented by Hewlett Packard Enterprise: HOUSE passes debt ceiling/hurricane aid/government funding deal -- TRUMP: 'Sorry, Republicans' -- JOE BIDEN'S daughter says she hopes he runs in 2020

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by Hewlett Packard Enterprise

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

MUST-READ STORY -- BLOOMBERG BNA'S JONATHAN NICHOLSON: "Spring 2018 likely for next debt vote but election season possible": "The good news for lawmakers: Under the Harvey aid package that passed the Senate Sept. 7, they won't have to vote on the debt limit again until 2018-with early estimates that the next debt vote will be in the spring.

"The bad news for lawmakers : There's an outside chance a vote will take place a few months ahead of the midterm elections. ... While the legislation temporarily suspends the debt limit through Dec. 8 -- resetting it at a higher level Dec. 9 to include debt issued while the debt limit was not in effect -- allows Treasury to reset its 'extraordinary measures' that give it some extra borrowing capacity, and thus extra time, once it nears the debt limit. The actual amount of time granted by the extraordinary measures will depend on various factors, including Treasury's borrowing patterns, incoming receipts and the government's rate at which it burns through cash.

"There is a small but real chance that extraordinary measures might meet the Treasury's needs through the April 15 tax date. If that happens, the debt ceiling debate could stretch all the way to August or even September,' Lou Crandall, chief economist with analytical firm Wrightson ICAP, told Bloomberg BNA." http://bit.ly/2eLxRKY

Good Friday afternoon.

THE NEW ALLIANCE, CEMENTED -- THE HOUSE PASSED the debt ceiling/government funding/hurricane Harvey relief deal 316-90. All 90 of the no votes came from the Republican party.

-- BEHIND THE SCENES, REPUBLICANS FUME -- Rachael Bade and Kyle Cheney: "It was supposed to be a call to unity. Treasury Secretary Steven Mnuchin and Office of Management and Budget Director Mick Mulvaney joined a closed-door GOP conference meeting Friday to try to rally wary Republicans around a debt ceiling bill they hated.

"But the huddle quickly went off the rails when Rep. Tim Walberg stood up to say President Donald Trump needed to play more with the team. The Michigan Republican said he was all for bipartisanship. But he argued that Trump shouldn't have blindsided the conference the way he did when he struck a deal with Democratic leaders Nancy Pelosi and Chuck Schumer, undercutting GOP leaders. And the room booed when Mulvaney and Mnuchin refused to commit to spending cuts during the next debt ceiling debate - and then asked for their vote on the current legislation." http://politi.co/2gPtAH1

'REPUBLICANS, SORRY' -- FROM THE WHITE HOUSE -- @realDonaldTrump at 8:34 a.m.: "Hurricane Irma is of epic proportion, perhaps bigger than we have ever seen. Be safe and get out of its way, if possible. Federal G is ready!" ... **at 8:37 a.m.:** "Our incredible U.S. Coast Guard saved more than 15,000 lives last week with Harvey. Irma could be even tougher. We love our Coast Guard!" ... **at 8:41 a.m.:** "Republicans, sorry, but I've been hearing about Repeal & Replace for 7 years, didn't happen! Even worse, the Senate Filibuster Rule will...." ... **at 8:46 a.m.:** "...never allow the Republicans to pass even great legislation. 8 Dems control - will rarely get 60 (vs. 51) votes. It is a Repub Death Wish!" ... **at 8:57 a.m.:** "Republicans must start the Tax Reform/Tax Cut legislation ASAP. Don't wait until the end of September. Needed now more than ever. Hurry!"

-- HOLD YOUR HORSES, MR. PRESIDENT. There are roughly 45 legislative days until the end of the year. A chunk of December will be eaten up by another government-funding and debt-ceiling fight that you just set up. Congress hasn't passed a budget. That's a multi-week affair, at best. ... **AND BY THE WAY:** There is no appetite to change the Senate's rules.

WHAT KEVIN MCCARTHY IS READING -- "SAN FRANCISCO (AP) - Federal audit says $84 million in U.S. taxpayer funds were used improperly for planning California water tunnel project."

WEATHER GURU STEVE SHEPARD SPEAKS! -- Irma has weakened slightly in the past 24 hours and now has maximum sustained winds of 150 mph. That's roughly the intensity at which the National Hurricane Center expects the storm to make landfall late Saturday or early Sunday. To put that in perspective, that's about on par with Hurricane Andrew's intensity upon landfall near Homestead in 1992, and 20 mph stronger than Hurricane Harvey when it came ashore in Texas last month.

The latest forecast (http://bit.ly/2gPPrSj) at 11 a.m. jogged ever-so-slightly westward - but regardless of whether the ultimate track of Irma runs up I-95, I-75 or somewhere in between, Irma is going to spread extreme winds, deadly storm surge, flooding rains and tornadoes over much of the Florida peninsula. The strongest winds will be over South Florida - especially overnight Saturday into Sunday -- but even parts of North Florida could see hurricane-force winds Sunday night and Monday as Irma heads north. Tropical-storm conditions will begin over South Florida tomorrow, so today is the final day for residents to finish their preparations to protect life and property.

-- "Jeb Bush praises Trump's leadership handling hurricanes," by CNN's Ashley Killough: "Jeb Bush offered some rare praise Friday for President Donald Trump and the way he's handling two back-to-back hurricanes. 'President Trump has done a good job keeping, showing his concern for the victims of Harvey and I'm sure he'll do the same (for Irma),' the former two-term Florida governor said on CNN's 'New Day.' 'The key, though, is to make sure Washington's here for the long haul, for the long-term recovery of our state.' The intense hurricane season is all too familiar for Bush, who dealt with the catastrophic storm seasons of 2004 and 2005, in which eight hurricanes and four tropical storms slammed into Florida." http://cnn.it/2gPhFcm

****** **A message from Hewlett Packard Enterprise**: How are Hewlett Packard Enterprise's supercomputers helping create the future in science, medicine and national security? Learn more: hpe.com/supercomputing ******

REMEMBER THE ELECTION INTEGRITY COMMISSION? -- "Election Integrity Commission members accuse New Hampshire voters of fraud," by WaPo's Dave Weigel: "Days before they meet in New Hampshire, members of the White House's Election Integrity Commission have seized on a report about same-day registration to allege that massive fraud might have swung the state's 2016 vote. Both voters and election experts say the allegation -- accusing thousands of voters of criminal activity simply for living in New Hampshire but holding out-of-state driver's licenses -- are baseless.

"The accusation arose Thursday morning, when Shawn Jasper, the speaker of New Hampshire's Republican-run House of Representatives, released data on same-day registrants that he'd obtained from the secretary of state's office. In November 2016, 6,540 voters had registered to vote on Election Day. As of Aug. 30, just 1,014 of those voters had obtained a New Hampshire drivers license. A few hundred voters did not obtain state licenses but had registered cars in the state. That was enough for Jasper to allege thousands of fraudulent votes - and for Kansas Secretary of State Kris Kobach, the vice chairman of the commission, to flatly allege that fraudulent voters might have stolen the state's four electoral votes and a U.S. Senate seat away from Republicans. ...

"Kobach apparently made no attempt to contact voters who'd cast ballots but held out-of-state IDs. Thursday night, The Washington Post asked voters who'd done so to tell their stories; three did so within 60 minutes -- college students, who were living in New Hampshire but did not change their licenses." http://wapo.st/2xidyAb ... ***Kobach's evidence free column in Breitbart*** http://bit.ly/2xie9Sr

TRUMP INC. -- @juliannagoldman: "Mar-a-Lago, @TrumpJupiter, @TrumpPalmBeach are CLOSED ahead of #HurricaneIrma. @TrumpDoral waiving cancellation fees, per Trump Org spox".

AFTERNOON READ -- "Why North Korea is a black hole for American spies," by Jacqueline Klimas: "[B]ecause the so called Hermit Kingdom has long been one of the most impenetrable intelligence targets -- the top U.S. spy earlier this year called it 'one

of the hardest, if not the hardest' -- there is low confidence airstrikes or other means of attack would successfully thwart its nuclear and missile ambitions without leaving significant elements of its arsenal for Pyongyang to retaliate with. 'You don't want to stir the hornet's nest and the hornets are still there when you're done,' said Douglas Paal, vice president for studies at the Carnegie Endowment for International Peace and a former National Security Council staffer for former President George H.W. Bush. 'If you're giving options to the president ... one of the very first things we have to say is we can strike what we can see, but we don't know what we can't see.'" http://politi.co/2xhNcyh

MORE FROM BANNON'S INTERVIEW -- "Steve Bannon: Trump's leaked 'Access Hollywood' tape was a 'litmus test,'" from CBS: "[Steve] Bannon, then RNC chairman Reince Priebus and Gov. Chris Christie discussed what steps to take next. In his conversation with Charlie Rose, the executive chairman of conservative publication Breitbart News explains how the meeting ended up costing Christie a potential job in the administration. ... Bannon: 'I gotta -- you know, I'm Irish. I gotta get my black book and I got 'em. ... Christie, because of Billy Bush weekend -- and -- was -- was -- not looked at for a Cabinet position. ... I told him, 'The plane leaves at 11 o'clock in the morning. If you're on the plane, you're on the team.' Didn't make the plane.'" http://cbsn.ws/2gNVT8y

2020 WATCH -- "Will Joe Biden Run in 2020? His Designer Daughter Ashley Sure Hopes So," by WWD's Rosemary Feitelberg: "As for whether Joe Biden will run for president in 2020, his daughter [Ashley Biden], who still works full-time in Philadelphia, said, 'I hope so. He's busier truly than ever. Right now his focus is on the [Biden] Foundation and Cancer Moonshot, as well as getting other Democrats elected. He's not there. He's taking it day by day after the loss of my dear beloved brother [Beau who died in 2015]...He'll make a decision when that time comes,' she said. 'It's a little ways away. A lot can happen in four years and we know this as a family. If he is in good health, knock on wood, and seeing what the landscape is at the time, yeah, I think he is considering it.'" http://bit.ly/2welg8c

2018 WATCH -- "Virginia Senate race: Carly Fiorina rules out run, Jim Gilmore 'considering' candidacy," by CNN's Andrew Kaczynski: "Former Hewlett-Packard executive Carly Fiorina said Friday that she would not seek the Republican nomination for US Senate in Virginia's 2018 election. 'I have made a decision,' Fiorina said on the John Fredericks Show. 'I have decided that I can be of more value outside the system than a single voice among a hundred inside the system.' ... Fredericks speculated on air that former Virginia Gov. Jim Gilmore might jump in the race. When reached by CNN on Friday, Gilmore said he was 'considering' the possibility of his candidacy." http://cnn.it/2xiaKCV

TODAY'S BEYOND THE BELTWAY -- Rubio talks about the hurricane -- Progressive Democrats consider a challenge to Feinstein http://politi.co/2gOKdCP

HURRICANE AFTER EFFECTS -- "Homeland Security Cancels Massive Roundups

of Undocumented Immigrants," by NBC News' Julia Ainsley and Andrew Blankstein: "President Donald Trump's Department of Homeland Security had planned nationwide raids to target 8,400 undocumented immigrants later this month, according to three law enforcement officials and an internal document that described the plan as 'the largest operation of its kind in the history of ICE' ... But after NBC News reported the plans late Thursday, the agency issued a statement saying it had cancelled nationwide enforcement actions due to Hurricane Irma and the damage caused by Hurricane Harvey." http://nbcnews.to/2gOXkDU

VALLEY WATCH -- "Here's what to expect from Apple's big event next week," by WIRED's David Pierce http://bit.ly/2gOhIoN

HOT JOB -- NYT is hiring an artificial intelligence/FutureTech investigative reporter: "Investigate how algorithms, artificial intelligence, robots and technology are influencing our lives, our businesses, our privacy and the future." http://bit.ly/2gOXye3

OUT AND ABOUT -- The NFL, Entertainment Software Association and Electronic Arts hosted a kickoff party last night for the launch of Madden 2018. **SPOTTED:** House Minority Whip Steny Hoyer (D-Md.), Reps. Marsha Blackburn (R-Tenn), Chris Collins (R-N.Y.), Debbie Dingell (D-Mich.), Rick Larsen (D-Wash.), John Shimkus (R-Ill.), Matthew Gaetz (R-Fla.), Charlie Dent (R-Pa.), Mimi Walters (R-Calif.), Duncan Hunter (R-Calif.), Mark Sanford (R-S.C.).

SPOTTED: Rep. Robert Pittenger (R-N.C.) and Sen. Bill Cassidy (R-La.) separately at DCA.

****** **A message from Hewlett Packard Enterprise** : A nation's strength is increasingly measured by its technical prowess. As the designer and builder of more supercomputers than any other company in the world, Hewlett Packard Enterprise is proud to lead the way in one of the future's most important technologies. Visit hpe.com/supercomputing to learn more about how Hewlett Packard Enterprise's supercomputers are helping create the future in science, medicine and national security. ******

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Subject: July 14 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Military Climate Study Survives With Crucial House GOP Votes

Posted July 14, 2017, 12:14 P.M. ET

By Dean Scott

A small but growing number of climate-friendly House Republicans scored their first big victory July 13 when 46 of them joined Democrats to defend language in a defense spending bill highlighting national security concerns posed by climate change.

Republican Reps. Scott Perry (Pa.) and Ken Buck (Colo.) were confident their amendment to strike the the climate change language from the fiscal year 2018 Defense Department spending bill would prevail, given a string of Republican victories that have derailed climate funding and policies in recent years. But their amendment, which appeared to have sailed through an afternoon voice vote, fell to defeat by a vote of 185–234 in a recorded vote. A small but growing coalition of Republicans in favor of climate action joined all Democrats in defeating the measure.

The debate was over a section that would put the House on record in viewing climate change as a "direct threat" to U.S. national security and refers to ways in which increasing temperatures, droughts, and other climate impacts may already be contributing to conflicts around the world. It also directs the Defense Department to compile a sort of top 10 list of U.S. military installations within each branch of the military that are most vulnerable to sea-level rise and other climate impacts.

Buck, who co-sponsored the amendment targeting the section, told Bloomberg BNA before the vote that he recognizes that the climate is changing, but is skeptical that the impacts will be as grave over the coming decades as some scientists predict.

"The issue here is whether we need to spend money on climate change in the Department of Defense," he said, arguing that the money would be better spent addressing backlogs in maintenance for U.S. Navy planes and other defense needs.

"I think we have better priorities, and I want to make sure that we fund the core mission," of U.S.

defense, he said.

Trump Picks Lawyer for Energy Regulator Crippled Without Quorum

Posted July 14, 2017, 7:37 A.M. ET

By Catherine Traywick

President Donald Trump named attorney Kevin McIntyre as his pick for chairman of the Federal Energy Regulatory Commission, paving the way for the agency to regain its authority to rule on natural gas pipelines and contested utility mergers.

McIntyre, co-head of Jones Day's global energy practice, would take the reins from acting chairman Cheryl LaFleur and is the third Republican Trump has named to the commission, according to a July 13 statement from the White House. In May, Trump named Neil Chatterjee, senior energy adviser to Senate Majority Leader Mitch McConnell, and Robert Powelson, former chairman of the Pennsylvania Public Utility Commission, to fill the remaining two seats on the commission.

Trump has been under pressure to fill three vacancies on the panel following the February resignation of former chairman Norman Bay, whose departure left the commission without the quorum it needs to make major decisions. Until new commissioners are confirmed, the agency can't approve multibillion-dollar natural gas pipelines, potentially stalling a massive expansion of the U.S. gas pipeline network brought on by the shale boom.

More than $50 billion worth of project applications are pending before the commission, including an application for the $2 billion Nexus gas line in the Midwest, which is scheduled to start by year-end. Other issues awaiting agency action are a proposed rule on commercial battery storage, and a decision on the commission's income tax allowance policy for pipelines run by master limited partnerships.

"They've got a hell of a mess to clean up," former commission member Marc Spitzer said of the candidates. "There's several months of backlog. They'll be drinking from a fire hose."

Energy Practice

At Jones Day in Washington, McIntyre represents companies in cases involving energy markets, utilities and oil and gas pipeline regulations. His global energy practice focuses on compliance and enforcement, and energy marketing and trading among other issues, according to the firm's website.

Chatterjee and Powelson are still waiting for a Senate floor vote to confirm their nominations. During a committee hearing, both nominees expressed limited support of state subsidies for ailing nuclear plants, an issue that has drawn controversy across the power industry. Once confirmed, the commissioners would have to rule on cases challenging those subsidies, as well as determine whether the agency should issue new rules addressing their impact on wholesale markets.

The commission normally consists of five members who serve five-year terms. Right now, it's made up of one. LaFleur, a Democrat and former utility executive, has been on the commission since 2010. The term of another commissioner, Colette Honorable, a Democrat who previously served as chair of the Arkansas Public Service Commission, ended in June.

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Soil Removal Necessary at Colorado Smelter Site, EPA Says

Posted July 14, 2017, 03:16 P.M. ET

By Tripp Baltz

Eighteen inches of soil contaminated with lead and arsenic need to removed to protect residents near a Pueblo, Colo., Superfund site, the EPA said.

Indoor dust cleanups also will be part of the remedy, the agency said July 14 in its proposed plan to address contaminated soils—including transported slag—and dust contamination at homes within the Colorado Smelter Superfund site. A public comment period on the plan began July 14 and ends Aug. 14, the EPA said.

The facility was a silver and lead smelter operated by ASARCO south of downtown Pueblo from 1883 to 1908. The EPA listed the site on the National Priorities List in December 2014 due to concern about high levels of arsenic and lead identified in the slag and neighborhood soils.

"EPA believes this early interim action is necessary because data collected from May 2015 through June 2016 show there is an increased risk of exposure to elevated levels of smelter-related lead and arsenic in residential soils and indoor dust at some homes," the agency said in its proposed plan.

Brazil Projects Rapid Growth in Wind and Solar by 2026

Posted July 14, 2017, 12:41 P.M. ET

By Michael Kepp

Brazil's latest 10-year energy expansion plan sees wind power doubling to a 13 percent share of the electricity matrix, while solar power stands to also gain a foothold.

The country's Mines and Energy Ministry unveiled July 10 its 269-page 10-year energy expansion plan, one that includes both electricity and combustion-fuel energy generation through 2026.

Increased wind and solar power capacity would offset decreased hydropower capacity by the end of 2026, according to the plan. But, wind and solar associations have even more optimistic projects for sector growth through 2026.

Rodrigo Lopes Sauaia, executive director of the Brazilian Photovoltaic Solar Energy Association (Absolar) told Bloomberg BNA July 13, that the government's latest 10-year energy expansion plan's projections for solar power growth "are conservative."

Absolar projects that if the government follows Absolar's investment recommendations, large-scale solar power could have an installed capacity of 14,000 megawatts by 2026, compared to 9,660 megawatts in the government's plan. Reaching this projection would require 70 billion reais ($21.8 billion) worth of investments, compared to 50 billion reais ($15.6 billion) in the government's plan, Lopes Sauaia said.

"Solar polar is growing in Brazil in part because solar equipment prices are rapidly declining making

solar power more competitive with other energy sources," Lopes Sauaia said. "That's is why we are even more optimistic about such growth potential than the government, now trying diversify the electricity matrix to include a greater share of power from non-hydro renewable sources, another reason for solar power's projected growth here."

Renewables could offset a decade-long decrease in hydropower installed capacity, which will drop from 69 percent of the electricity matrix in 2016 to 56 percent in 2026. Hydropower generation will drop because over 80 percent of its remaining potential is in the Amazon where impacts caused by dam reservoirs' flooding parts of rainforests, some of them protected, will make it increasingly hard to get licenses from environmental agencies.

Wind power—which in 2016 accounted for 6.7 percent (10, 025 megawatts) of the electricity matrix—would account for 13 percent (28,470 megawatts) in 2026. The plan also said that large-scale (non-rooftop) solar power, which accounted for .01 percent (21 megawatts) of the electricity matrix in 2016 would account for 4.5 percent (9,660 megawatts) of the matrix in 2026.

Elbia Gannoum, president of the Brazilian Association of Wind Power Producers (Abeeolica), told Bloomberg BNA July 13, that the energy expansion plan's wind growth projections were just below Abeeolica's.

"The energy expansion plan projects that 1,800 megawatts per year of wind power will be added to the electricity matrix by 2026, just below the 2,000 megawatts per year that Abeeolica estimates," said Gannoum. "And according to our estimates such wind power growth will require 50 billion reais ($15.6 billion) in investments by 2026."

Brazil to Loan $625M to States, Cities to Upgrade Sanitation

Posted July 14, 2017, 10:53 A.M. ET

By Michael Kepp

Brazil will provide 2 billion reais ($625 million) in low-cost loans to states and municipalities that most urgently need to upgrade basic sanitation, in particular water and sewage treatment, a ministry official told Bloomberg BNA.

The Cities Ministry—which announced the financing July 12—will analyze project proposals and the level of debt of the cities and states requesting the loans, Sergio Wippel, director of the Cities Ministry department that finances basic sanitation projects, said July 14.

"States and municipalities with a low percentage of households whose water and/or sewage is being treated will be given financing preference because they are in the most urgent need," Wippel said. "But states and municipalities that don't have exceedingly high levels of debt, and thus don't represent high loan-payback risk, will also be given financing preference."

The ministry will decide on the recipients by March 2018 and will disburse loans between March 2019 and March 2020, Wippel said. The last time the ministry offered states and municipalities basic sanitation financing was in 2013.

Around 45 percent of the ministry's financing will go to boost water and sewage treatment. The rest will go to install landfills and incinerators for disposing of residential solid waste, and construct storm drains, among other projects, Wippel said.

Daimler Says It's Ready to Fight Emissions Cheating Accusations

Posted July 14, 2017, 10:44 A.M. ET

By Elisabeth Behrmann and Chad Thomas

Daimler AG said it would push back against allegations that it manipulated emissions in its Mercedes-Benz engines, as a German government probe into the luxury-car maker deepens.

"We would employ all legal means" to defend against any accusation by the Federal Transport Motor Autority of an illegal defeat device in Mercedes-Benz cars, the company said in an emailed statement. Daimler was responding to an article in Der Spiegel which said government examiners suspect that such a device was built into some vehicles.

Daimler's statement comes a day after top executives were summoned for a special meeting to Berlin to discuss an ongoing probe into the carmaker's engines, and hours after the German government said it would expand its examination to include additional models.

The Federal Motor Transport Authority, or KBA, which is also looking into potential emissions violations at other carmakers, will oversee these additional tests, Transport Ministry spokesman Ingo Strater told reporters in Berlin July 14. Details emerged July 13 that two engines used in Daimler's Mercedes-Benz cars were being scrutinized by Stuttgart prosecutors as part of an investigation they opened in March.

"The KBA is testing vehicles from Daimler, just as it has done with other manufacturers in the past ," Strater said.

Germany's scrutiny of Daimler deepens concerns that defeat devices used to cheat on emissions tests were used more widely than initially thought. Volkswagen in September 2015 was the first manufacturer to be caught using the technology in 11 million cars.

Engines Scrutinized

At Daimler, German prosecutors are focused on two diesel motors built between 2008 to 2016 that are used across Mercedes's product lineup, according to a person familiar with the investigation. Details about the engines in question were contained in a search warrant used to conduct raids at Daimler sites in May.

"For us, the discussion was a continuation of the constructive dialog with the KBA," Daimler said in the statement. "Of course we will continue to work constructively with the authorities."

Talks didn't include threats of a recall, Daimler said. German automakers last year agreed with authorities on a voluntary fix involving 630,000 cars to upgrade emissions control setups.

After the revelation of the new details, South Korea's environment ministry started a probe into some imported Mercedes vehicles, Yonhap news agency reported. The ministry found about 40 types of cars suspected of carrying a device manipulating emissions and is investigating how many of these cars have been sold in the country, according to unidentified official.

"It's quite disconcerting that this investigation is happening and the accusations are serious," Baden-

Wurttemberg state Transport Minister Winfried Herrmann told Deutschlandfunk radio. "We need unreserved clarification of the whole process and responsibilities."

The July 13 meeting at the ministry included the head of technology development Ola Kaellenius, who reiterated that the company complied with existing rules, according to a ministry statement. EU emissions rules allow for companies to reduce the degree to which exhausts are treated, if deemed necessary to protect the engine in tough driving conditions like low temperatures or high altitude.

Loose Regulations

While reports about 1 million diesel cars at risk of decommissioning because of emissions violations "look bad," according to a note from Citigroup analyst Mike Tyndall, they're not "a new development as such and we take comfort from Daimler's continued assertion that its vehicles comply with the relevant, albeit somewhat loose regulations."

As part of its efforts to clear up mounting questions about the reliability of emissions controls in diesel cars, the Transport Ministry is due to meet manufacturers on meet Aug. 2 to discuss steps to clean up older vehicles that use diesel technology, including software updates. A number of cities, including the respective hometowns of BMW AG and Daimler have considered banning older diesel cars.

KBA has also looked into potential emissions violations at Volkswagen AG's Audi, Fiat Chrysler Automobiles NV and General Motors Co.'s Opel.

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Germany to Test More Daimler Vehicles in Diesel Emissions Probe

Posted July 14, 2017, 9:51 A.M. ET

By Elisabeth Behrmann and Chad Thomas

The German government said it will test additional vehicles made by Daimler AG, a day after company executives were summoned to Berlin for an extraordinary meeting about the ongoing probe into the carmaker's diesel emissions.

The Federal Motor Transport Authority, or KBA, which also is looking into potential emissions violations at other carmakers, will oversee the tests, Transport Ministry spokesman Ingo Strater told reporters in Berlin July 14. On July 13, details emerged that two engines used in Daimler's Mercedes-Benz cars were being scrutinized by Stuttgart prosecutors as part of an investigation they opened in March.

"The KBA is testing vehicles from Daimler, just as it has done with other manufacturers in the past ," Strater said.

Germany's scrutiny of Daimler deepens concerns that defeat devices used to cheat on emissions tests were used more widely than initially thought. Volkswagen in September 2015 was the first manufacturer to be caught using the technology in 11 million cars. At Daimler, German prosecutors are focused on two diesel motors built between 2008 to 2016 that are used across Mercedes's product lineup, according to a person familiar with the investigation.

Officials from the Transport Ministry on July 13 met with Daimler representatives, including the head of technology development Ola Kaellenius, who reiterated that the company complied with existing rules, according to a ministry statement.

"For us, the discussion was a continuation of the constructive dialogue with the KBA," Daimler said in an emailed statement, declining to say what was discussed. "Of course we will continue to work constructively with the authorities."

As part of its efforts to clear up mounting questions about the reliability of emissions controls in diesel cars, the Transport Ministry is due to meet manufacturers on meet Aug. 2 to discuss steps aimed at cleaning up older vehicles that use diesel technology, including software updates.

KBA has also looked into potential emissions violations at Volkswagen AG's Audi, Fiat Chrysler Automobiles NV and General Motors Co.'s Opel.

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Big Oil Just Woke Up to Threat of Rising Electric Car Demand

Posted July 14, 2017, 9:40 A.M. ET

By Jessica Shankleman

The world's biggest oil producers are starting to take electric vehicles seriously as a long-term threat.

OPEC quintupled its forecast for sales of plug-in EVs, and oil producers from Exxon Mobil Corp. to BP Plc also revised up their outlooks in the past year, according to a July 14 study by Bloomberg New Energy Finance. The London-based researcher expects those cars to reduce oil demand 8 million barrels by 2040, more than the current combined production of Iran and Iraq.

Growing popularity of EVs increases the risk that oil demand will stagnate in the decades ahead, raising questions about the more than $700 billion a year that's flowing into fossil-fuel industries. While the oil producers' outlook isn't nearly as aggressive as BNEF's, the numbers indicate an acceleration in the number of EVs likely to be in the global fleet.

"The number of EVs on the road will have major implications for automakers, oil companies, electric utilities and others," Colin McKerracher, head of advanced-transport analysis at BNEF in London, wrote in a note to clients. "There is significant disagreement on how fast adoption will be, and views are changing quickly."

BNEF expects electric cars to outsell gasoline and diesel models by 2040, reflecting a rapid decline in the cost of lithium-ion battery units that store power for the vehicles. It expects 530 million plug-in cars on the road by 2040, a third of worldwide total number of cars.

The Organization of Petroleum Exporting Countries raised its 2040 EV fleet prediction to 266 million from the 46 million it anticipated a year ago. Battery cars under the new projection account for 12 percent of the market within 23 years, compared to 2 percent in the 2015 forecast. Based in Vienna, the group representing 14 nations expects half the number of diesel vehicles as it did a year ago.

Others making similar expectations according to the BNEF note include:

• The International Energy Agency more than doubled its central forecast for EVs, raising its 2030 EV fleet size estimate from to 58 million from 23 million,

• Exxon Mobil boosted its 2040 estimate to about 100 million from 65 million,

• BP anticipates 100 million EVs on the road by 2035, a 40 percent increase in its outlook compared with a year ago,

• Statoil ASA, the Norwegian state oil company, says EVs will account for a 30 percent of new sales by 2030.

Just a fraction of the world's cars sold today are powered by batteries instead of gasoline. Many analysts increasingly say the market will expand rapidly as almost all major auto makers bring dozens of new EV models to market. OPEC said in its oil market report on July 12 that electric vehicle sale targets could dampen demand in some parts of Asia as soon as 2018.

Long-term growth depends on a wide range of factors, including policy decisions by governments seeking to tackle air pollution to the cost of the lithium-ion batteries that account for about a third of the cost of each one.

Yet even as oil majors lift their outlook, they remain much less optimistic than the automakers. The world's top automakers have a combined plan to sell 6 million EVs a year by 2025, rising to 8 million in 2030, according to Bloomberg New Energy Finance.

Some big companies plan to go all electric. Volvo AB expects to have an electric motor in every car by 2019. It joins Elon Musk's Tesla Inc. as a major EV maker and Geely Automobile Holdings Ltd., the Hong Kong-based maker of London's black cabs, which is re-branding itself to focus on EVs.

"What oil companies and car companies are saying is diverging," said McKerracher, the BNEF analyst. "This is a trillion dollar question, and somebody is going to be wrong."

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U.S. Said to Stymie Japan's Plan to Explore for Russian Oil

Posted July 14, 2017, 10:13 A.M. ET

By Jack Farchy

A Japanese group's plans to explore for Russian oil with state-run Rosneft PJSC have been stymied by U.S. intervention over sanctions, according to people familiar with the matter.

Washington's objection to the Japanese project to explore for oil in the ocean off Russia's Far East shows the U.S. Treasury is maintaining a firm line on sanctions, even as some international companies press on with Russian energy deals. In April, the U.S. turned down a request from ExxonMobil Corp. for a waiver to allow it to drill with Rosneft in the Black Sea.

Rosneft signed a preliminary deal with a Japanese consortium of Japan Oil, Gas & Metals National Corp., known as Jogmec, Inpex Corp., and Marubeni Corp. for offshore exploration at a license to the south west of Sakhalin Island in December, one of more than 60 agreements and memorandums signed during Russian President Vladimir Putin's visit to Japan.

However, since then the U.S. government has objected to the project, according to two people familiar with the discussions who asked not to be identified discussing a sensitive matter.

Washington's Allies

The U.S. objection to the project is based on the principle that Washington's G7 allies should not "backfill" the sanctions by allowing their companies to carry out projects that U.S. companies would be prohibited from working on. Tokyo's position is that the project with Rosneft does not represent backfilling, since the Japanese consortium was not competing with U.S. companies, according to one of the people.

As well as political pressure from its closest ally, Japan also risked falling foul of U.S. sanctions on Russia that prevent foreign companies exploring in deepwater with equipment that is 25 percent or more originated in the U.S.

The Japanese project's struggles come as U.S. lawmakers are working on new sanctions targeting energy projects in Russia. The measures were passed almost unanimously by the Senate last month, but are currently stalled in the House.

Japan's Ministry of Economy, Trade and Industry declined to comment. The U.S. Treasury Department didn't respond to requests for comment.

While the Japanese consortium joins Exxon in being frustrated by sanctions, some Chinese, Indian and European companies are pressing ahead with projects in Russia. China's Beijing Gas Group last month completed a $1.1 billion deal to buy a stake in Rosneft's Verkhnechonskneftegaz unit. Italy's Eni SpA is set to start exploration drilling with Rosneft in the Black Sea this summer, Rosneft Chief Executive Igor Sechin said in May.

Deep Water

The license area due to be explored by Rosneft and the Japanese group—which the companies did not name but can be identified as Central Tatarsky by maps they published—includes areas deeper than 500 feet (152 meters). They are subject to U.S. sanctions on the provision of equipment and services to Russian deepwater oil projects, the people said.

A spokesman for Inpex wasn't immediately able to comment. Marubeni and Jogmec declined to comment citing a confidentiality agreement. Rosneft also declined to comment.

Sechin said last September that Rosneft planned to carry out 2D and 3D seismic surveys at the Central Tatarsky license starting in summer 2017. The Japanese consortium had planned to use Shigen, a seismic vessel owned by the Japanese Ministry of Economic, Trade and Industry, to carry out the research, Jogmec said in a December statement. As of July 13, the vessel was off the east coast of Japan, on its way to the west coast port of Nigata, according to ship tracking data.

The U.S. intervention is a blow to Japanese hopes of converting warmer relations between Prime Minister Shinzo Abe and President Putin into economic gains. The Japanese companies said in a joint statement in December that they expected "to strengthen Japan-Russia economic cooperation through this joint project."

In the past three years, Tokyo has attempted to take a diplomatic line that supports its western allies

without alienating Moscow. It imposed some sanctions on Russia in 2014 but stopped short of the wide-ranging restrictions on the financial and energy sectors that have been imposed by the U.S. and EU.

The Japanese and U.S. governments are still negotiating and may yet find a way for the project to go ahead, the people said. Some of the license lies in waters shallower than 500 feet, which is not classified as deepwater under the sanctions. A Japanese government official said that all Japanese projects would comply with sanctions.

—With assistance from Isabel Reynolds, Nick Wadhams, Stephen Stapczynski and Tsuyoshi Inajima.

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Carbon from L.A. to Paris Jumps as Lawmakers Plan Tightening

Posted July 14, 2017, 10:33 A.M. ET

By Mathew Carr, Joe Ryan and Marine Strauss

Carbon prices from California to New Zealand are soaring as lawmakers across the globe seek more stringent rules for their greenhouse-gas markets.

California emission permits surged to a four-year high this week after Gov. Jerry Brown (D) published a plan to extend the biggest U.S. carbon trading program. In Europe, allowances reached their highest level since March as politicians debate proposals to cut a permit glut, while New Zealand carbon contracts rose before a review of its system.

Most countries are looking for the most cost-effective way to switch from the fossil fuels blamed for climate change. Even in the U.S., President Donald Trump's decision last month to pull out of the landmark Paris accord on cutting emissions triggered widespread condemnation by civic and state leaders across the country including from the governors of New York and Massachusetts.

China is planning to install the world's largest carbon market this year, though it's seen phasing in industries over time to smooth the impact on the economy. The biggest energy consumer burned the least coal in six years in 2016, became the number one producer of renewable energy and even lowered its emissions of climate-warming gases, BP Plc data show.

"There seems to be a clearer political will to lift carbon prices," said Ingo Ramming, the London-based co-head of commodity solutions for Commerzbank AG. "Even if China's national carbon market takes longer to install than expected, globally there's a lot happening, especially among the North American states and provinces."

In carbon trading, governments set a limit on emissions and then auction off or give away rights to pollute within the cap. These permits can be sold by more efficient companies to those that are less efficient. As governments periodically lower the caps, overall emissions fall.

No Poison

California's proposed legislation is designed to extend the basic current structure of its cap-and-trade program through 2030. Brown emphasized early this week that his plan would not only help

limit global warming, but "protect vulnerable communities from industrial poisons."

On July 13, he urged lawmakers to extend the program to show the world how to lower the risks of mass migration, fires and disease. "This isn't for me. I'm going to be dead. It's for you. And it's damned real. So I just ask you; take it seriously."

California's December allowances closed at a peak of $15.41 a metric ton this week, the highest since January 2013 when the program started, according to data from exchange ICE Futures.

"They've never been this high, except for the very beginning of the market," said Lenny Hochschild, managing director at Evolution Markets Inc., the environmental broker based in White Plains, N.Y.

In Europe, lawmakers are currently debating proposals to control the supply of emission allowances as a way to boost prices in its 12-year-old carbon market. Per Lekander, a fund manager at Lansdowne Partners U.K. LLP in London, reckons permit values will double within a year if the plans are approved.

"Finally, after 10 years of oversupply, this mechanism is now about to deliver what was intended," Lekander said.

European Union efforts to reform its $48 billion cap-and-trade system have repeatedly failed to increase the penalty for polluting, with the price of emissions slumping more than 80 percent since 2008 because of the glut. Futures fell 0.8 percent to 5.32 euros ($6.07) a ton on ICE Futures Europe July 14.

The latest steps to overhaul the market looked "promising" after legislators met July 10, said Siim Kiisler, the environment minister of Estonia, current holder of the European Union's rotating presidency. Lawmakers meet again on the market changes in September.

The Group of 20 nations published its first-ever climate and energy action plan at the weekend. The U.S. was the only member that didn't agree that the Paris accord was "irreversible."

"It's good to see the countries taking a stand against the regressive climate policies of President Trump," said Trevor Sikorski, head of carbon and natural gas at Energy Aspects Ltd. in London.

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Asia at Risk of Deeper Poverty Due to Climate Change, Bank Says

Posted July 14, 2017, 9:34 A.M. ET

By Bloomberg News

Asia and the Pacific, home to two thirds of the world's poor, are at the highest risk of suffering deeper poverty and disaster due to unabated climate change, reversing current development gains, according to the Asian Development Bank.

The Asian landmass will see a temperature increase of 6 degrees Celsius (10.8 degrees Fahrenheit) by the end of the century under a business-as-usual scenario, ADB said in a July 14 statement. The comment is based on findings included in a report from the bank and Potsdam Institute for Climate Impact Research that analyses climate risks in Asia and the Pacific.

Some countries in the region could experience significantly hotter climates, with temperature increases in Tajikistan, Afghanistan, Pakistan, and northwest China projected to hit 8 degrees Celsius, ADB said.

Hotter climates would cause drastic changes in the region's weather system, agriculture and fisheries sectors, land and marine biodiversity, domestic and regional security, trade, urban development, migration, and health, and may even pose an existential threat to some countries, the ADB said.

The findings underscore the need for the region to reduce greenhouse gas emissions along the lines of those agreed to by the global community under the Paris accord—which calls for warming to be limited to well below 2 degrees Celsius—and to explore better strategies to mitigate the impact of climate change.

ADB approved a record $3.7 billion in climate financing last year and has pledged to further boost its investments to $6 billion by 2020, it said.

Other findings in the report include:

• Under a business-as-usual scenario, annual precipitation is expected to rise by as much as 50 percent over most land areas in the region, although nations such as Pakistan and Afghanistan may see a decline in rainfall by 20 to 50 percent,

• 19 of the 25 cities most exposed to a 1 meter sea-level rise are located in the region, 7 of which are in the Philippines alone. Indonesia, however, will be the country in the region most affected by coastal flooding,

• 13 of the top 20 cities with the largest growth of annual flood losses from 2005-2050 are in the region.

Climate change also will make food production in the region harder and will raise production costs. In some countries of Southeast Asia, rice yields could tumble by up to 50 percent by 2100 if no adaption efforts are made

Marine ecosystems, particularly in the Western Pacific, will be in serious danger by 2100. Even with a 1.5 degree Celsius temperature increase, 89 percent of coral reefs are expected to suffer from serious bleaching, severely affecting reef-related fisheries and tourism in Southeast Asia

Heat-related deaths in the region among the elderly are expected to rise by about 52,000 cases by 2050 due to climate change, according to data from the World Health Organization. Deaths related to vector-borne diseases such as malaria and dengue may also increase

Climate change can exacerbate energy insecurity through continued reliance on unsustainable fossil fuels, reduced capacities of thermal power plants due to a scarcity of cooling water, and intermittent performance of hydropower plants as a result of uncertain water discharges, among other factors

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Week Ahead: New Jersey Republican Lawmaker Boosting EPA's Budget

Posted July 14, 2017, 03:57 P.M. ET

By Chuck McCutcheon

Rep. Rodney Frelinghuysen (R-N.J.) will get an initial public crack at boosting EPA spending as House Appropriations Committee chairman at a Tuesday committee markup of the fiscal 2018 budget bill, one of numerous environment and energy events scheduled for the week of July 17.

Frelinghuysen, who took over as Appropriations chairman in January, has compiled a moderate voting record since arriving in Congress in 1995, though he has grown more conservative in recent years as his caucus shifted to the right.

He worked with environmental advocates on a 2004 law to preserve land in environmentally sensitive areas of New Jersey and nearby states. He differs with some of his Republican colleagues in having said publicly that humans have "some effect" on climate change.

Frelinghuysen questioned Environmental Protection Agency Administrator Scott Pruitt at a June hearing about the Trump administration's proposed 31 percent cut to the EPA's budget. The House Appropriations' Interior, Environment and Related Agencies Subcommittee approved a spending bill this month that would cut the EPA's budget about 7 percent.

In particular, Frelinghuysen cited his home state's large number of Superfund sites and noted that the majority of cleanup money comes not from the federal government, but from companies and other parties found responsible for contamination. He also lauded the EPA's "damn good team" serving the mid-Atlantic region.

"I think it's good to sort of move with precaution and caution before you take any, too many dramatic steps," Freylinghuysen told Pruitt.

The House subcommittee's spending bill would provide more than $1.1 billion for the Superfund program, well above the $516 million requested in Trump's budget. Pruitt told Frelinghuysen, however, that Superfund remains "absolutely a priority for this administration." Tiffany Stecker will cover the appropriations markup.

In Other News

House bills: The House is expected to consider several environment-related bills:

• H.R. 806, which would delay deadlines for the EPA's 2015 ozone standards and has drawn sharp criticism from Democrats. Catherine Douglas Moran will cover.

• H.R. 2883, which would accelerate the permitting process for cross-border pipelines, transmission lines, and other energy projects. Bloomberg BNA staff will cover.

• H.R. 2910, which would reinforce the Federal Energy Regulatory Commission's role as the lead agency for siting interstate natural gas pipelines. Bloomberg BNA staff will cover.

Senate energy bill: Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-Alaska) will hold a Tuesday hearing to help build support for comprehensive energy legislation (S. 1460) she introduced with Sen. Maria Cantwell (D-Wash.), the committee's ranking member. The hearing will feature testimony from representatives of the American Nuclear Society, International Energy Agency, and Carmot Strategic Group. Brian Dabbs will cover.

Energy Committee nominations: The Energy and Natural Resources Committee will meet Thursday to consider six Trump administration nominees, including Mark Wesley Menezes to be undersecretary of Energy; Paul Dabbar to be Energy's undersecretary for science; David Jonas to be Energy's general counsel; and Susan Combs to be an assistant secretary of the Interior for policy, management and budget. Rebecca Kern will follow.

Electricity industry: The House Energy and Commerce's Energy Subcommittee will hold a Tuesday hearing on the state of the electricity industry. Panelists include representatives from Duke Energy Corp., NextEra Energy, and American Municipal Power Inc. Rebecca Kern will cover.

Energy technology: The House Science, Space and Technology Committee will hold a Wednesday hearing on how the private sector can commercialize next-generation energy technology to increase efficiency, environmental benefit, and consumer savings. Panelists include representatives from Oklo and AES Energy Storage. Bloomberg BNA staff will monitor.

Resources bills: The House Natural Resources Committee will hold a Wednesday hearing on five bills, including a measure (H.R. 424) that would delist gray wolves from federal Endangered Species Act protections in Minnesota, Wisconsin, Michigan, and Wyoming. Alan Kovski will track.

California cap-and-trade: California lawmakers are scheduled to vote Monday on a bill that would extend the state's cap-and-trade program for greenhouse gas emissions. The measure (A.B. 398) would preserve the basic structure of the existing trading program, which establishes declining annual caps that businesses such as oil refineries, power plants, cement producers, and distributors of natural gas and transportation fuels must meet. California's powerful environmental justice community says the bill is too friendly to the oil industry. Carolyn Whetzel will handle.

Perry at Press Club: Energy Secretary Rick Perry will speak Tuesday at the National Press Club with International Energy Agency Executive Director Fatih Birol. Perry is expected to discuss how the combination of hydraulic fracturing and horizontal drilling for oil and gas will provide energy security for the U.S., as well as trading partners and allies. Rebecca Kern will cover.

Renewable fuels: The Center for Strategic & International Studies will hold a Wednesday forum on the renewable fuel standard. Participants include representatives from Citi Research and Harvard's Kennedy School of Government. Brian Dabbs will monitor.

Children's health panel: The EPA's Children's Health Protection Advisory Committee will discuss lead emissions from aircraft fuel, lead in drinking water, chemical safety, and other issues Tuesday and Wednesday. Sylvia Carignan, David Schultz, and Pat Rizzuto will cover.

Colorado pipelines: An update on a recent flowline notice to operators will be the focus of a Colorado Oil and Gas Conservation Commission industry operations meeting on Tuesday. The commission issued the notice, which required inspections and pressure testing of underground natural gas and oil pipelines within 1,000 feet of homes and other occupied buildings, after a fatal explosion was caused by a severed natural gas line near a home in Firestone in April. Tripp Baltz will watch.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 6/1/2017 9:44:40 AM
Subject: Morning Energy: Trump's final Paris decision comes today at 3 p.m. — States, cities look at filling climate void — Dakota Access begins shipping today

By Anthony Adragna | 06/01/2017 05:42 AM EDT

With help from Esther Whieldon

DECISION DAY: In a scene that could come straight from reality TV, President Donald Trump today will announce his decision on whether to abandon the 2015 landmark Paris climate agreement today at 3 p.m. in the Rose Garden, he tweeted Wednesday night. Withdrawing from the pact would honor his campaign pledge to "cancel" the deal, but go against the wishes of vast swathes of the U.S. business community, many of his own aides and the international community. Three officials tell POLITICO's Andrew Restuccia and Josh Dawsey that Trump plans to pull out of the deal, though they noted he could still change his mind at the last minute.

Trump's decision comes after months of internal clashes between Trump's warring factions of advisers spilled into the open with a rush of leaks Wednesday, Andrew and Josh report. And if Trump follows through and withdraws, as expected, opponents of the agreement will have to thank the months-long effort by White House strategist Steve Bannon and EPA Administrator Scott Pruitt to play to his populist instincts and publicly push the narrative the accord was effectively dead. One White House official said the president's team was furiously working on an announcement of the withdrawal on Wednesday.

Some aides were still clinging to hope late Wednesday that Trump may change course and stay in the deal, while drastically scaling back the Obama administration's non-binding carbon cleanup promises, in line with a plan they had previously pushed. Trump had not officially told his entire team of senior aides he was considering leaving the agreement Wednesday when news leaked out, and administration officials cautioned against definitive reporting, warning that the president is notoriously fickle.

Takeaway from one former U.S. official: "Will global leaders trust the U.S. to negotiate a climate treaty ever again? After Kyoto and Paris, who will trust us to keep our word as a nation? Our credibility is gone."

Meanwhile, cities and states aren't waiting: Talks are just getting off the ground but several states, municipalities, and business leaders are in early discussions to create a carbon reduction agreement to replace the cuts that Trump is expected to eliminate, Pro's Eric Wolff reports. Potentially modeled after the "Nationally Determined Contributions" nations submitted to join the Paris agreement, the possible reduction pledge would help show the international community that climate action continues in the U.S. "It is really important to the international community to understand to avoid a knock-on effect of U.S. withdrawal on the actions of other countries," a source working to facilitate the conversations told Eric. Meanwhile, a group of West Coast Democratic lawmakers urged the governors of California, Washington and Oregon to keep pursuing climate policies to "send a signal" to the international community absent federal action.

California not pleased: Gov. Jerry Brown didn't mince words in calling Trump's intent to withdraw from the Paris accord "outrageous" while predicting its effects would be short-lived, POLITICO California's David Siders reports. "I think Trump, paradoxically, is giving climate denial such a bad name that he's actually building the very movement that he is [purporting] to undermine," Brown said in an interview. "You can't fight reality with a tweet."

More European reverberations: European Commission President Jean-Claude Juncker warned Trump about the consequences of following through on withdrawing from the Paris deal, POLITICO Europe's Kalina Oroschakoff reports . "I am a trans-Atlanticist, but if the American president said in the next hours or days that he wants to get out of the Paris climate deal, then it is the duty of Europe to say, 'No, that's not how it works,'" Juncker said at an event in Berlin. "Eighty-three countries run into danger of disappearing from the surface of the Earth if we don't resolutely start the fight against climate change."

Clinton weighs in too: Trump's election rival, Hillary Clinton, said it would be "really stupid" and "totally incomprehensible" to squander the economic opportunities that arise from addressing climate change if the administration withdraws from the pact. "The President is a very impulsive, reactive personality," she said at the Code Conference in California. "So if we all like the Paris Agreement, he may decide to get out of it. Not even understanding one bit about what that means."

But it's worth taking a step back to remember that regardless of the fate of Paris, Trump has been busy chipping away at Obama's climate policies. Your Pro Energy team looks at all the ways he's already taken shots at Obama's green legacy here.

Carper invokes Exxon vote: Top Senate EPW Democrat Tom Carper urged Trump to look at the fact that more than 62 percent of Exxon Mobil shareholders on Wednesday called for the company to assess how climate change and global efforts to limit temperature increases will affect its business as he mulls the fate of the Paris deal. "President Trump should take note of what happened today as he decides the fate of our country's participation in the Paris Climate Agreement," he said in a statement. "We should seize the economic opportunities that come from combating climate change, not cede our role as a global leader."

Greens gather today: Environmental groups, including 350.org, Sierra Club, Natural Resources Defense Council, Peoples Climate Movement, NextGen Climate and the Center for American Progress Action Fund, are holding a rally outside the White House today at 5 p.m. in support of the Paris accord. The Sierra Club said more than 20,000 people have already called the White House to voice their opposition to withdrawal.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and congrats to Van Ness Feldman's Jonathan Simon for being first out of the box to correctly guess there are six non-voting members of the House (D.C., Guam, Puerto Rico, U.S. Virgin Islands, Northern Mariana Islands and American Samoa). For today: Who was D.C.'s first modern delegate in Congress? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

CATANZARO GIVEN ETHICS WAIVER: The White House has granted an ethics waiver for energy aide Mike Catanzaro, a former partner at CGCN Group LLC, to participate in matters related to EPA's Clean Power Plan, waters of the U.S. rule and methane regulations. His past clients include Devon Energy, an Oklahoma oil and gas company close to Pruitt, and he has lobbied on behalf of the American Fuel and Petrochemical Manufacturers and the American Chemistry Council, among others. Catanzaro's is one of more than a dozen waivers quietly released Wednesday night after a dust up between the Office of Government Ethics and White House, which initially refused to disclose them.

DAKOTA ACCESS BEGINS SHIPPING TODAY: The hotly-contested Dakota Access pipeline is expected to begin shipping North Dakota oil today to a distribution point in Illinois, the Associated Press reports. That comes even as the North Dakota Public Service Commission plans to look later this summer at whether the pipeline's developer, Energy Transfer Partners, violated state rules during its construction.

GROUP SEEKS REVIEW OF HARLEY SETTLEMENT: The free-market Cause of Action Institute is taking aim at a settlement the Obama administration reached with Harley-Davidson over after-market "super tuner" devices the company sold to boost motorcycles' performance that allegedly led to Clean Air Act Violations. The August 2016 settlement with EPA required the motorcycle manufacturer to fund a program to replace or retrofit wood-burning stoves with cleaner appliances. But Cause of Action says that approach violates the agency's own guidance, and the group says Pruitt ought to take another look at the settlement. "EPA is overstepping its authority by requiring Harley-Davidson to implement an emissions mitigation project that lacks such a sufficient nexus to the underlying violation," the group wrote today in a letter to Pruitt, along with a FOIA request for documents related to the settlement negotiations.

ORDER AIMS AT BOOSTING ALASKAN ENERGY PRODUCTION: Interior Secretary Ryan Zinke signed an order Wednesday calling for a review of opportunities to increase oil drilling in Alaska. He directed Interior to examine whether oil production can increase in the National Petroleum Reserve in Alaska and assess how much oil and gas could be extracted from a piece of the Arctic National Wildlife Refuge, Pro's Ben Lefebvre reports. Officials have 31 days to develop a plan to implement his order. Zinke signed the order following a speech at an Alaska Oil and Gas Association conference in Anchorage. "Rules should be based on science and best practice not on arbitrariness," he said.

Alaska's congressional delegation hailed the move. "This Secretarial Order is exactly the type of announcement that so many Alaskans have been asking for: a smart, timely step to restore access to our lands, throughput to our Trans-Alaska Pipeline, and growth to our economy under reasonable regulations that do not sacrifice environmental protections," Senate Energy Chairman Lisa Murkowski said in a statement.

As for Paris, Zinke sidestepped a question on the climate change agreement that's on everyone's mind this week. Zinke told reporters in Alaska that he has "yet to read what the actual Paris agreement is," and declined to weigh in without having a chance to "sit down and read" it, the Associated Press reports.

RUSSIA LATEST COMPLICATION IN FILLING VACANCIES: Some potential federal appointees are having second thoughts about executive branch appointments given the ongoing investigations into the Trump campaign's ties with Russia, POLITICO's Andrew Restuccia and Josh Dawsey report. "You're going to have a situation where they're going to have trouble getting A-list or even B-list people to sign up," one lawyer advising potential appointees said. The administration has announced nominees for just 117 of the 559 most-important Senate-confirmed positions.

CASSIDY DOWNPLAYS PROPOSED EPA CUTS: Louisiana Sen. Bill Cassidy told attendees of a Covington, La. town hall meeting Tuesday that "EPA is not being dismantled" despite Trump's proposed cut of one-third of the agency's budget and efforts to roll back landmark Obama-era regulations addressing climate change and water quality, among other issues. "Certainly there are regulations being rolled back," Cassidy said. "But the Clean Water Act is still in place. There will not be mercury spewing out. All those regulations are still in place." (h/t Pro Health Care's Jennifer Haberkorn)

PERRY'S MOVE TOWARD JAPAN: Energy Secretary Rick Perry kicks off a week-long trip to Asia today. He'll stop in Japan and China. Stops include a trip to the Fukushima Daiichi nuclear site where Perry will look at efforts to recover from the 2011 earthquake and participation in the 8th Annual Clean Energy and Mission Innovation Ministerials in Beijing where energy ministers from around the world discuss clean energy efforts.

EPA BOOSTS EAST CHICAGO EFFORTS: Fresh off a visit to the East Chicago, Ind., Superfund site, Pruitt ordered a dedicated community coordinator deployed to the area of the contaminated site and vowed the agency would monthly community meetings to provide updates on cleanup progress. "We will take a more hands-on approach to ensure proper oversight and attention to the Superfund program at the highest levels of the agency," he said in a statement. More information is available here.

ZINKE TO FOCUS ON FOREST FIRES FRIDAY: Zinke and Agriculture Secretary Sonny Perdue will spend Friday in Boise, Idaho — the home of the National Interagency Fire Center — where the two will likely talk about forest fires and prevention techniques. The secretaries will also speak at Boise State University in the morning.

WATCHDOG QUESTIONS IF TILLERSON VIOLATED ETHICS PLEDGE: A nonprofit watchdog group launched to track the Trump administration's activities is questioning whether Secretary of State Rex Tillerson violated his ethics pledge. The group, American Oversight, is raising questions over reports Tillerson appeared at a signing ceremony between his former employer, Exxon Mobil, and the Saudi Basic Industries Corporation concerning a proposed petrochemical complex slated for Texas. American Oversight filed FOIA requests seeking any guidance or waivers issued to Tillerson regarding the signing ceremony, as well as photos of the event and his calendar. Tillerson pledged during his confirmation process not to participate in any matters related to Exxon for one year.

MAIL CALL! STRENGTHEN ENVIRONMENTAL JUSTICE PROGRAM: Democratic

Reps. Donald McEachin, Nanette Diaz Barragán and Pramila Jayapal released a letter to Pruitt urging him to build upon and strengthen EPA's environmental justice program. "We must act on climate change, recognizing that frontline communities have continually been most impacted by the effects of climate change," the letter, signed by 43 other congressmen, said. Their calls are likely to fall on deaf ears, though, given Trump's budget zeroed out the program.

MOVE THOSE FERC NOMS ALONG: The U.S. Chamber of Commerce sent a letter to the top Republican and Democrat on the Senate Energy Committee Wednesday, urging them to swiftly advance the nominations Robert Powelson and Neil Chatterjee for open slots on the quorumless FERC. "Mr. Powelson and Mr. Chatterjee have demonstrated a solid grasp on the subject matter within FERC's overview and have a demonstrated record of advocating policy over partisanship," Neil Bradley, chief policy officer for the Chamber, wrote.

PERRIELLO NABS McKIBBEN ENDORSEMENT: Two weeks ahead of the Virginia gubernatorial primary election, Tom Perriello picked up the endorsement of prominent environmentalist Bill McKibben on Wednesday. "Tom Perriello, for the first time in Virginia's political history, has stood up to Dominion Energy," McKibben said. "That's a smart move — what the politically connected utility wants to do is lock the Commonwealth into a future of pipelines and power plants, even as the energy landscape is changing fast in the direction of renewables."

NEEDS IMPROVEMENT: EPA needs to do better at tracking spending on contracts and grants to small businesses to develop and commercialize innovative technologies, GAO said in a report released Wednesday.

EDF PLANS CHALLENGE TO PRUITT METHANE ACTION: Joining the Natural Resources Defense Council, the Environmental Defense Fund announced Wednesday it would challenge Pruitt's decision to stay additional components of the agency's 2016 rule setting methane emissions limits for new oil and gas industry sources. "Colorado, Wyoming and Ohio, already have similar protections in place, which demonstrate the reasonableness of these clean air measures," Peter Zalzal, lead attorney for the group, said in a statement.

The American Petroleum Institute praised Pruitt's decision in its own statement. "As demonstrated through previous regulatory efforts, EPA's focus should be on cost-effective regulations that target emissions of volatile organic compounds, providing the co-benefit of methane emission reductions," the group said in statement.

QUICK HITS

— God 'can take care of' climate change if it's a real problem, congressman says. MLive.

— Lawsuit alleges EPA failed to protect Shenandoah River. AP.

— Trump is deciding on the Paris climate agreement with virtually no science advisers on staff. Vox.

— California, Canada are teaming up to fight climate change — again. USA Today.

— Controversial EPA chief skips Lexington speech, but groups still protest. Lexington Herald Leader.

— EPA sues over tailings near Park City. Salt Lake Tribune.

— Gas May Be Killing the Nuclear Option. Bloomberg.

HAPPENING TODAY

11:30 a.m. — API to release new report on safety, environmental stewardship, and benefits to local communities, RSVP: SammonB@api.org

12:30 p.m. — "The Political Economy of Forests: REDD+, Good Governance and Land Rights," World Resources Institute, 10 G Street NE, Suite 800

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/how-pruitt-bannon-outsmarted-ivanka-on-paris-023090

Stories from POLITICO Pro

How Bannon and Pruitt boxed in Trump on climate pact Back

By Andrew Restuccia and Josh Dawsey | 05/31/2017 08:00 PM EDT

Donald Trump's chief strategist and EPA administrator maneuvered for months to get the president to exit the Paris climate accord, shrewdly playing to his populist instincts and publicly pressing the narrative that the nearly 200-nation deal was effectively dead — boxing in the president on one of his highest-profile decisions to date.

Steve Bannon and Scott Pruitt have sought to outsmart the administration's pro-Paris group of advisers, including Trump's daughter Ivanka, who were hoping the president could be swayed by a global swell of support for the deal from major corporations, U.S. allies, Al Gore and even the pope. But some of that pro-Paris sentiment wound up being surprisingly tepid, according to White House aides who had expected that European leaders would make a stronger case during Trump's trip abroad earlier this month.

Those who want Trump to remain also faced an insurmountable hurdle: The president has long believed, rightly or wrongly, that the U.S. is getting a raw deal under the accord, and it proved nearly impossible to change his mind.

The internal reality show will culminate Thursday when Trump finally announces his decision,

after a rush of leaks Wednesday from administration officials saying he was on the verge of pulling the plug on U.S. participation in history's most comprehensive global climate agreement.

"I will be announcing my decision on Paris Accord, Thursday at 3:00 P.M.," Trump tweeted Wednesday night, without revealing the outcome. "The White House Rose Garden. MAKE AMERICA GREAT AGAIN!"

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In recent months, Pruitt and Bannon made sure Trump heard from a parade of conservative leaders and Republican lawmakers who raised concerns that the deal would hobble his pro-fossil-fuel energy agenda.

"We made very much the economic message argument," said Club for Growth President David McIntosh, whose group wrote letters to the White House and spoke to senior staff. "It was bad for the U.S. economy. It would stifle economic growth and the United States should withdraw."

As the news of the impending decision spread Wednesday, White House chief of staff Reince Priebus began calling and fielding calls from lawmakers, indicating that the U.S. was unlikely to stay in the agreement, one person familiar with the conversations said.

If he withdraws, Paris' foes will have Pruitt and Bannon to thank.

One Republican close to the White House called it the "classic split" and said conservative activists had flooded the White House in recent weeks, after seeing increasing chatter that Trump may stay in. This person said Bannon and Pruitt worked quietly to make sure Trump was hearing their side and touched base occasionally on political strategy to woo him.

"You had the New Yorkers against it, and all the campaign loyalists for it," this person said, referring to the push to withdraw. "When the New Yorkers get involved, it gets complicated for Trump and everyone else around him."

Pruitt and Bannon have told others repeatedly for months that Trump will pull out of the agreement, as they aggressively pushed a narrative that they hoped would prove to be true, even as White House aides continued to debate the issue.

"Some of the debate was for show to help the moderates feel like they had their say," said one person who has spoken to Pruitt. "Pruitt has believed all along that this was never in doubt."

Pruitt, who frequently attacked the EPA's regulations in court when he was Oklahoma's attorney general, used his new post as EPA administrator to orchestrate an aggressive campaign to

marshal conservative opposition to the Paris agreement.

He bashed the deal during a closed-door April meeting of the National Mining Association's executive committee, telling the group that the agreement would hurt the economy. Pruitt's staff also urged lawmakers and conservative groups to publicly criticize the agreement, sources familiar with the issue told POLITICO, which had the effect of increasing public pressure on Trump.

Bannon similarly argued in meetings with Trump and his team that the president would be breaking his campaign promise to "cancel" the agreement if he decided to remain. And he argued that the accord is a bad deal for the United States because other countries aren't doing enough to curb their emissions.

Pruitt and Bannon's anti-Paris campaign was meant to counter a separate offensive by members of the administration who supported staying in the pact, including Ivanka Trump and her husband, Jared Kushner.

In recent months, Ivanka Trump set up a process in which the president would regularly hear from people who supported remaining in the agreement, according to administration officials.

The remain camp believed, perhaps naively, that Trump could be influenced by the support the Paris deal has received from major corporations, including Exxon Mobil, which Secretary of State Rex Tillerson led for more than a decade.

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Trump took calls from a parade of business leaders and foreign leaders in recent weeks, most pressing him to remain, according to a senior administration official — and the calls continued on Wednesday.

"He had tremendous pressure from international leaders, from members of his own Cabinet and advisers in the international sphere not to pull out of the accord because of the perceived loss of face," said McIntosh, the Club for Growth president.

But while the leaders of G-7 nations all pressed Trump to remain in the agreement during last week's summit in Italy, Paris supporters in the White House have privately groused that they didn't make an aggressive enough case.

European officials countered they tried not to push Trump too much during the meetings, believing that a hard-sell could backfire. And they were buoyed by early signals from White House officials ahead of the summit that Trump was open to remaining.

Indeed, European officials received a series of mixed messages from Trump's team during the summit. National Economic Council Director Gary Cohn, a Paris supporter and the only U.S. official permitted to attend meetings with G-7 leaders, told reporters that Trump was "evolving" on climate change, which many interpreted to mean that he would remain.

White House officials chalked up Cohn's comments to Trump's habit of echoing the perspective of the last person he talked to. By that time, Bannon and other opponents of the agreement had returned the United States. But Trump's decision to delay a final verdict on the agreement gave Pruitt and Bannon a final opportunity to make their case. Pruitt met with Trump to discuss Paris on Tuesday.

Most European officials were unwilling to comment about the prospect that Trump will withdraw, as they have not yet received official word from the White House and they are still holding out hope that the president will change his mind.

The officials have already begun looking to other countries for support on climate change, with the European Union set to promise deeper cooperation with China. Some officials have even adopted a new informal nickname for the major remaining countries that support action on climate change: the G-6.

Some Trump administration officials were reeling on Wednesday after the news first broke that Trump was prepared to withdraw.

Trump had not officially told his entire team of senior aides he was considering leaving the agreement Wednesday when news leaked out. "Everyone assumed that's what was going to happen, but we weren't called all in and told, 'Oh, we're putting this story out today," one person said.

Having learned a lesson after Trump changed his mind about pulling out of NAFTA, administration officials cautioned against definitive reporting, warning that the president is notoriously fickle. As administration officials began tamping down reports that Trump's decision was final, White House aides were swamped with calls, emails and texts from lobbyists and diplomats seeking clarification.

Officials close to Trump sometimes leak information before it is final — hoping to back him into a corner, or believing that comments during a private meeting represent his ultimate view. White House officials put out word in April that he was pulling out of NAFTA, even though Trump had not made up his mind, and news leaked during the campaign that he would pick Mike Pence as

his running mate even as he weighed other candidates.

"Sometimes people close to Trump put things into the media environment to see how he'll react to it," one adviser said. "If your idea gets good coverage, it's likely to help him decide to go with what you're saying."

One of the biggest lingering questions: If he withdraws, how will Trump do it?

He could abide by the formal procedures in the underlying text of the agreement, which mandate that a formal withdrawal will not go into effect until at least Nov. 4, 2020. Or he could pull out of the United Nations Framework Convention on Climate Change, the underlying 1992 treaty that governs the negotiations, which would allow for a speedier pullout — a far more radical step that would see the U.S. abstain from the entire climate negotiating process.

He could also declare that the agreement is a treaty, which would require a two-thirds-majority ratification vote in the Senate that would certainly fail.

Whatever he does, supporters of the climate agreement expect a harsh reaction from the United States' friends if the country pulls out.

"I think the diplomatic backlash will be worse than it was when the U.S. rejected Kyoto," said Susan Biniaz, the State Department's longtime former climate change lawyer, referring to the George W. Bush administration's decision to spurn the 1997 Kyoto climate agreement.

One former U.S. official agreed: "Will global leaders trust the U.S. to negotiate a climate treaty ever again? After Kyoto and Paris, who will trust us to keep our word as a nation? Our credibility is gone."

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Back

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Trump took calls from a parade of business leaders and foreign leaders in recent weeks, most pressing him to remain, according to a senior administration official — and the calls continued on Wednesday.

"He had tremendous pressure from international leaders, from members of his own Cabinet and advisers in the international sphere not to pull out of the accord because of the perceived loss of face," said McIntosh, the Club for Growth president.

But while the leaders of G-7 nations all pressed Trump to remain in the agreement during last week's summit in Italy, Paris supporters in the White House have privately groused that they didn't make an aggressive enough case.

European officials countered they tried not to push Trump too much during the meetings, believing that a hard-sell could backfire. And they were buoyed by early signals from White House officials ahead of the summit that Trump was open to remaining.

Indeed, European officials received a series of mixed messages from Trump's team during the summit. National Economic Council Director Gary Cohn, a Paris supporter and the only U.S. official permitted to attend meetings with G-7 leaders, told reporters that Trump was "evolving" on climate change, which many interpreted to mean that he would remain.

White House officials chalked up Cohn's comments to Trump's habit of echoing the perspective of the last person he talked to. By that time, Bannon and other opponents of the agreement had returned the United States. But Trump's decision to delay a final verdict on the agreement gave Pruitt and Bannon a final opportunity to make their case. Pruitt met with Trump to discuss Paris on Tuesday.

Most European officials were unwilling to comment about the prospect that Trump will withdraw, as they have not yet received official word from the White House and they are still holding out hope that the president will change his mind.

The officials have already begun looking to other countries for support on climate change, with the European Union set to promise deeper cooperation with China. Some officials have even adopted a new informal nickname for the major remaining countries that support action on climate change: the G-6.

Some Trump administration officials were reeling on Wednesday after the news first broke that Trump was prepared to withdraw.

Trump had not officially told his entire team of senior aides he was considering leaving the agreement Wednesday when news leaked out. "Everyone assumed that's what was going to happen, but we weren't called all in and told, 'Oh, we're putting this story out today," one person said.

Having learned a lesson after Trump changed his mind about pulling out of NAFTA, administration officials cautioned against definitive reporting, warning that the president is

notoriously fickle. As administration officials began tamping down reports that Trump's decision was final, White House aides were swamped with calls, emails and texts from lobbyists and diplomats seeking clarification.

Officials close to Trump sometimes leak information before it is final — hoping to back him into a corner, or believing that comments during a private meeting represent his ultimate view. White House officials put out word in April that he was pulling out of NAFTA, even though Trump had not made up his mind, and news leaked during the campaign that he would pick Mike Pence as his running mate even as he weighed other candidates.

"Sometimes people close to Trump put things into the media environment to see how he'll react to it," one adviser said. "If your idea gets good coverage, it's likely to help him decide to go with what you're saying."

One of the biggest lingering questions: If he withdraws, how will Trump do it?

He could abide by the formal procedures in the underlying text of the agreement, which mandate that a formal withdrawal will not go into effect until at least Nov. 4, 2020. Or he could pull out of the United Nations Framework Convention on Climate Change, the underlying 1992 treaty that governs the negotiations, which would allow for a speedier pullout — a far more radical step that would see the U.S. abstain from the entire climate negotiating process.

He could also declare that the agreement is a treaty, which would require a two-thirds-majority ratification vote in the Senate that would certainly fail.

Whatever he does, supporters of the climate agreement expect a harsh reaction from the United States' friends if the country pulls out.

"I think the diplomatic backlash will be worse than it was when the U.S. rejected Kyoto," said Susan Biniaz, the State Department's longtime former climate change lawyer, referring to the George W. Bush administration's decision to spurn the 1997 Kyoto climate agreement.

One former U.S. official agreed: "Will global leaders trust the U.S. to negotiate a climate treaty ever again? After Kyoto and Paris, who will trust us to keep our word as a nation? Our credibility is gone."

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Trump aides weighing staying in Paris deal, but rejecting Obama pledge Back

By Andrew Restuccia | 03/09/2017 03:08 PM EDT

Trump administration officials are considering a plan to remain part of the nearly 200-nation

Paris climate change agreement, while weakening former President Barack Obama's pledge to reduce U.S. greenhouse gas emissions, multiple sources told POLITICO.

The plan has not yet won the buy-in of key Trump aides and the president has not signed off. Sources familiar with the plan cautioned that it remains in flux, and could be scuttled by Trump advisers who are critical of the agreement.

But keeping the U.S. in the 2015 Paris pact would be a victory for some in the Trump administration, including the president's daughter Ivanka and his son-in-law Jared Kushner, who have sought to boost the president's green credentials and fear that pulling out would damage relations with key U.S. allies. Many conservatives have been pushing President Donald Trump to withdraw from the deal altogether, as the president himself pledged to do during the campaign.

One way to square those conflicting imperatives would be to reject the pledge Obama offered as part of the 2015 Paris pact — a nonbinding target for reducing the United States' emissions of planet-warming greenhouse gas emissions. That's increasingly seen within the White House as a possible way forward.

Obama had pledged that by 2025 the U.S. would reduce its greenhouse gas emissions by 26 percent to 28 percent below where it was in 2005.

Weakening Obama's pledge would probably frustrate many American allies, who see the United States' commitment to tackling climate change as a bedrock of the Paris agreement. It would also reflect the likelihood that Trump's push to revoke key Obama environmental regulations would make it more difficult to meet the existing target.

George David Banks, a White House senior adviser on international energy and environmental issues, has briefed people outside the administration on the plan in recent days, according to people who have spoken with him.

Banks discussed the plan during a Thursday meeting with about a dozen fossil fuel industry officials, according to people familiar with the closed-door discussion.

Banks did not respond to a request for comment. A White House spokeswoman said, "We have no announcements to make at this time."

It's unclear when the Trump administration will announce a final decision on its approach to Paris. Sources cautioned a verdict may not be made public for weeks or even months, and could hinge on broader energy-related discussions with other countries.

Ivanka Trump and Kushner, a senior adviser to the president, have been strong advocates of staying in the agreement, sources said. And other advisers raised fears that withdrawing altogether would greatly damage U.S. diplomatic relations with other countries.

Trump's appointees are separately taking steps to revoke regulations requiring cuts in greenhouse gas pollution from the nation's power plants, among other rollbacks of Obama-era environmental

rules.

Those regulations were the bulwark of Obama's promise that the United States, the world's second-largest carbon polluter, would do its share to address the problem — even though scientists have said steeper cuts are needed to avoid catastrophic harm from climate change.

Trump's advisers have sometimes been at odds over how to approach Paris — and Trump's chief strategist, Steve Bannon, is said to be advocating for withdrawing from the agreement. Bannon's influence with Trump could undercut the proposal to stay in the deal.

Some Trump supporters have even hoped he would pull out from the entire decades-old "framework" of United Nations climate negotiations. Such a step would have been even more extreme than former President George W. Bush's abandonment of the 1997 Kyoto climate accord, which made the U.S. an untrusted figure in international climate circles for years afterward.

To clinch the Paris agreement, the Obama administration had to pull off some tricky diplomatic gymnastics, bringing together rich and poor countries that had disagreed for decades about how to divide the burden of curbing the world's carbon output. The pact, reached in December 2015 after two weeks of negotiations in a Paris suburb, followed months of U.S. pressure on China and India to make their own commitments, despite arguments from the developing world that already-wealthy nations should be doing the lion's share.

Ultimately, the talks were successful because negotiators allowed countries to write their own domestic pledges to tackle climate change, rather than imposing across-the-board mandates to slash emissions.

Those pledges are largely nonbinding, which enabled Obama to avoid a politically disastrous ratification fight in the Senate. But that also makes it easier for Trump to change Obama's pledge.

Even if Obama's target remained in place, scientists and climate activists have warned that the deal won't cut carbon pollution enough to prevent the worst effects of climate change, including rising seas and worsening droughts and storms. Instead, they said, countries would need to steadily escalate their targets.

The agreement calls on countries to aim to limit global warming to "well below" 3.6 degrees Fahrenheit from pre-industrial levels, and it said countries should "pursue efforts" to keep temperature increases to 2.7 degrees Fahrenheit. Under a business-as-usual scenario, global temperatures could rise by 4.7 to 8.6 degrees Fahrenheit by the end of the century, according to scientists, an increase that would have catastrophic consequences for the planet.

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States, cities to boost climate action as Trump's Paris withdrawal looms Back

By Eric Wolff | 05/31/2017 07:49 PM EDT

Amid news that President Donald Trump is preparing to withdraw the U.S. from the Paris climate agreement, several cities, states and private businesses are hoping to accelerate their efforts to fight climate change and fill any gap left by Washington.

Mayors of New York, Los Angeles and other cities are promising to maintain their own commitments to reduce their cities' carbon dioxide emissions, and New York Gov. Andrew Cuomo responded to Wednesday's leaks from the White House with a new proclamation that he would advance "bold" renewable energy goals.

While governments below the national level cannot officially sign onto the Paris agreement, Trump's expected move to pull out of the 2015 accord signed by 195 countries is prompting them to look for other paths they can follow to contribute to the international effort. Sources tell POLITICO that several states, municipalities, and business leaders are in early discussions to create a carbon reduction agreement that could be called a "Societally Determined Contribution," a name that aims to mimic the "Nationally Determined Contribution" that each of the Paris accord's members submitted.

Liberal states like New York and California have already launched efforts to fight greenhouse gas emissions, and climate change is becoming an issue in Virginia's gubernatorial race. And while questions remain whether states, cities and businesses have the political will and the capacity to make a significant contribution to reducing the pollution blamed for global warming, for climate activists,they offer the best chance to reduce emissions.

"Local governments, corporations, individuals, they're the ones who have made a difference in America, and not the Obama administration," said former New York Mayor Michael Bloomberg, now the U.N. Special Envoy for Cities and Climate change. "I think the danger and the damage that the Trump administration decision to pull out would [have] is more psychological -- it isolates us from the rest of the world, it sends exactly the wrong message."

Former President Barack Obama had pledged under the U.S.' Nationally Determined Contribution to reduce carbon dioxide emissions between 26 percent to 28 percent of 2005 levels by 2025. That promise, though not legally binding, was built on Obama's policies like the Clean Power Plan, which would have shrunk emissions at power plants but is now being unwound by Trump's administration.

Trump tweeted that he'd announce a decision in the "next few days," prompting calls from business heavyweights like Apple's Tim Cook and Tesla's Elon Musk to remain in the global deal, but the local and state leaders are working to develop their plan B to step in for the U.S. on the international climate scene, sources tell POLITICO.

Discussions are still very preliminary, but the participants are trying to come up with a combined

carbon reduction from states, cities and businesses to replace the cuts that Trump is expected to eliminate. The structure and operation of the group behind the "SDC" is still unknown, as is the final target, whether it would set a single reduction target for the group or if there will be other clean energy or carbon reduction goals. Developing an agreement would require analysis to determine whether policies like California's carbon price and commitments like Facebook's promise to rely solely on renewable power could be merged, but proponents are hopeful they can find some way to set a target.

"It strikes folks as an obvious thing, a great way to show the international community that there's a lot going on in the U.S." said a source working to facilitate the conversations. "It is really important to the international community to understand to avoid a knock-on effect of U.S. withdrawal on the actions of other countries."

Even without a binding document, states are moving into the space created by the absence of federal action. A group of 18 lawmakers led by Democratic Reps. Earl Blumenauer (Ore.), Jared Huffman (Calif.), and Suzan DelBene (Wash.). sent a letter to Govs. Kate Brown (Ore.), Jerry Brown (Calif.) , and Jay Inslee (Wash.), calling for them to act.

"Given the vacuum in climate leadership that has resulted from the election of Donald Trump, our states must continue to form a 'green wall' in the West that will maintain climate leadership in the United States. The Paris Agreement calls for significant reductions in greenhouse gas emissions, and if Donald Trump's administration won't lead, our states must," the lawmakers wrote.

Virginia Gov. Terry McAuliffe enacted a series of policies that will make the commonwealth "trading ready" for a carbon cap-and-trade program, a move seen as a precursor to Virginia's joining the nine-state Regional Greenhouse Gas Initiative. McAuliffe's successor will have to decide whether to take that next step, thrusting the issue into this year's gubernatorial race, where Republican candidates have been critical of his efforts.

To be sure, there may be limits to what the green-minded cities and states can do. California plus the nine states in RGGI comprised less than 14 percent of U.S. emissions in 2014, according to the Energy Information Administration, and they have been working toward decarbonization for years. Meanwhile, Texas, a state with an intensive energy industry and little appetite for carbon action, contributes nearly 12 percent of U.S. emissions on its own.

Pennsylvania and Illinois are the third and fourth biggest emitters among U.S. states, and both states have active coal-mining industries that would likely oppose aggressive state action. Pennsylvania Gov. Tom Wolf, who signed a letter calling on Trump to stay in the Paris agreement earlier this month, made joining RGGI a campaign promise, but has rarely mentioned it since taking office.

Critics of climate change policies say any state efforts are likely to have no effect, except to raise energy prices.

"Climate regulations at the state and local levels will still be all cost and no climate benefit but I

would say that if states want to pursue climate policies that's their prerogative," said Nick Loris, an economist at the conservative Heritage Foundation. "There's also a matter of politics. Even a pretty liberal state like Washington couldn't get through an aggressive carbon tax policy because environmental groups didn't like that the money wasn't being spent on green technologies."

But for environmental leaders, like California's Brown, Trump's expected rejection of the Paris pact has only helped make the case for climate action clearer.

"This current departure from reality in Washington will be very short-lived, that I promise you," Brown told POLITICO in an interview. "I've spoken with Republicans here in the legislature, and they're beginning to get very serious about climate action, so the momentum is all the other way. And I think Trump, paradoxically, is giving climate denial such a bad name that he's actually building the very movement that he is [purporting] to undermine."

Helena Bottemiller Evich and David Siders contributed to this report

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Brown: 'The rest of the world is against' Trump Back

By David Siders | 05/31/2017 04:10 PM EDT

LOS ANGELES — California Gov. Jerry Brown, one of the nation's foremost proponents of efforts to address climate change, on Wednesday called President Donald Trump's planned withdrawal from the Paris climate accord "outrageous," while predicting the effect of the move will be short-lived.

"This current departure from reality in Washington will be very short-lived, that I promise you," Brown told POLITICO in an interview. "I've spoken with Republicans here in the Legislature, and they're beginning to get very serious about climate action, so the momentum is all the other way. And I think Trump, paradoxically, is giving climate denial such a bad name that he's actually building the very movement that he is [purporting] to undermine."

Brown added, "You can't fight reality with a tweet."

News of the president's decision drew ire from Democrats and environmental groups across the country, nowhere more so than in California, where the state Senate hours later passed major climate legislation requiring utilities to obtain 100 percent of their electricity from renewable sources by 2045.

After the vote, state Senate President Pro Tem Kevin de León told reporters that Trump's decision is "distressing" but that California "will forge ahead."

Brown has been harshly critical of Trump on climate policy, but he said last week that he believed the Republican president to be a political "realist" and that progress on the issue might be "not as disastrous as we thought a few months ago."

On Wednesday, Brown said, "I don't think the Trump deviation will stand."

"Yes, he's making this announcement," the governor said. "But the rest of the world is against him. California is against him. New York is against him. We are for sensible, scientifically based climate action. And this is unfortunate, even tragic, but we will overcome it. And through Trump's outrageous action, the contrary movement is galvanized, and we're mobilizing people, states, provinces and working with other countries to move in a direction that is sustainable and is compatible with what we know we must do to survive."

Brown is preparing to travel this week to China, where he will participate in an international climate summit, meet with Chinese officials and rally support for local efforts to counteract the effects of climate change. The fourth-term Democratic governor, a longtime champion of environmental causes, has helped sign more than 170 mostly subnational governments to a nonbinding pact to limit greenhouse gas emissions.

Asked what he would tell Chinese officials about Trump, Brown said, "I don't think I'll have much to say about the president. I'll have a lot to say about California, and I'll have a lot to say about the 170-plus states and provinces that have joined with California in the 'Under 2' initiative."

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All the ways Trump is shredding Obama's climate agenda Back

By Ben Lefebvre, Esther Whieldon, Darius Dixon, Alex Guillén and Andrew Restuccia | 05/31/2017 04:45 PM EDT

President Donald Trump's expected decision to withdraw the United States from the Paris climate agreement is a huge morale blow to the worldwide effort to head off the worst effects of global warming. But it's just the latest step in his determined campaign to erase Barack Obama's green agenda.

Pulling out of the Paris deal means that the United States — the world's second-largest producer of greenhouse gases — would no longer take part in the most comprehensive international pact ever crafted on climate change, joining Syria and Nicaragua as the only holdouts among nearly 200 nations.

But Trump's domestic environmental efforts will have the most immediate real-world impact on the planet's fate, by halting Obama's attempts to achieve steep cuts in U.S. carbon emissions and

shift the country away from fossil fuels. The impact of those regulation rollbacks and other steps could be equivalent to adding almost 2 percent to the world's carbon output by 2025 compared with Obama's targets, based on recent analyses — at a time when climate researchers say the world urgently needs to accelerate its reductions.

This is POLITICO's rundown of the steps Trump has already set in motion:

Lifting limits on coal

— Trump ordered the Environmental Protection Agency to take the first steps toward repealing Obama's Clean Power Plan, a suite of curbs on greenhouse gas pollution from thousands of existing power plants. Those restrictions, and a separate regulation on future plants, would have encouraged power companies to shift away from coal.

— The administration lifted Obama's freeze on new coal leases on federal land, and halted the Interior Department's formal environmental review of coal leasing charges.

— Interior announced it will repeal an Obama-era rule that threatened to increase companies' royalty payments for coal, oil and natural gas they extract on federal lands.

— Energy Secretary Rick Perry ordered a 60-day review of tax and regulatory policies that "are responsible for forcing the premature retirement of baseload power plants," language suggesting the report will criticize federal support for wind and solar power.

Drill, baby drill

— Trump ordered Interior to end restrictions on oil drilling in Arctic waters, and told it to consider opening up the Atlantic coast for drilling.

— He ordered Interior to rewrite a 2015 rule that called for tighter environmental standards for fracked oil and gas wells on public lands. He also ordered reviews of a rule on offshore oil well safety, as well as one relating to air quality evaluations for offshore oil and gas drillers.

— He signed a congressional repeal of an Interior Department land-use planning update after fossil fuel companies complained it would hurt their access to federal lands.

— EPA withdrew a request for information from oil and gas companies about methane emissions from their operations. The Obama administration's request had been seen as an early step toward regulating those sources.

— Trump ordered the Commerce Department to review all marine sanctuaries established or expanded in the past 10 years for possible oil and natural gas drilling opportunities.

— He reversed Obama's denial of a permit for the Keystone XL pipeline and ordered the Army Corps of Engineers to allow final construction on the Dakota Access pipeline. Neither project

would have much impact on the climate by itself, but the moves sent a strong signal of the administration's intention to increase fossil fuel production.

Rolling back regulations

— Trump ordered EPA to reopen its review of Obama's tightened automobile emissions standards for model years 2022-2025. The review is the first step toward relaxing the standards.

— The administration froze the rollout of several Energy Department energy efficiency rules.

— EPA is reviewing whether to continue a 2013 waiver that lets California impose stricter air pollution limits regulations than the federal government does on "non-road" diesel engines like bulldozers and tractors.

— EPA is reviewing several regulations still in litigation, including rules on mercury from power plants, ozone, wetlands and waterways, pollution from heavy-duty trucks, methane emissions from new oil and gas operations, coal plants' pollution discharges into waterways and refrigerants, plus a rule that would let citizen groups sue power plants that exceed emissions limits during startup, shutdown or malfunction.

Cutting climate and green energy programs

— Trump's 2018 budget request proposed a 31 percent cut to EPA's budget, which especially targeted its climate programs. He also proposed cutting climate research at other agencies, including Interior's U.S. Geological Survey.

— EPA reassigned employees who had been working on adapting to the effects of climate change.

— Trump called for eliminating DOE's loan program and its Advanced Research Projects Agency-Energy, which supports commercially risky technologies aimed at reducing greenhouse gas emissions. The administration also sought deep cuts to offices devoted to fossil, nuclear and renewable energy as well as energy efficiency.

— DOE placed a hold on funding for nearly two dozen ARPA-E projects. Only three have gotten approval under the Trump administration.

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Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in

a prepared statement after the vote.

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Feds reach settlement with Harley-Davidson over defeat devices Back

By Alex Guillén | 08/18/2016 12:32 PM EDT

Harley-Davidson riders may have to do a little less freewheel burning after the motorcycle maker agreed to stop selling defeat devices that had EPA spitting flames.

In a lawsuit and settlement announced today, the Justice Department and EPA allege that Harley-Davidson sold 340,000 "super tuners," after-market defeat devices that can be installed on motorcycles to boost their performance. But they also increase emissions of hydrocarbons and nitrogen oxides, which contribute to smog formation.

The company has agreed to buy back and destroy the devices, which it sold at dealerships across the U.S. since 2008. It also will pay a $12 million civil penalty and spend $3 million on air quality mitigation projects.

"Given Harley-Davidson's prominence in the industry, this is a very significant step toward our goal of stopping the sale of illegal aftermarket defeat devices that cause harmful pollution on our roads and in our communities," said John Cruden, DOJ's top environmental prosecutor.

The violations were discovered following a "routine" inspection, according to the agencies.

Any tuners Harley-Davidson looks to sell in the future will have to be approved by the California Air Resources Board.

DOJ and EPA also say Harley-Davidson sold more than 12,000 bikes from 2006 to 2008 that were not covered by a key EPA certification. The company agreed to have all future motorcycle models certified by EPA.

The deal is open to a 30-day public comment period and judicial approval.

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Zinke signs order to promote oil drilling in Alaska Back

By Ben Lefebvre | 05/31/2017 05:27 PM EDT

Interior Secretary Ryan Zinke today signed an order aimed at sparking additional oil development in Alaska.

Interior will review the possibility of increasing oil production in the National Petroleum Reserve in Alaska and to assess how much oil and gas could be extracted from part of the Arctic National Wildlife Refuge.

The order seeks to revise BLM's Integrated Activity Plan to evaluate "efficiently and effectively maximizing the tracts offered for sale during the next NPR-A lease sale."

It also tells officials to come up with a plan to measure undiscovered, technically recoverable oil and natural gas resources of Alaska's North Slope, focusing in part on Section 1002 of the ANWR.

"Working with the Alaska Native community, Interior will identify areas in the NPR-A where responsible energy development makes the most sense and devise a plan to extract resources," Zinke said in a statement. "We will do it in a way that both respects the environment and traditional uses of the land as well as maintains subsistence hunting and fishing access."

Alaskan Republican Sens. Lisa Murkowski and Dan Sullivan hailed the move. Both senators have submitted bills this year in an attempt to jump-start energy production in the state.

The U.S Geological Survey in 2010 estimated the NPR-A held about 895 million barrels of economically recoverable oil and 52.8 trillion cubic feet of natural gas. In 1995, then-President Bill Clinton vetoed legislation Congress sent him that called for oil and gas exploration in the 1.5-million-acre Section 1002 of the ANWR.

WHAT'S NEXT: Interior officials have 31 days to come up with a plan to implement Zinke's directive.

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Russia probe scares off potential appointees Back

By Andrew Restuccia and Josh Dawsey | 05/31/2017 05:05 AM EDT

President Donald Trump's effort to fill hundreds of vacant jobs across the federal government has hit a new snag: Russia.

Potential hires are paying close attention to the expanding investigations, which have now begun to touch senior Trump aides, with some questioning whether they want to join the administration.

Four people who work closely with prospective nominees told POLITICO that some potential hires are having second thoughts about trying to land executive branch appointments as federal and congressional investigations threaten to pose a serious distraction to Trump's agenda.

"It's an additional factor that makes what was an already complicated process of staffing the government even harder," said Max Stier, head of the Partnership for Public Service, which has advised the Trump transition on hiring.

According to the nonpartisan Partnership for Public Service, the White House has announced nominees for just 117 of the 559 most important Senate-confirmed positions.

That trails the records of Presidents Barack Obama and George W. Bush, who had each nominated about twice as many people by this point in the first year of their first terms.

Trump has not yet nominated a No. 2 at the Agriculture Department, Education Department, Department of Veterans Affairs or Environmental Protection Agency, and dozens of top positions at every federal agency remain vacant. Trump's nominees for deputy secretary of Commerce and Treasury both withdrew.

One lawyer who represents prospective political appointees told POLITICO that three clients said over the past two weeks that they are no longer interested in working for the Trump administration following the appointment of Robert Mueller as special counsel overseeing the federal investigation into Trump associates' contacts with Russian officials during the campaign.

"There's no doubt in my mind that people are being very cautious, to put it mildly," this lawyer said, adding that there is growing concern in Republican circles that the caliber of hires could deteriorate if the administration's top picks drop out.

"You're going to have a situation where they're going to have trouble getting A-list or even B-list people to sign up," the lawyer added.

Others agreed. "With all that is going on now, there is certainly a greater amount of hesitation," said a former government official who regularly speaks with one of Trump's Cabinet secretaries. "They have a real talent problem that continues to grow."

A White House spokeswoman said the Russia investigation and the series of news stories that have pummeled the administration in recent weeks have had no impact on hiring. She said the president is recruiting individuals "of the highest quality."

But the steady stream of palace intrigue stories about internal tensions and plans for a staff shakeup — after months of rumors about various senior officials getting pushed out — are making it harder to persuade people to join the administration, another White House official said.

White House communications director Michael Dubke said Tuesday he will leave his role, while Trump is weighing the possibility of bringing former campaign aides Corey Lewandowski and

David Bossie into the White House.

"It's not the best place to work right now, but you're still working at the White House, so there are far worse jobs," the official said.

Former Bush and Obama administration officials who worked on personnel issues told POLITICO they never struggled to find qualified candidates for top jobs.

"I can't speak to Republicans not wanting to join this administration but, as a general matter, we didn't have trouble recruiting people — quite the opposite," said Lisa Brown, who served as White House staff secretary under Obama for two years.

Along with distracting from lower-level hires, the Russia probe has slowed and complicated the process of filling the administration's highest-profile vacancy — director of the FBI.

Trump administration officials have been frustrated by the difficulties they've faced in finding a new FBI director. Top White House officials, including chief of staff Reince Priebus and chief strategist Steve Bannon, hoped to have made a decision made by now.

Instead, leading candidates Sen. John Cornyn (R-Texas), Rep. Trey Gowdy (R-S.C.) and former Sen. Joe Lieberman have all withdrawn from consideration. The White House is now looking at a new field of candidates, and Trump met with two possibilities — John Pistole and Chris Wray — on Tuesday.

"It's not so easy to find an FBI director in the Trump administration," the White House official said.

The official added that Trump and his senior team are aware that hiring is not moving fast enough at agencies but said that, right now, "It's just not priority No. 1."

A second White House official said he was not aware of any potential nominees dropping out because of the recent news but echoed concerns that the Russia probe would inevitably add to further delays filling empty jobs.

"The problem we are likely to have is it may be difficult to get people to focus on hiring with all of this going on," the official said.

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EPA to reconsider more provisions of oil and gas well emissions rule Back

By Alex Guillén | 05/31/2017 11:55 AM EDT

EPA today placed a 90-day stay on several additional portions of its 2016 rule setting methane emissions limits for new oil and gas industry sources.

The delay is needed as the agency considers several petitions to reconsider parts of the regulation, EPA said. The agency in April stayed some other portions of the rule, including fugitive emissions requirements, but today's announcement covers other key parts of the regulation.

Two more parts of the rule EPA will now reconsider are standards for well site pneumatic pumps and requirements for closed vent systems to be certified by a professional engineer, according to a Federal Register notice signed by Administrator Scott Pruitt on Friday and running soon.

Those requirements will be placed on hold for 90 days while EPA reviews them, and the agency "intends to look broadly at the entire 2016 Rule," not just the specific portions already identified, according to the notice.

EPA will have to take public comment on any proposed changes to the rule before finalizing them, and could subsequently face litigation.

WHAT'S NEXT: EPA will issue proposed changes to the rule's requirements and take public comment.

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Sent: Fri 6/9/2017 8:22:11 PM
Subject: BREAKING NEWS: House Intelligence Committee leaders ask White House for any Comey tapes

Leaders of the House Intelligence Committee are asking the White House to produce any tapes that might exist of President Donald Trump's conversations with ousted FBI director James Comey.

Rep. Mike Conaway (R-Texas) and Rep. Adam Schiff (D-Calif.), the lawmakers leading the investigation, asked White House counsel Don McGahn on Friday to confirm whether any tapes exist, and if so, to produce them for the committee by June 23.

Their request comes less than two hours after President Donald Trump, in a Rose Garden news conference, refused to answer questions about whether such tapes exist.

Read more: http://www.politico.com/story/2017/06/09/house-intelligence-committee-leaders-ask-white-house-for-any-comey-tapes-239366

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Wed 10/4/2017 6:50:50 PM
Subject: EPA Announces Appointment of Cosmo Servidio to Region 3 Administrator

CONTACT: press@epa.gov

EPA Announces Appointment of Cosmo Servidio to Region 3 Administrator

WASHINGTON (October 4,2017) –Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt announced the appointment of Cosmo Servidio of Pennsylvania to become regional administrator for Region 3. Mr. Servidio will oversee environmental protection efforts in Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, and the District of Columbia.

Cosmo Servidio currently holds the position of director of environmental affairs for the Bucks County Water and Sewer Authority in Pennsylvania where he plays a vital leadership role in one of the state's largest water and wastewater utilities. Mr. Servidio oversees operations and facility planning to help identify needed improvements to maintain essential water and wastewater services and provides oversight to ensure utilities comply with all state and federal requirements. Prior to joining Bucks County Water and Sewer Authority, Mr. Servidio served as regional director for the Pennsylvania Department of Environmental Protection for the Southern Region, where he worked to ensure staff implemented the Department's priorities to improve air quality, waste management, radiation protection, remediation, conservation, safe drinking water, dam safety, and clean water programs.

Mr. Servidio also served as the chief of staff for EPA's Region 2 headquarters from 2005-2009, where he helped administer federal programs in implementing the Agency's mission in New Jersey, New York, Puerto Rico, and the U.S. Virginia Islands.

"Cosmo Servidio has spent much of his career providing administrative support for institutions that provide healthy environmental outcomes for the public," **said Administrator Pruitt**. "He brings federal, state, and local administrative experience working in the environmental field and will provide exceptional leadership for Region 3."

Cosmo Servidio's appointment is receiving support from across the region:

Douglas Bilheimer, Executive Director, Pennsylvania Municipal Authorities Association: "We are very pleased to learn that Cosmo Servidio has been appointed to serve as director of EPA Region 3. Mr. Servidio's background at Pennsylvania's Department of Environmental Protection and most recently with one of our largest most progressive municipal authorities will serve him well in his new responsibilities."

Austin Caperton, Secretary of the West Virginia Department of Environmental Protection: "I was very encouraged by my first meeting by phone with Cosmo Servidio. He is obviously experienced and qualified for the position. It was clear that he believes in cooperative federalism and the rights of states. He is clearly in line with the current administration. But most important to me: he listened!"

Ben Grumbles, Maryland Secretary of the Environment: "Cosmo is a seasoned environmental

professional who knows how to build partnerships for progress throughout our region."

Debra McCarty, Commissioner of the Philadelphia Water Department: "Cosmo Servido is an excellent appointment. He was good to work with at the PA DEP and will bring pragmatism, experience and commonsense to the EPA. I look forward to again working him in this new role to protect the environment."

Maya K. van Rossum, Delaware Riverkeeper: "Cosmo Servidio is the best choice for Regional Administrator. He is highly regarded by throughout the environmental community. This respect has been earned by the fair minded and forthright decisions and actions taken by Cosmo to implement the law and achieve the goals of community and environmental protection. Even if there was a decision Cosmo made in his role as regional director at PADEP that I didn't like or agree with, I always knew it was a decision grounded in the facts, the law and one that Cosmo truly believed was the right outcome. I might not always like the answers Cosmo gave me as a regulator, but I always knew I could trust that he was telling me the truth. That kind of integrity from a Regional Administrator is critical for success, particularly in today's political climate."

Wilmer Stoneman, Director of Commodities and Marketing, Virginia Farm Bureau: "Virginia Farm Bureau certainly welcomes this opportunity to work with Mr. Servidio to balance the needs of Virginia Farmers and the Chesapeake Bay."

Jeff Warmann, CEO and President, Monroe Energy LLC: "Cosmo's leadership is unparalleled. He has a keen ability to bring regulators and business together, ensuring that they communicate effectively and that their shared goals of protecting the environment are achieved. Cosmo and his team were readily available to answer any questions we had or to provide guidance when needed. I want to congratulate Cosmo on his appointment to Region Three Administrator; I know that he will do a tremendous job."

Rob Wonderling, President and CEO of the Chamber of Commerce for Greater Philadelphia: "On behalf of the Chamber of Commerce for Greater Philadelphia we applaud the recent appointment of Cosmo Servidio as the Region III EPA Administrator. Cosmo has served our region well as a public servant and business leader who keenly understands that environmental stewardship and economic growth require consensus, collaboration, and a modern approach to policy and regulation. Cosmo has a proven track record of being a highly energetic leader and innovative leader who actively listens to all sides and perspectives related to complex environmental issues. He also has a keen eye on global trends, solid science, and macroeconomic opportunities that will serve our region and nation well in this new assignment."

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Subject: [SPAM] May 23 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Greenhouse Gas Reporting Budget Slashed in Trump Proposal

Posted May 23, 2017, 03:29 P.M. ET

By Dean Scott and Andrew Childers

An EPA program to track greenhouse gas emissions nationally faces an 85 percent budget cut as President Donald Trump looks to slash the agency's funding and sideline climate change efforts.

Trump and Environmental Protection Agency Administrator Scott Pruitt have vowed to downplay the agency's climate change work, instead focusing on priorities such as cleaning up Superfund sites.

The EPA in the fiscal year 2018 budget proposal released May 23 faces $336 million in cuts to its climate work compared to estimated funding levels for 2017. The Office of Management and Budget compared its fiscal 2018 proposal to estimated funding based on the continuing resolution for 2017 rather than the recently passed omnibus funding levels for that year. International climate programs are also on the chopping block as Trump follows through on a pledge to end funding for international climate aid.

The $336 million in cuts to the EPA's air pollution and climate work include:

• $161 million reduction—a 34 percent cut from 2017 levels—to environmental programs and management,

• $114 million less for science and technology programs, a 46 percent reduction, and

• $60 million in cuts to aid to states and tribes—a nearly 18 percent cut from 2017 levels.

Within the environmental programs funding, the EPA's greenhouse gas reporting program is slated to receive only $13.6 million, down from an estimated $95.3 million in 2017. The estimated savings would come from eliminating a variety of voluntary programs such as Energy Star, voluntary methane reduction efforts for the oil and gas sector, and the Green Power Partnership, which encourages the use of renewable energy.

Reducing those programs is part of what the Trump administration calls its "commitment to return EPA to its core work."

The greenhouse gas reporting program collects annual emissions data from nearly 8,000 industrial facilities across 41 sectors of the economy.

International Climate Aid Eliminated

Trump's fiscal year 2018 budget plan also maintains his pledge to zero out billions in international climate aid.

The proposal would eliminate a total of $1.59 billion for the United Nations Green Climate Fund, the Global Climate Change Initiative, and other international climate programs.

Zeroing out the Green Climate Fund would mean the U.S. would fall well short of the amount President Barack Obama pledged in 2014 toward the fund—$3 billion over four years—which helps developing nations adapt to climate impacts and pursue low-carbon development. Obama used the Global Climate Change Initiative to make sure climate issues were being addressed in assistance funneled through multiple foreign assistance agencies.

Cleanup Research of Contaminated Sites Gets Boost in Trump Plan

Posted May 23, 2017, 04:12 P.M. ET

By Sylvia Carignan

Toxin-eating bacteria and other remediation research projects would get a bump in funding under President Donald Trump's proposed budget, contrasting with agency-wide slashes in research and cleanup spending.

Trump's administration is proposing an additional $5 million—or a 22 percent increase—in environmental cleanup research and development under the Department of Defense.

Meanwhile, the Environmental Protection Agency's Superfund budget would be cut by 30 percent, to $762 million, under Trump's proposed plan.

The proposed cut contradicts EPA Administrator Scott Pruitt's recent memos stating that the Superfund program is "vital" and an agency priority, environmental advocates said.

But additional funding for cutting-edge research will benefit cleanup activities across the country, not just at federal facilities, said Janet Anderson, managing scientist at San Antonio-based environmental consulting firm Integral Consulting.

The White House released the numbers in a proposed budget May 23.

The proposed increase comes in sharp contrast to other agencies' research and development budgets under Trump's plan.

Across the Department of Defense, the president is proposing a 25 percent cut in research and development spending, from $71.2 billion in 2017 to $53.4 billion in 2018.

The EPA budget for research and development would be cut by almost half, from $510 million in 2017 to $277 million in 2018, under Trump's budget.

Investing in Remediation's Future

Defense research projects currently under development include developing new varieties of anaerobic bacteria that can biodegrade contaminants and finding ways to clean up aqueous film-forming foams, used to extinguish fuel fires, on contaminated sites.

The projects focus on contaminants that are left behind by military activities, but those contaminants—like dioxins, chlorinated solvents and perfluoroalkyl substances—also affect non-federal properties.

The Defense Department's environmental research programs include the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program. They support innovative technology that improves the characterization, remediation and management of contaminated federal sites.

Sharing that research is a built-in feature for those programs.

"It is actually an explicit requirement that any and all interested entities can benefit from the information gleaned from research funded out of SERDP/ESTCP," Anderson told Bloomberg BNA.

Sue Boyle, executive director of the New Jersey Licensed Site Remediation Professionals Association, said defense-led research in vapor intrusion and long-term monitoring have benefited civilians working on cleanup sites.

The Department of Defense also is pushing research on perfluoroalkyl substances, she told Bloomberg BNA, since the contaminant has become an expensive problem, especially for the Air Force.

Growing Liability

According to the Government Accountability Office, the federal government's cleanup liability hovers around $447 billion for contaminated sites as of fiscal year 2016.

The independent watchdog reported earlier this year that the federal government's environmental liability for its contaminated properties has been growing for the past 20 years and is likely to increase.

The U.S. Army Corps of Engineers' funding for cleaning up former federal sites, meanwhile, would see a small proposed increase under Trump's plans, from $111 million in 2017 to $115 million in 2018. The Corps is responsible for remediation at about 5,400 former federal sites, according to Lt. Gen. Todd Semonite, the Corps' commanding general.

Budget Funds Shutdown of 'Duplicative' Chemical Safety Board

Posted May 23, 2017, 01:07 P.M. ET

By Sam Pearson

The Trump administration kept its earlier promise to eliminate the U.S. Chemical Safety Board, describing the watchdog as "largely duplicative" in its proposed budget released May 23.

The White House first proposed closing the CSB in its skinny budget in March. Under the budget proposal released May 23, CSB would receive $9.42 million in fiscal 2018—but only to fund its closure. The board received $11 million in fiscal 2017.

CSB board members, industry figures and labor unions have said the CSB is not duplicative because similar agencies do not perform the same kind of work. While other agencies like the Environmental Protection Agency and the Occupational Safety and Health Administration may also investigate incidents that the CSB probes, they lack the board's mandate to seek the root cause of an investigation. These other agencies can issue citations and fines, which may dissuade plant operators from sharing information.

In its justification for the proposal, the budget notes Congress' intent that the agency "be an investigative arm that is wholly independent of the rulemaking, inspection, and enforcement authorities of its partner agencies in making recommendations on actions that can be taken to prevent similar accidents from occurring in the future." However, the document argues CSB "more often than not" creates friction with other agencies. The CSB has also focused too much on "the need for greater regulation of industry, which has frustrated both regulators and industry."

The budget mentions controversies that occurred under the tenure of former CSB Chairman Rafael Moure-Eraso, resulting in reports by the EPA Inspector General and the House Committee on Oversight and Government Reform in 2014. Moure-Eraso left the CSB more than two years ago.

"While CSB's new leadership is making progress on the previous management challenges," the document said, "due to the duplicative nature of its work, the Budget recommends eliminating the agency."

Members Confused

Board members said at a meeting April 13 they did not understand why the agency was targeted. They found out about the White House plan to seek the agency's closure March 15, the day before the release of the skinny budget.

"We haven't been told exactly why the CSB does not perform a necessary function," Engler said.

Under the board's authorizing statute, it can issue its own budget request independent of the White House. CSB spokeswoman Hillary Cohen said in an email to Bloomberg BNA the board expects to do so late May 23.

Hanford Nuclear Cleanup Budget Slashed in Energy Proposal

Posted May 23, 2017, 04:08 P.M. ET

By Chuck McCutcheon

Washington state's Hanford Nuclear Reservation, scene of a recent collapse of a tunnel containing nuclear waste, would see its funding slashed under President Donald Trump's new budget proposal.

The May 23 release of the fiscal year 2018 budget for the Department of Energy, which follows

Trump's earlier "skinny budget," drew praise from conservative Republicans for being fiscally responsible and criticism from those who want more funding for energy research and development and other programs. Given that many of the department's programs are located in numerous areas of the country and enjoy bipartisan support, Congress is expected to restore many of the proposed cuts.

The Energy Department would sustain an overall 5.4 percent cut, or $1.7 billion—minor compared to most other Cabinet agencies—from the estimated funding levels Congress provided in fiscal 2017, according to White House Office of Management and Budget documents. The agency's clean energy programs would bear the brunt of the cuts, with new funds funneled into the arm of the agency dealing with developing and safeguarding nuclear weapons.

"This budget delivers on the promise to reprioritize spending in order to carry out DOE's core functions effectively and efficiently while also being fiscally responsible and respectful to the American taxpayer," Energy Secretary Rick Perry said in a statement.

But Ernest Moniz, Perry's predecessor under former President Barack Obama, called the budget proposal "a retreat of American leadership on energy innovation, environmental protection and energy security."

Trump's budget blueprint calls for reducing cleanup at Hanford from $921 million to $716 million, a 22 percent reduction. That comes as the budget proposes to boost overall departmental defense-related environmental cleanup of materials from $5.28 billion to $5.54 billion.

Hanford Cleanup Needed

Washington state's congressional delegation, including Democratic Sens. Patty Murray and Maria Cantwell, long have pressed various administrations to commit to cleaning up Hanford. The site in eastern Washington has milllons of gallons of highly radioactive wastes stored in 177 aging underground tanks, some of which have leaked.

"Previous administrations and Congress have repeatedly supported the legal and moral obligation of the federal government to clean up the Hanford site, and we urge you to continue this important work to protect health and safety," the two senators and Rep. Dan Newhouse (R-Wash.) said in a May 19 letter to Perry.

The Hanford tunnel, containing radioactive wastes that were byproducts of producing plutonium for nuclear weapons, partially collapsed on May 9, prompting nearby workers to evacuate. A worker's clothing also was exposed to radioactive contamination in what Washington Gov. Jay Inslee (D) called an "alarming incident."

Trump's budget also calls for steep cuts to numerous other Energy programs:

• Basic energy sciences, which supports research to advance new energy technologies, would see a proposed cut from $1.84 billion to $1.55 billion.

• Biological and environmental research, which studies biological, earth and environmental systems for energy and infrastructure resilience and sustainability, would see a proposed cut from $608 million to $349 million.

• Energy effiency and renewable energy programs would receive a proposed $636 million, a decline of $1.4 billion. Subprograms dealing with weatherization of homes and state energy are proposed for

elimination "to reduce federal intervention in state-level energy policy and implementation," according to the department.

• Sustainable transportation programs, which conduct early-stage research and development on vehicle technologies, fuel cells and other energy innovations, would see a proposed cut from $659 million to $336 million. Within that, solar energy would be cut from $324 million to $134 million; wind energy from $145 million to $66 million; water power from $97 million to $44 million. Geothermal technologies would be sliced in half to $38 million.

• Fossil energy research, which supports research into coal, oil and other energy types that Trump has emphasized, would see a proposed cut from $631 million to $280 million. The budget seeks to consolidate the work for the National Energy Technology Laboratory, which does work in several states, into a single operational site.

• Cybersecurity for energy-delivery systems, which supports research on cutting-edge solutions to defend against cyber attacks, would see a proposed cut from $62 million to $42 million. The proposed budget adds $43 million for cybersecurity within the defense environmental cleanup program.

ARPA-E Cut Maintained

The proposed budget maintains the administration's earlier call for cutting the Advanced Projects Research Agency-Energy (ARPA-E) office, which invests in early-stage, high-risk energy technologies that have potential to transform the nation's energy system.

In addition, it maintains the "skinny budget" promise to eliminate the Advanced Technology Vehicles Manufacturing Loan Program, which provides loans to automakers to help produce advanced-technology vehicles. The program's loan office will wind down operations in fiscal 2018 with the expectation it will shut down the following fiscal year, according to an Office of Management and Budget document.

Similarly, it continues the call for eliminating the Title 17 Innovative Technology Loan Guarantee Program, which funds high-risk technology that aims to avoid, reduce or sequester air pollutants or greenhouse gases.

Trump's blueprint also underscores the administration's interest in reconsidering waste storage at Nevada's Yucca Mountain site despite widespread objections from Nevada lawmakers. It proposes restarting the Nuclear Waste Fund Fee in 2020, an indication the administration is planning to have a permanent storage site for high-level spent fuel from commercial nuclear power plants up and running by that time. The budget also separately includes a $30 million request for the Nuclear Regulatory Commission to restart work on the site northeast of Las Vegas, which the Obama administration had mothballed.

Perry, in recent visits to several of the department's national laboratories, has pledged to support much of their work. The proposed budget includes a boost from $620 million to $722 million for the Advanced Scientific Computing Research program, which supports research in applied mathematics and computer science at such labs as Oak Ridge in Tennessee, Argonne in Illinois and Lawrence Berkeley in California.

Video: Advanced Energy Research Office Would Be Cut in Trump Budget

Posted May 23, 2017, 04:18 P.M. ET

By Rebecca Kern

The Trump White House is proposing to eliminate a small Energy Department advanced energy research office under a fiscal 2018 budget proposal.

The Advanced Research Projects Agency-Energy, created in 2007 during President George W. Bush's administration, invests in early-stage, high-risk energy technologies that have potential to transform the nation's energy system, such as converting renewable energy into fuels.

Bloomberg BNA interviewed Lisa Jacobson, president of the Business Council for Sustainable Energy, about how companies benefit from early-stage investment through ARPA-E. The ARPA-E office has had support from the business community as well as bipartisan support in Congress.

The program received an estimated $291 million in fiscal 2017, but would be phased out in the fiscal 2018 budget request. It would receive $20 million for staff to oversee existing awards to completion and monitor a loan portfolio.

Renewable Energy Powers Jobs for Almost 10 Million People

Posted May 23, 2017, 04:12 P.M. ET

By Mahmoud Habboush

Renewable energy employed 9.8 million people last year, up 1.1 percent from 2015, led by solar photovoltaic at 3.09 million jobs, according to the International Renewable Energy Agency's annual report on the industry.

Growth has slowed in the past two years while solar photovoltaic and wind categories more than doubled their number of jobs since 2012, the first year assessed, Irena said in the report.

Global renewables employment has climbed every year since 2012, with solar photovoltaic becoming the largest segment by total jobs in 2016, according to the report..

Solar photovoltaic employed 3.09 million people, followed by liquid biofuels at 1.7 million. The wind industry had 1.2 million employees, a 7 percent increase from 2015.

Employment in renewables, excluding large hydro power, increased 2.8 percent last year to 8.3 million people, with China, Brazil, the U.S., India, Japan and Germany the leading job markets. Asian countries accounted for 62 percent of total jobs in 2016 compared with 50 percent in 2013.

Renewables jobs could total 24 million in 2030, as more countries take steps to combat climate change, the agency said in the report.

—With assistance from Jessica Shankleman.

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Climate Spending 'Crazy Stuff' Targeted in Trump Budget

Posted May 23, 2017, 03:56 P.M. ET

By Christopher Flavelle

President Donald Trump's first budget request to Congress would cut or eliminate a range of programs designed to reduce greenhouse gas emissions, as well those helping communities prepare for more intense flooding or hurricanes expected to result from climate change.

The scope of climate funding established under President Barack Obama is broad, and Trump's budget took aim at much of it: It would terminate a NASA program to launch satellites to measure carbon dioxide in the atmosphere and slash grants to help local communities cope with the increasing risks of a natural disaster. A $190 million effort to map the risks of flooding also would be eliminated.

"We want to do some climate science, but we aren't going to do some of the crazy stuff that the previous administration did," Mick Mulvaney, director of the White House Office of Management and Budget, told reporters. The "pendulum went too far to one side."

Trump's proposed cuts come amid growing scientific consensus that climate change is real and accelerating—but deep skepticism about the risks from both the president and members of his administration. Trump had dubbed climate change a hoax, and Scott Pruitt, the head of the Environmental Protection Agency, said focus on combating climate change under Obama distracted the agency from other important tasks.

But there were 15 separate billion-dollar natural disasters in the U.S. alone last year, three times the average since 1980, and environmental advocates say the nation needs to prepare for the impacts both being felt today and forecast to come in the years ahead.

"This is a budget declaring war on climate change policy and solutions," said Elgie Holstein, a senior director for strategic planning at the Environmental Defense Fund and a former budget official under President Bill Clinton. "It's not a deep surprise, but it's deeply disappointing."

Presidential budget proposals typically undergo significant changes in Congress, but they provide insight into White House priorities.

The proposed cuts are most pronounced at agencies tasked under Obama with reducing emissions for carbon dioxide from power plants, automobiles and oil and natural gas production.

EPA would lose about one third of its funding, including a steep cut to the office dealing with clean air and global climate change.

At the Energy Department, funding for the agency's arm charged with renewable energy and energy efficiency research would be cut by nearly 70 percent. Research on carbon capture and storage, which could help reduce emissions from coal, would also be cut.

The budget would also reduce or end programs designed to protect Americans from the consequences of climate change.

The Federal Emergency Management Agency maps flood risks to help the National Flood Insurance Program decide how much to charge for coverage, alert homeowners if they're in danger and inform projects to reduce flood risk. The Trump administration argues that those services mainly benefit communities at risk of flooding, and so the cost should be paid locally. The $190 million program would be eliminated under its plan.

'Better Target'

A similar program at the National Oceanic and Atmospheric Administration to research how coastal communities can deal with sea-level rise would be eliminated. That cut would allow NOAA "to better target remaining resources to core missions and services," the budget document said.

Programs designed to gather data about climate change also would be cut.

The budget proposes ending five earth-science programs at the National Aeronautics and Space Administration, including one that would measure carbon dioxide emissions and concentrations. The budget would also eliminate funding for the U.S. Geological Survey to study so-called biological carbon sequestration: when peat moss or other vegetation holds greenhouse gases, keeping them from entering the atmosphere.

Also gone would be U.S. efforts to help poor nations develop low-carbon energy or grapple with climate impacts. The administration wants to cancel funds run by the State Department aimed at encouraging clean energy. It would also stop all assistance aimed at helping other countries deal with the effects of climate change.

"America must put the energy needs of American families and businesses first," according to the section of the budget document justifying those cuts. That includes "promoting development of the nation's vast energy resources."

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Two Energy Professionals Chosen for Nuclear Commission

Posted May 22, 2017, 09:17 P.M. ET

By Rebecca Kern

A former utility commission chairman and a Senate energy staffer were named by the Trump administration to fill two vacant Republican seats on the Nuclear Regulatory Commission.

David Wright, a former South Carolina Public Service Commission chairman, and Annie Caputo, a senior policy adviser for the Senate Environment and Public Works Committee, will be nominated to serve terms as Republican commissioners on the nuclear regulatory body, the administration announced May 22.

The administration also said it plans to renominate Kristine Svinicki, the current chairman, to serve another five-year term as chairman. Svinicki's current term was set to expire July 1.

The NRC has been down to three commissioners—Svinicki, a Republican; Stephen Burns, an independent; and a former chairman, Jeff Baran, a Democrat. If the nominees are confirmed, the agency would return to a full five-person panel.

Wright has been the owner of Wright Directions LLC, a strategic consulting and communications business based in South Carolina, since 2013. He served on the South Carolina Public Service Commission from March 2004 to June 2013.

From 2011-2012, he was president of National Association of Regulatory Utility Commissioners,

which represents state public service commissioners. He also was national chairman of the Nuclear Waste Strategy Coalition from 2006 to 2013, a group of state utility regulators, local governments, and tribes on nuclear waste policy issues. He has a political science degree from Clemson University.

Marc Spitzer, a former commissioner at the Federal Energy Regulatory Commission from 2006-2011 and currently a partner at Steptoe & Johnson LLC, told Bloomberg BNA he worked with Wright on a jurisdictional issues between FERC and the South Carolina commission.

Two of the four nuclear reactors being built in the U.S. are being built by SCANA Corp. in South Carolina, which likely factored into the administration's choice to nominate Wright.

Caputo's Bipartisan Reach

Caputo has more than a decade of experience working as a staffer on both Senate and House energy committees. She has worked as a policy adviser on the Senate Environment and Public Works Committee since January 2015, and was a staffer from 2007-2012, specializing in nuclear energy issues. From 2012 to 2015 she worked as a staffer on the House Energy and Commerce Committee.

She was a congressional affairs manager at Exelon Corp. from 1998 to 2005. Caputo has a chemical engineering degree from Michigan Technological University and a degree in nuclear engineering from the University of Wisconsin-Madison.

"On the Hill, both Democrats and Republicans see her as a leading expert on NRC issues," Ryan Fitzpatrick, deputy director of the Clean Energy Program at Third Way, a group that advocates for clean energy and nuclear energy, told Bloomberg BNA.

Fitzpatrick said he worked with Caputo on the Nuclear Energy Information and Modernizaton Act (S. 512), which the Environment and Public Works Committee reported out favorably in March. The bill directs the NRC to create a regulatory framework for advanced nuclear reactor technologies, which aren't cooled by water as existing nuclear reactors are.

Trillions on Yearly Infrastructure Spending Would Help Climate Goals: OECD

Posted May 23, 2017, 03:45 P.M. ET

By Rick Mitchell

The world's biggest economies have to spend about $6.9 trillion a year on "smart" infrastructure through 2030 to be on track to keep global warming to safe levels, a new OECD report said.

Because most major economies have skimped on infrastructure since the 2008 financial crisis, an average $6.3 trillion of yearly investment is required in the next 14 years just to meet development needs globally. And for an extra $600 billion, the $6.9 trillion in total annual outlays could buy infrastructure that is "modern, smart and clean infrastructure" and not "carbon-intensive," according to the report the Organization for Economic Cooperation and Development released May 23.

Because smart infrastructure is more energy-efficient, it would cut fossil fuel spending by $1.7 trillion annually, more than offsetting the extra cost, the OECD said.

Low-emissions infrastructure investment figures at the heart of the report's recommendations for policy makers to combine strong fiscal and structural reform with coherent climate measures, rather than treat climate as a separate issue. Such an approach would significantly reduce climate change risks, while also providing near-term economic, employment and health benefits, it said.

The 314-page report forecasts "a climate-compatible policy package" that could increase economic output by up to an average 2.8 percent across the Group of 20 countries by midcentury, and that gain rises to almost 5 percent compared with a business-as-usual scenario, if positive impacts of avoiding climate damage are taken into account.

Today's Investment, Tomorrow's Goals

The Paris-based economic policy body released the report at the eighth annual Petersberg Climate Dialogue, which Germany hosted in Berlin as part of its presidency of the G-20 countries, which account for about 85 percent of global economic output and about 80 percent of carbon dioxide emissions.

Infrastructure investments made to 2030 will determine whether the 2015 Paris Agreement's goal to hold global warming to 2 degrees Celsius in this century, compared with pre-industrial levels, can be achieved, the report said. Smart infrastructure includes renewable energy generation and storage, electric vehicles, advanced building insulation techniques and negative emissions technologies, and restoring degraded grasslands, among others.

Public and private financing are crucial to infrastructure investment, the OECD said in the report. Today's low-interest rates give many countries "fiscal space" to borrow, while others can optimize their tax-and-spending mix to pay for projects. Meanwhile, well-aligned climate, fiscal, and investment policies will spur increased private investment.

The OECD said the "financial system" has to do more to correctly value and incorporate climate-related risks for infrastructure investments. And development banks and finance institutions should boost available resources, while helping to develop "green finance" in partner countries.

The organization's 35 member countries, which are mainly wealthy economies, include Group of 20 members Australia, Canada, France, Germany, Italy, Japan, Mexico, South Korea, Turkey, the U.K. and the U.S. Argentina, Brazil, China, India, Indonesia, Russia, Saudi Arabia, and South Africa are G-20 members but not in the OECD. The European Union also is a G-20 member.

U.S. Sues Fiat Chrysler for Diesel Emissions Test Violations

Posted May 23, 2017, 03:02 P.M. ET

By Ryan Beene and Jamie Butters

The U.S. Justice Department sued Fiat Chrysler Automobiles NV over claims its diesel-powered pickups and SUVs were outfitted with illegal software that allowed them to pass laboratory emissions tests (U.S. v Fiat Chrysler Automobiles N.V., E.D. Mich., No. 17-cv-11633, 5/23/17).

The complaint filed May 23 alleges that nearly 104,000 vehicles with 3.0 liter EcoDiesel engines were equipped with software "defeat devices" that caused the vehicles' emission control systems to perform differently, and less effectively, during certain normal driving conditions than on laboratory emissions tests, according to a statement from the Environmental Protection Agency.

The company issued a statement saying it "is currently reviewing the complaint, but is disappointed" that the suit had been filed.

"The company intends to defend itself vigorously, particularly against any claims that the company engaged in any deliberate scheme to install defeat devices to cheat U.S. emissions tests," according to the statement.

That could set up an intense showdown between U.S. officials and Fiat Chrysler, which has fought regulators in the past. The government is seeking civil penalties for alleged violations of the Clean Air Act, according to the EPA.

The suit comes after months of negotiations failed to bridge a divide between the company and regulators over the nature of emissions calibrations used on 2014-2016 Jeep Grand Cherokee SUVs and Ram 1500 pickups powered by diesel engines. Fiat Chrysler's diesel emissions are also the subject of a U.S. criminal probe.

Fiat Chrysler Denies Allegations

Volkswagen AG touched off the biggest scandal in modern automotive history when it admitted in 2015 that about 11 million diesel cars worldwide were outfitted with so-called defeat devices, embedded algorithms used to game emissions tests. The German automaker has committed to spending upwards of $24.5 billion in North America to settle legal claims, including both civil and criminal cases brought last year by the U.S. government, and buy back or repair some 560,000 vehicles.

Unlike VW, Fiat Chrysler has steadfastly denied that it knowingly set out to cheat on emissions tests.

Fiat Chrysler announced May 19 that it had proposed a fix to its diesel emissions calibrations in a bid to resolve the EPA's concerns with the vehicles. If the agency approves the proposed settings for the automaker's 2017 diesels, the company said, the carmaker would then make the same modifications to the older vehicles under scrutiny.

In January, the EPA identified eight emissions controls in the Jeep and Ram diesels that weren't disclosed as required in applications for clean-air certifications filed with the agency. The EPA also said it believed that one or more of those controls were defeat devices, and challenged the carmaker to prove otherwise.

An initial hearing of separate lawsuits, brought by owners of the diesel SUVs and pickups, is set for Wednesday in San Francisco federal court where VW emissions lawsuits were consolidated. The EPA said in a statement Tuesday it will try to move its case to the same court.

—With assistance from Kartikay Mehrotra and Margaret Cronin Fisk.

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EPA Applies Brakes on Landfill Methane Rules

Posted May 23, 2017, 11:31 A.M. ET

By Andrew Childers

The EPA took its first step toward reconsidering methane limits for landfills set by the Obama administration by freezing implementation of the rules for 90 days.

The Environmental Protection Agency plans to rethink several aspects of the methane limits for both new and existing landfills, including whether the requirements overlap with other existing regulations, Administrator Scott Pruitt said in a May 5 letter to the National Waste & Recycling Association, Solid Waste Association of North America, Republic Services, Inc., Waste Management, Inc., and Waste Management Disposal Services of Pennsylvania, Inc.

These groups had all petitioned the agency to reconsider the rules.

The EPA announced its plan to halt implementation of the regulation for 90 days in a notice released May 23. The 90-day halt will take effect when the notice is published in the Federal Register.

Trump Proposes Selling Off Half the U.S. Strategic Oil Reserve

Posted May 23, 2017, 8:19 A.M. ET

By Catherine Traywick and Jennifer A. Dlouhy

The White House plan to trim the national debt includes selling off half of the nation's emergency oil stockpile, part of a broad series of changes proposed by President Donald Trump to the federal government's role in energy markets.

Trump's first complete budget proposal, released in part May 22, would raise $500 million in fiscal year 2018 by draining the Strategic Petroleum Reserve, and as much $16.6 billion in oil sales over the next decade.

The proposal also seeks to boost government revenues by allowing oil drilling in the Alaska National Wildlife Refuge, ending the practice of sharing oil royalties with states along the Gulf of Mexico and selling off electricity transmission lines in the West. Like much of the budget, those moves are likely to face opposition in Congress.

Presidential budget proposals typically undergo significant changes in Congress, but provide insight into White House priorities.

The Strategic Petroleum Reserve currently holds 687.7 million barrels of oil in salt caverns and tanks at designated locations in Texas and Louisiana. That allows for quick distribution when natural disasters or unplanned accidents occur, according to the Energy Department website.

Measures passed in 2015 and 2016 call for the sale of nearly 190 million barrels of oil from the reserve between 2017 and 2025, to raise money for unrelated government programs. Those sales would cut the reserve by about 27 percent. Slashing the stockpile by half would require further sales, and would risk breaching the legally required inventory threshold. The reserve must contain a minimum of 450 million barrels.

The budget summary document doesn't indicate the scope or timing of potential oil reserve sales, or whether a $2 billion program to modernize the stockpile's infrastructure would be affected.

Oil, Gas Proposals

Trump is also seeking to raise money with two other proposed changes—one that would be cheered by the oil industry and another that would draw its ire.

For instance, he projects raising $1.8 billion over the next decade by opening up the 19-million-acre Arctic National Wildlife Refuge to oil and gas development. The idea of allowing drilling in the refuge for its estimated 12 billion barrels of crude has long been championed by Alaska Republicans, including Sen. Lisa Murkowski, who heads the appropriations subcommittee in charge of Interior spending.

But it's anathema to environmentalists, who have successfully blocked ANWR drilling plans from advancing on Capitol Hill by stoking concerns about threats to the polar bears, caribou, wolves and other animals that live in the territory.

Trump's budget request suggests ANWR leasing could begin to pay off in fiscal 2022, with $100 billion in projected revenue that year. In addition to environmentalists' opposition, it's unclear how much appetite energy companies would have for the reserve. Monster discoveries there could yield decades of oil production, but the cost of operations in northern Alaska could discourage the activity amid modest crude prices and the domestic shale boom.

Offshore Royalties

Trump's budget request also revives an Obama-era proposal to cut the payments Gulf Coast states collect from offshore drilling near their coastlines, a change that would translate to an extra $3.56 billion in federal revenue over the next decade. Under a 2006 law, four Gulf states—Alabama, Louisiana, Mississippi and Texas—now claim 37.5 percent of the royalties that oil and gas companies send the federal government in exchange for drilling rights and production on some Gulf of Mexico leases.

Trump's move echoes Obama's attempt to divert some of those royalty payments. And his bid to quash state revenue sharing is likely to meet the same fierce resistance that Obama's plans did. Just as they did under Obama, Gulf Coast lawmakers also will vigorously fight to defend those payments, which help support restoration programs.

The budget also proposes restarting the Nuclear Waste Fund Fee in 2020, a sign that the administration is planning to have a permanent storage site for that waste up and running by that time—presumably at a site in Nevada known as Yucca Mountain. That fee would raise nearly $3.1 billion over 10 years, it estimates.

The White House foresees $2.4 billion in additional revenue in 2019 from the sale of federally-owned transmission lines in the West. Those power lines mostly carry electricity from government-owned dams to metro areas.

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Clean Car Rules Lead to Jobs From Technology, Equipment

Posted May 23, 2017, 02:22 P.M. ET

By Ryan Beene

More than a quarter million U.S. jobs are tied to the use of technology and production of materials used to improve vehicle fuel economy, according to a report released May 23 by environmental groups.

The report by the Natural Resources Defense Council and the BlueGreen Alliance seeks to draw attention to jobs supported by auto efficiency regulations under review by the Trump administration. That review was initiated by President Donald Trump in March and directs the Environmental Protection Agency to decide by next April whether to change greenhouse gas standards for 2022-2025 that require annual increases in vehicle efficiency.

The report found that about 1,200 U.S. factories and engineering centers in 48 states produce components such as advanced transmissions or electric motors, or advanced materials such as carbon fiber or aluminum used in vehicles. Those locations employ some 288,000 workers, more than double the number recorded in a 2011 version of the report, the groups said.

"There has been a huge amount of clean vehicle innovation over the last five years," said Luke Tonachel, director of the clean vehicles and fuels project at the Natural Resources Defense Council, a New York-based environmental group. "Clean vehicle innovations are key to both protecting the environment while also keeping the the U.S. manufacturers in a globally competitive position on technology."

Current U.S. auto efficiency rules aim to boost average new vehicle fuel economy to more than 50 miles per gallon by 2025. An automaker-funded study released in March found that the standards would lead to higher vehicle prices and reduce auto-sector employment in the short term. The U.S. could see a net gain of about 150,000 jobs by 2031 as fuel savings at the pump outweigh higher vehicle costs, one of the report's authors said at the time.

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China Joins EU, Canada in Backing Climate Deal Before Trump Plan

Posted May 23, 2017, 01:11 P.M. ET

By Marine Strauss and Brian Parkin

China, Canada and the European Union are joining forces to advance the Paris Agreement while President Donald Trump is still deciding whether the U.S. should stick with the landmark deal on climate change.

Canada's environment minister Catherine McKenna, EU Climate and Energy Commissioner Miguel Arias Canete and China's special envoy for climate change Xie Zhenhua are meeting May 23 in Berlin to discuss climate leadership and how to maintain momentum if the U.S. pulls out of the Paris Agreement.

The collaboration between the three countries is another sign that Trump, and the U.S., will become isolated from the rest of the world. Almost 200 nations pledged to fight climate change when the Paris deal was signed in 2015 and since then only the U.S. has indicated it may step off that path.

"It's very important that we continue the shared programs on climate change," McKenna said in an interview at the Petersberg Climate Dialog hosted by Chancellor Angela Merkel. "There is a need to

bring together key players. We think that China, Canada and the EU are in a good position to bring together other countries at the ministerial level to have high-level discussions about how we're going to move forward on the Paris Agreement."

Trump has given mixed signals about the fate of the Paris deal under his administration. He's called climate change a hoax and said during his campaign last year he would scrap the deal if elected. Since then, he's said he would keep an open mind but has prioritized stimulating fossil fuels and especially coal, which conflicts with U.S. promises under the deal. Trump's advisers are divided on the issue.

Germany is assuming Trump will indicate the position the U.S. will take regarding the Paris accord at a Group of Seven summit in Sicily on May 26 and May 27, Environment Minister Barbara Hendricks said at a climate conference in Berlin May 22. Signatory states of the Paris accord won't let their agenda be derailed whatever the outcome of Trump's decision and subsequent policy, Merkel indicated May 23.

"We are often asked about our position when looking at the U.S. uncertainty," said Chinese envoy Xie. "The Paris Agreement is a hard-won achievement, and all signatories should stick to it instead of walking away. China will stick to its word."

The United Nations climate conference, which Germany is hosting this year in Bonn, is pressing ahead with its agenda, Merkel said May 23. Global warming is "something that concerns us all," she told delegates. We must "uphold the spirit of Paris."

Concerns were also raised by a number of global corporate and political leaders, including the OECD which said that bringing growth and climate-change agendas together could lift 2050 economic output by as much as 2.8 percent, a report released May 23 said. Taking into account the economic benefits of avoiding climate change impacts such as flooding, that number goes up to almost.

"This trio is emblematic of the kind of distributed leadership we're seeing, with a diversity of countries putting their shoulders to the wheel on climate," said David Waskow, International Climate Director at the World Resources Institute. "It ranges from major emitters to many of the most vulnerable, and many in between."

The agreement is broader than any previous climate accord. It calls for reducing pollution in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the industrial revolution.

"The Paris Agreement was a signal to the market and now it's about how to take advantage of this opportunity and how do we make sure that every country is part of it," McKenna said. "There's a huge opportunity and now it's bigger than just one country."

—With assistance from Jessica Shankleman.

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Toyota, Nissan, Honda to Lead Japan's Hydrogen Station Coalition

Posted May 23, 2017, 12:10 P.M. ET

By Toshio Aritake

Eleven leading Japanese companies including Toyota, Nissan and Honda said they will collaborate to build more hydrogen stations to accommodate fuel cell motor vehicles in Japan.

While the government has a target of 160 hydrogen stations serving 40,000 fuel cell vehicles by 2020, just 90 hydrogen stations are currently in operation—and slightly more than 1,000 fuel cell vehicles on Japanese roads, according to government statistics and the Japan Automobile Manufacturers Association.

The companies are Toyota Motor Corp. , Nissan Motor Co., Honda Motor Co., JXTG Nippon Oil & Energy Corp., Idemitsu Kosan Co. Ltd., Iwatani Corp., Tokyo Gas Co., Toho Gas Co. Ltd., Air Liquide Japan Ltd., Toyota Tsusho Corp., and the Development Bank of Japan Inc., they said in a May 19 announcement.

The cost of building a hydrogen filling station is more than twice the cost of building a gas station, the Japan Automobile Manufacturers Association said.

Daimler Raided by Prosecutors in Emission-Manipulation Probe

Posted May 23, 2017, 8:53 A.M. ET

By Karin Matussek

Daimler AG offices across Germany were raided as part of a criminal investigation into diesel emission-manipulation allegations.

The Stuttgart prosecutors' office raided 11 properties in four German states, including in its home state of Baden-Wuerttemberg, their spokeswoman Melanie Rischke said in an emailed statement May 23. Daimler is fully cooperating with the authorities, Joerg Howe, a spokesman for the Stuttgart-based manufacturer, said in a statement.

Prosecutors in Stuttgart last months opened a probe into an unspecified number of current and former employees over emission-manipulation allegations. The employees are being probed for possible fraud and false advertising.

Carmakers have been under the spotlight since Volkswagen AG revealed in September 2015 that it installed software in 11 million diesel vehicles worldwide to bypass pollution rules. Authorities across Europe are focusing their attention on whether a separate technology that enables emissions controls to switch off at certain temperatures to help protect engines—widely used across the industry—violates the law.

After rising as much as 1.4 percent, Daimler shares pared gains and were up 0.3 percent at 67.95 euros at 2:37 p.m. in Frankfurt.

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States, Industry at Odds Over Crude By Rail Pressure Standard

Posted May 23, 2017, 11:59 A.M. ET

By Sylvia Carignan

Six state attorneys general and petroleum industry groups are battling over a pressure standard for transporting crude oil by rail tank cars.

The attorneys general say the increased transportation of crude oil by rail and a suggested pressure standard under consideration by the Pipeline and Hazardous Materials Safety Administration increases the possibility of exploding or flammable trains near high-population areas.

But some industry groups say that standard would impose "unreasonable costs" on crude oil transportation, and that vapor pressure isn't a reliable indicator of flammability. Vapor pressure is generally used as a measure of the volatility of a liquid.

PHMSA is weighing a petition from New York's attorney general, who asked the agency to require a Reid vapor pressure limit of less than 9 pounds per square inch for crude oil transported by rail. If PHMSA grants the attorney general's petition, the agency would need to determine whether 9 pounds per square inch is a preferable limit.

The attorneys general and industry groups, which include the American Fuel and Petrochemical Manufacturers, submitted their comments in response to an advanced notice of proposed rulemaking that asked for input on the pressure standard (RIN:2137-AF24).

States See Increased Crude Movement

The attorneys general for New York, California, Illinois, Maine, Maryland, and Washington state submitted joint comments pushing for a vapor pressure standard lower than the one PHMSA is considering for crude transported by rail tank cars.

Before 2011, crude oil wasn't transported across Washington state by rail. But in 2013, the attorneys general said, Washington had seen about 700 million gallons of crude by rail, most on its way from North Dakota to refineries in Washington or California.

North Dakota, which has its own pressure standard, intends to defend it despite any federal rule, according to comments from the state's Industrial Commission. Their standard is higher or more lax than PHMSA's proposal.

Across the U.S., about 275,000 barrels of crude oil are transported by rail each day, according to the Energy Information Administration's February 2017 estimates.

"We have seen some of the rail traffic slack off a bit, but it's going to be upticking again," Tyson Slocum, energy program director at Public Citizen, told Bloomberg BNA.

The fact that there have been fewer recent accidents may be a result of lower volume, he said, but a federal standard is still necessary.

"We've had too many accidents to sacrifice safety for oil and rail industry profits," Slocum said.

Setting a Limit

While federally-funded research into the flammability and explosive potential of crude oil continues, the attorneys general argue a lower pressure standard is safer.

The North Dakota Petroleum Council commented that New York's petition shouldn't assume that limit is appropriate because federally-funded research has not been completed. Until an ongoing study at Sandia National Laboratories is completed, PHMSA shouldn't move ahead, the council stated.

The American Fuel and Petrochemical Manufacturers commented that instead of pressure, the presence of heat is more important when considering crude oil's flammability and explosive potential.

A rail accident including the collision of tank cars "virtually guarantees" that crude oil will ignite, and restricting vapor pressure won't make much of a difference, the association said.

The association represents companies such as AECOM, Exxon Mobil Corp, and Formosa Plastics Corp.

Merkel to Confront Climate-Change 'Doubters' Among G-20 Peers

Posted May 23, 2017, 10:07 A.M. ET

By Brian Parkin

German Chancellor Angela Merkel said she won't give up trying to persuade doubters among her global peers that climate change is real, signaling her message for a Group of Seven summit starting May 26.

Merkel called on countries to uphold the Paris Agreement to combat climate change and limit the rise of global temperatures, which was brokered by nearly 200 nations in 2015 and entered into force in November. U.S. President Donald Trump, who has called global warming a hoax, may be on the verge of saying whether he'll stick to the pact.

"Today, we need to capture the same spirit that marked the completion of the climate pact in Paris, in terms of implementation in Europe, among G-7 and G-20 countries, and the United Nations," Merkel said May 23 in a speech to a conference in Berlin. "I am trying to persuade the doubters."

Merkel, a former environment minister, has consistently championed the Paris agreement, which pledged emerging countries such as China to combat global warming for the first time. The potentially divisive topic is likely to be on the agenda as well when Merkel hosts fellow Group of 20 leaders for a summit in Hamburg in July.

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EU Says Most European Beaches Safe for Swimming

Posted May 23, 2017, 12:57 P.M. ET

By Stephen Gardner

Nearly all of Europe's coastal and inland recreational sites met water quality standards for swimming last year, the European Environment Agency said May 23.

Of more than 21,000 sites monitored, 96.3 percent met minimum requirements, while 85.5 percent met a higher "excellent quality" standard, according to the report.

Under the European Union's Bathing Water Directive (76/160/EEC), beaches and inland sites are monitored for microbial contamination and must be closed for bathing if the minimum standards are not achieved.

The agency's report said bathing sites in Europe "are much cleaner than forty years ago when large quantities of untreated or partially treated municipal and industrial wastewater were discharged into water."

The report covers beaches and inland sites in the 28 EU countries and in non-EU nations Albania and Switzerland. The EU countries with the highest numbers of noncompliant sites were France and Italy, while the highest proportions of noncompliant sites were in Ireland and the U.K.

'Gas Apocalypse' Looms Amid Power Plant Construction Boom

Posted May 23, 2017, 9:30 A.M. ET

By Naureen S. Malik and Brian Eckhouse

The glut of cheap natural gas from a single, gigantic, shale basin that straddles the Northeast, mid-Atlantic and Midwest has sparked a massive construction boom of power plants. Dozens have been built in the past two years alone.

There's just one problem: There isn't nearly enough electricity demand to support all the new capacity. And as wholesale electricity prices plunge, industry experts are anticipating a fire sale of scores of plants in the region. Many, in fact, have already been sold along the PJM Interconnection LLC grid, the nation's largest, encompassing 13 states from Virginia to Illinois.

"Everything in fossil fuels is for sale," said Ted Brandt, chief executive officer at Marathon Capital LLC, a mergers-and-acquisitions adviser in Chicago. "People are bleeding."

Drawing from abundant, cheap and nearby natural gas in the country's most prolific shale field, the new plants are adding a gigantic amount of power generation—more than 20 gigawatts—to a region that arguably has more than it needs. The new gas-fired plants are also coming online at a time of market turmoil, buffeted by Obama administration efficiency policies that have helped tamp down demand and by the Trump administration's determination to keep old coal-fired plants going.

Spot wholesale prices at PJM's benchmark Western hub slumped to an average of $28.79 per megawatt-hour last year, falling by more than half since 2008 as the shale boom took hold. Many players are exiting the market. Calpine Corp.—the highly leveraged Houston-based independent power producer with a more than $4 billion market value and 17 plants in the PJM grid—is exploring a sale of its facilities. The company has attracted interest from private-equity firms, Bloomberg reported this month. And FirstEnergy Corp. and American Electric Power Co. took more than a combined $11 billion in 2016 charges for plants. They're exiting production to focus on buying and distributing electricity. Dynegy Inc. has also been reported as a takeover target.

"It's a gas-driven apocalypse in the power market," said Toby Shea, a New York-based analyst at Moody's Investors Service.

As prices slip, some see a buying opportunity. Blackstone Group LP and ArcLight Capital Partners LLC bought four Midwest plants from American Electric for $2.17 billion in September. That implies an average sale price of $417 a kilowatt, a fraction of the $1,000 a kilowatt cost to build a new gas plant.

"It suddenly becomes a buyer's market if the summer disappoints," said Paul Pace, who heads KeyCorp's energy lending team.

Contributing to the a glut is the slowdown in coal-plant closures resulting from more favorable policies under the Trump administration. Some of the country's smartest investors, including Blackstone, are buying these facilities at discounts, betting that a few hot or cold days each year will yield enough money to justify keeping them operating.

Patches of extreme weather are also a motive for the building boom. The polar vortex sidelined a fifth of PJM's power plants in the game-changing winter of 2014, when frigid weather forced some plants to suspend production. This resulted in a huge, if temporary, spike in electricity rates for consumers. Preventing another such shutdown is a primary focus for PJM: Now, power plants must be both efficient and reliable in extreme weather or face steep penalties.

LED Bulbs

Finally, advances in efficiency, reducing demand for electricity, are converging with the gas glut to further depress the industry. Everything from the advent of LED light bulbs to Energy Star-certified refrigerators and appliances prompted PJM to slash its long-term growth forecasts to just 0.2 percent a year from 1 percent in 2014. Add in wind and solar, which are providing ever more energy to the grid, and the demand for new power plants looks even shakier.

The industry will get a glimpse of where the market is heading May 23 when PJM is scheduled to release the results of an auction to secure its electricity supply. Prices are expected to continue to fall as another wave of new gas plants is about to come online.

Given lackluster demand for energy, it's surprising that power-plant valuations haven't fallen more, said Ravina Advani, a New York-based managing director at BNP Paribas SA. One reason: Developers continue to attract new investors, including from Japan and Korea. Still, it's just a matter of time before prices break lower, said Dean Murphy, a Cambridge, Mass.-based principal at the Brattle Group.

"It's like the housing market that is oversupplied and it takes longer to move your house," he said. "Buyers have tons and tons of options."

—With assistance from Christine Buurma.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 6/27/2017 9:45:20 AM
Subject: Morning Energy, presented by Exelon: What's new for Energy Week? — Zinke takes Montana — Pruitt returns to Capitol Hill

By Ben Lefebvre | 06/27/2017 05:42 AM EDT

With help from Darius Dixon Alex Guillen and Eric Wolff

ENERGY WEEK ROLLS ON: We've heard the rah-rah but ME is still wondering if and when something substantive may come. So far it's been hinted that Interior Secretary may have something new to say when he speaks in Montana today (more below), but at first blush Energy Week may shape up to be old hydrocarbons in new barrels.

Enticing India with LNG: Following a meeting at the White House with Indian Prime Minister Narendra Modi on Monday, Trump played up the possibility of selling more liquefied natural gas to India, which is trying to bring electricity to more of its population, Pro Trade's Doug Palmer reports. Trump said oil and gas contracts are "right now being negotiated and we will sign them. We're trying to get the price up a little bit." But India has been in the market for U.S. gas at least since 2011, when its state-owned gas company, GAIL India, was among the first customers to sign a 20-year contract with then-fledgling Cheniere Energy. India has said it will increase its oil and gas purchases from the U.S., but the country is notorious for being price-sensitive. GAIL earlier this year reached a deal with Swiss trading company Guvnor to save on shipping costs by swapping some of its Cheniere cargoes for closer supplies.

Wait 'til tax reform: When it comes to questions of new policy, Energy Secretary Rick Perry mostly sidestepped questions when he briefed reporters on energy week plans earlier Monday. But he said answers would likely come in the president's tax plan. "I don't think the administration is going to be wildly supportive of government subsidies for sectors of the energy industry," Perry said when asked whether to expect continued federal support for renewable energy research. He then added: "Whenever we get this healthcare bill passed and we get into tax reform, at that particular point in time we'll have a good healthy conversation on the energy sector and tax subsidies."

Nuclear happens: Perry did say the White House is keenly aware that nuclear power operators are facing an increased threat of bankruptcy because of competition from cheap natural gas and renewables. "There's a lot of reasons we need to have the conversation about keeping our nuclear industry viable...whether it's Gen 4 plant or modular reactors," he said. Perry did not weigh in on specific issues such as the fate of a nuclear energy tax credit extension being debated in Congress or programs aimed at propping up existing reactors in states like New York and Illinois, but he warned that the U.S. risked losing ground to competitors like China and Russia in developing the next generation of nuclear technology. "Most Americans will say nuclear energy will occur," Perry continued. "Who controls it and is most supportive, I'm sure that will be America."

If you'd like to hear more from Perry, he's up for the keynote address at the 8:30 a.m. plenary

session today at EIA's Energy Conference at the Washington Hilton. He also is tentatively scheduled to talk at 9:45 a.m. today with Piyush Goyal, of India's ministry of power, coal, new and renewable energy and mines at U.S.-India Business Council's 42nd Annual Leadership Summit.

Going local: One possible new avenue the administration may follow may come when President Donald Trump will meet tribal leaders on Wednesday to discuss local energy. This is in line with the administration's line that wouldn't mind for Native American tribes to get in on the oil boom. Energy and Interior department officials met with tribes in May to discuss energy development, and the topic popped up in Senate subcommittee hearings on Interior's budget.

GOOD MORNING, MORNING ENERGY! I'm your host, Ben Lefebvre, filling in for Anthony Adragna, who is away on matrimony. No applause — just throw tips and comments to blefebvre@politico.com, please. Anthony will be back Wednesday. You can find him at aadragna@politico.com, or follow us on Twitter @bjlefebvre, @aadragna, @Morning_Energy and @POLITICOPro.

THE DOI ABIDES: Zinke is slated to speak at the Western Governors' Association today in Whitefish, Mont., his old stomping grounds. While there, he'll make a "bigly onshore energy announcement," a department source tells ME. The WGA, which is giving the secretary of the Interior twin billing with actor and hometown hero Jeff Bridges, will not stream Zinke's speech. They do promise to live-Tweet it at #WGA17.

Say what you want about the tenets of national monuments: Whatever Zinke may have his sleeve, it's his Trump-ordered review of national monuments that seems to be getting the most attention from locals in Whitefish, where Zinke served as state lawmaker from 2009 to 2011 (he also tried to open a bed and breakfast and brewery there around the same time). Whitefish Mayor John Muhlfeld has joined environmentalists and sportsmen in the area calling on Zinke to resist the urge to eliminate or shrink national monuments under his review. "As a friend of Ryan Zinke, I urge him to respect and protect America's public lands, in Montana and across the country," Muhlfeld says in a press release sent by the Center for Western Priorities.

PILT paychecks: Zinke was in Nevada Monday, where he announced that nearly $465 million is headed to local governments as part of the Payments in Lieu of Taxes program. PILT payments compensate jurisdictions that are home to large swaths of federal land they cannot tax. Details on who's getting how much here.

** **A message from Exelon:** Innovation always begins with the spirit of discovery—the search for new ideas and answers to our biggest questions. As America's largest clean energy provider, what happens when 34,000 Exelon engineers, analysts, and innovators put their heads together to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

ROUND 2 FOR PRUITT ON BUDGET: EPA Administrator Scott Pruitt is on the Hill today to testify for the second time on the administration's proposal to massively slash his agency's funding, and if his first hearing is any guide, Pruitt is in for some tough questions from both parties.

What to expect today: Sen. Lisa Murkowski, who chairs the Senate's Interior-EPA spending panel, is already on the record as not being a big fan of EPA's proposed cuts. She's noted before that recent years have already seen Congress significantly reduce EPA's budget and personnel, and she's likely to raise objections to the administration's proposal to zero out a water infrastructure program aimed at Alaska Native villages. Expect one or more senators, including possibly Steve Daines , to complain about the proposed Superfund cuts. The hearing starts at 9:30 a.m. in Dirksen 124.

Hands across the Capitol: The Sierra Club, Union for Concerned Scientists and more than a dozen other environmental groups plan to protest the 31 percent cut to the EPA that Trump's budget calls for. They'll meet at Lower Senate Park ahead of the hearing.

Coincidentally: Today marks the end of the 60-day stay on the Clean Power Plan lawsuits put in place in April by the D.C. Circuit Court of Appeals. The court took comment on whether to remand the rule to EPA (as environmentalists wanted) or keep the lawsuit in abeyance indefinitely while EPA works on its review, as advocated for by the agency and the rule's challengers. Click for a refresher on who wanted what and why. It's not clear what exactly might happen today, if anything; the court could decide on the remand-versus-abeyance issue today, or extend its stay and decide later.

SCIENTIST SPEAKS UP: Look for Pruitt to also face questions today about his agency's treatment of independent science advisers, especially in the wake of Monday night's New York Times report that his chief of staff pressured one of them to alter her testimony to a separate congressional committee last month. EPA Chief of Staff Ryan Jackson asked Deborah Swackhamer, who chairs EPA's Board of Scientific Counselors, to stick to the agency's "talking points" about why board members were not being reappointed before she testified to the House Science Committee, according to the paper, which cited emails she had shared with committee Democrats. Science Chairman Lamar Smith told the Times that Democrats are "politicizing" an attempt by EPA to make sure her testimony was accurate. Swackhamer was testifying as a private citizen and not on behalf of EPA, and it does not appear that she changed her written testimony. In it, she warns that changes to the board "may lead to the perception that science is being politicized and marginalized within EPA."

NATURE ABHORS A VACUUM AND RGGI FILLS A SPOTLIGHT: The nine-state Regional Greenhouse Gas Initiative meets today to discuss whether to modify its carbon cap, whether and how to link with other cap programs, and how to manage new participants. Emissions reductions from the northeastern states have gone faster than expected, and green groups hope to see some carbon cap tightening from the meeting. If you go: It's at 1 p.m. at Jerome Greene Hall Room 701, Columbia Law School, in New York. You can also stream it here.

Be! Aggressive! B! E! Aggressive!: Emissions reductions have come faster than expected, so green groups are looking for deeper reduction requirements. The Natural Resources Defense Council and 50 other green groups have asked the program to set caps lower to push for more carbon reductions, and to raise the price floor so as to ensure that there's a cost to emissions.

ON HER WAY OUT: FERC Commissioner Colette Honorable plans to leave the agency Friday, Pro's Darius Dixon reports. She will formally announce the news today when she speaks to the EIA conference. That will leave acting Chairwoman Cheryl LaFleur as the only remaining commissioner, meaning both of Trump's pending nominees will have to be confirmed before FERC can conduct any major business again. Honorable tells ME she doesn't have a job lined up but "I have some irons in the fire."

THE ROAD TO RECLAIM: The RECLAIM Act is going before the House Natural Resources Committee for markup today. The bill as currently written would take money from the Abandoned Mine Land Fund to pay laid-off coal miners to work cleaning up abandoned mines.

EPW HEARING ON HOLD: A Senate EPW subcommittee meeting that had been scheduled for 2:45 p.m. today on clean energy technologies has been postponed. A committee spokeswoman tells us no new date planned yet.

NOMS ON PARADE: Two more former George W. Bush appointees are in line to return to the Interior Department, the White House said Monday. Trump plans to nominate Brenda Burman as commissioner of reclamation. She was the deputy commissioner for reclamation and assistant secretary for water and science under Bush; now she is the director of water strategy at the Salt River Project. Douglas W. Domenech, a senior adviser to Zinke, will be nominated as assistant Interior secretary for insular affairs. His positions in the Bush administration included deputy assistant Interior secretary for insular affairs and White House liaison.

SVINICKI SECURES SENATE NOD: The Senate voted 88-9 Monday to confirm Nuclear Regulatory Commission Chairwoman Kristine Svinicki to a third term at the agency, just days before her tenure had been set to expire. Nevada Sen. Dean Heller was the only Republican to vote against Svinicki; fellow dissenters included Sens. Catherine Cortez Masto, Kirsten Gillibrand, Cory Booker, Elizabeth Warren and Bernie Sanders, among others.

CALLING CARTER PAGE: The FBI interviewed Carter Page, an energy consultant who traveled to Moscow last year while advising the Trump campaign, Pro's Austin Wright reports. The interviews occurred in May and were part of the FBI's investigation into Russia's meddling in the 2016 Presidential election, Page said in a statement.

WATCHDOG TAKES NATIONAL PARK SERVICE OFF THE HOOK: The unlikely spat between the National Park Service and Trump may have broken toward the NPS, POLITICO's Matthew Nussbaum reports. Interior's Inspector General said Monday that NPS employees did not alter crowd size records, which Trump complained had low-balled the number of people attending his inauguration. The IG also said NPS wasn't the one who leaked info about a phone call in which Trump allegedly ordered the acting NPS director to release additional photos of the crowd. Will this end the feud? ME will keep an eye on a certain Twitter account in the coming days.

CRUDE HACK: Those "dipping donkey" pump jacks that dot the Texas and Oklahoma oil field landscape are a great entryway for hackers looking to disrupt America's fuel production, Deloitte

says in a new study. Cyber-attacks on oil and gas companies are growing in frequency, sophistication, and impact, the study finds, and the production part of the business is the most vulnerable to attack and the most potentially damaging if exploited. "Thus, the consequence of a cyber-attack on oil and gas production could be severe, promptly affecting both the top and bottom lines," Deloitte says in its report.

COUNTDOWN FOR KEYSTONE: A judge in the U.S. District Court in Montana will hear arguments on Aug. 31 whether to dismiss the case the Northern Plains Resource Council and other environmental groups brought against the Keystone XL pipeline, according to a new court filing. White House lawyers argued earlier that the case should be thrown out as the plaintiffs don't have standing to challenge the executive branch's authority in granting permits for pipeline border crossings.

SUNIVA DISPUTES GTM'S SOLAR IMPACT REPORT: Suniva is disputing GTM Research's findings Monday that the trade tariffs the company seeks for imported solar panels and cells could wipe out nearly two-thirds of U.S. solar projects slated to be built by 2022. "GTM's conclusions are based on faulty and unsupported assumptions, and demonstrate a fundamental misunderstanding" of what Suniva seeks, the company said in a press release.

MOVER/SHAKER: Washington lawyer Dennis Lee Forsgren has been named EPA's deputy assistant administrator in the Office of Water, a job that does not require Senate confirmation but gives him a significant role in the agency's efforts to rewind the Waters of the U.S. rule and other key regulations. Forsgren's appointment was revealed in a blog post from the Association of State Drinking Water Administrators. Forsgren most recently was a lawyer at HBW Resources, where his lobbying clients since 2011 have included GE and a subsidiary of the nuclear company Babcock & Wilcox.

QUICK HITS:

— Federal agencies greenlight proposed delta tunnel project, Los Angeles Times.

— Trump's Anti-Nafta Stance Is on a Collision Course with Natural Gas, New York Times.

— Trump Has China to Thank for Recent Coal Industry Spike, Time.

— Swearengin prepares for campaign fight against Manchin, MetroNews.

— Microbe Mystery Solved: What Happened to the Deepwater Horizon Oil Plume, Berkley Lab.

HAPPENING TODAY

7:30 a.m. —Exelon 2017 Innovation Expo, Ronald Reagan Building & International Trade Center, 1300 Pennsylvania Ave., NW

8:30 a.m. — EIA Energy Conference, Washington Hilton, 1919 Connecticut Avenue NW,

8:45 a.m. — FERC conference on software and market efficiency, 888 First St. NE

9 a.m. — Environmental Law Institute conference on chemical safety, feat. Rep. John Shimkus (R-Ill.), Milken Institute School of Public Health, George Washington University, 950 New Hampshire Ave., NW

9:30 a.m. — FY2018 budget request for the Environmental Protection Agency, feat. EPA Administrator Scott Pruitt, Senate Appropriations Committee, Interior, Environment, and Related Agencies Subcommittee, Dirksen 124

9:45 a.m. — DOE Secretary Rick Perry talks with Piyush Goyal, India minister of state with independent charge, ministry of power, coal, new and renewable energy and mines at U.S.-India Business Council's 42nd Annual Leadership Summit, Mellon Auditorium, 1301 Constitution Avenue NW, Washington, D.C.

10 a.m. — Full committee markup, incl. the RECLAIM Act and a bill to advance King Cove Road, House Natural Resources Committee, Longworth 1324

THAT'S ALL FOR ME! I'll be back tomorrow, after which Anthony will take charge.

** **A message from Exelon:** Innovation always begins with the spirit of discovery—the search for new ideas and answers to our biggest questions. As Washington, D.C.'s energy provider and America's largest source of clean energy, we're committed to continual investment in innovation. Every day, Exelon's engineers, analysts, and innovators are revolutionizing the way energy is generated, sold, and delivered across the United States and around the world. So, what happens when 34,000 Exelon employees come together at our annual Innovation Expo in Washington, D.C. this week to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/06/whats-new-for-energy-week-023494

Stories from POLITICO Pro

Trump, India's Modi pledge to work together to boost and balance trade Back

By Doug Palmer | 06/26/2017 06:46 PM EDT

President Donald Trump and Indian Prime Minister Narendra Modi pledged today to work together to boost — and balance — bilateral trade, including through sales of U.S. liquefied natural gas currently being negotiated.

"I look forward to working with you, Mr. Prime Minister, to create jobs in our countries, to grow our economy and create a trading relationship that is fair and reciprocal," Trump said during a Rose Garden appearance with Modi, where neither leader took any questions. "It is important

that barriers be removed to the export of U.S. good into your markets and that we reduce our trade deficit with your country."

Although trade between the United States and India has grown rapidly in recent years, it still remains below what many experts believe is its long-term potential, partly because of a range of longstanding regulatory and structural barriers on the Indian side. The United States ran a trade a $24 billion trade deficit with India last year. That has attracted White House attention, although it's far below the $347 billion trade deficit U.S. ran with China.

Trump hailed a recent purchase by an Indian airline to buy 100 American planes, an apparent reference to a $22 billion deal announced earlier this year between the no-frills, low-fare carrier Spicejet and Boeing.

"We're also looking forward to exporting more American energy to India as your economy grows, including major long-term contracts to purchase American natural gas," Trump said. Those are "right now being negotiated and we will sign them. We're trying to get the price up a little bit," he joked.

For his part, Modi said India was committed to pursuing a "bilateral architecture that will take our strategic partnership to new heights" — an apparent nod to Trump's preference for bilateral deals, over regional pacts.

"One of our common priorities will be the development of trade, commerce and investment links," Modi said, emphasizing more cooperation in the technology, innovation and knowledge economy sectors. "Towards this end, we shall take steps to further strengthen our successful digital partnership," he said.

To view online click here.

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GOP tells Pruitt he will get bigger budget than requested Back

By Alex Guillén | 06/15/2017 02:42 PM EDT

Republican lawmakers made it clear today that EPA is not going to get the budget it asked for — it's going to get a whole lot more.

Multiple GOP members of the Appropriations committee overseeing EPA said they will not come close to enacting the administration's proposed 31 percent cut.

"I can assure you you're going to be the first EPA administrator that's come before this committee in eight years that actually gets more money than they asked for," Rep. Tom Cole (R-Okla.) told EPA Administrator Scott Pruitt. "That doesn't mean you'll get as much as you've had, but you'll do better than you asked for."

Rep. Mark Amodei (R-Nev.) noted that Congress has already cut EPA's budget by more than $2 billion since 2010. "No one's standing on the rooftops begging for dirty air and dirty water," he said in calling for no more than moderate spending reductions.

Other Republicans on the panel made sure to defend specific programs they favor.

House Appropriations Chairman Rodney Frelinghuysen (R-N.J) told Pruitt that his state is home to more than 100 of the nation's 1,300 Superfund sites. "I think it's good to move with precaution before you take too many dramatic steps," he warned about EPA's 31 percent cut to that program.

Subcommittee chairman Ken Calvert (R-Calif.) criticized steep cuts to a popular diesel engine refit program and lamented the complete deletion of targeted air shed grants.

And Rep. Dave Joyce (R-Ohio) criticized the budget for killing the $300 million Great Lakes Restoration Initiative.

WHAT'S NEXT: Appropriators will write EPA's spending bill for next year, expected to be released later this summer.

To view online click here.

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Trump EPA urges court to keep climate rule lawsuit on hold Back

By Alex Guillén | 05/15/2017 05:02 PM EDT

The Trump administration and the states and companies seeking to quash the Obama EPA's Clean Power Plan told a federal court Monday they want to keep the lawsuit over that landmark climate rule on hold indefinitely.

They argue a freeze would be preferable to a court decision to send the rule back to EPA without deciding on the whether the power plant carbon regulations violated the Clean Air Act. And they say that remanding the rule to the agency to review would just lead to headache-inducing quagmires for EPA and the court.

If the court remands the rule, its opponents might file new lawsuits to preserve their legal claims, while environmentalists could challenge any EPA attempt to set new compliance deadlines.

Keeping the case on hold would also allow EPA to finish its review of the rule more quickly because it would not have to divert resources to addressing those new legal issues, the administration added.

"These consequences can be — and manifestly should be — avoided by continuing to hold this litigation in abeyance," EPA wrote in its brief.

EPA received back-up from the Clean Power Plan's opponents, who made similar arguments in their own brief.

When the D.C. Circuit Court of Appeals issued its 60-day stay last month, the judges asked all sides to weigh in on whether to keep the case on ice indefinitely — which could be a long time given the years that are likely needed to repeal the Clean Power Plan and resolve subsequent litigation — or send the rule back to EPA right now, without rendering a decision on its legality.

The rule's supporters, however, would prefer a third path.

Environmentalists, states that support the Clean Power Plan, clean energy groups and several utilities noted their first choice would actually be for the court to issue its ruling.

Those groups were likely buoyed by EPA's strong showing at oral arguments last year. After watching seven hours or arguments, many observers predicted EPA would prevail on most of the legal issues, though a win for the Clean Power Plan was not guaranteed.

Plus, green groups argue, there are several major legal questions the courts likely will need to answer at some point no matter what the Trump administration does now. That includes whether EPA can achieve emissions reductions through "fuel switching," also known as EPA's "beyond the fence line" approach. The court could also weigh in on the so-called 112 Exclusion, which the rule's challengers argued should prevent EPA from regulating in this manner, no matter the details.

But the court's order seeking opinions on remand versus abeyance indicate that the judges are no longer interested in issuing a ruling.

In that case, environmental groups argued, keeping the Supreme Court stay in place would "convert temporary enforcement relief pending judicial review into a long-term suspension of the Clean Power Plan, without any court having issued a decision on its legal merits and without following the administrative steps necessary to amend, suspend or withdraw a regulation."

Meanwhile, EPA and its challengers made similar arguments urging the court to maintain its hold on lawsuits over the Clean Power Plan's sister regulation that sets emissions limits for future power plants, also known as the 111(b) rule or the new source performance standard.

That case was on a slower judicial track than the CPP. All sides had completed briefing, but last month the Trump administration convinced the court to delay arguments.

Meanwhile, environmental groups, supportive states and pro-rule utilities said they would like to see this case continued through arguments and a decision by the court, but that in lieu of that they have no preference over remand versus abeyance.

Although the Clean Power Plan was stayed, the future plant rule has been in effect since it was released in 2015, and neither option would hurt its "effectiveness during any period of review by the new administration," environmentalists argued.

The court has no strict deadline to decide what to do. It has paused the lawsuits challenging both rules through June 27, but is under no obligation to act before then.

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FERC's Honorable to step down Friday Back

By Darius Dixon | 06/26/2017 08:13 PM EDT

FERC Commissioner Colette Honorable plans to leave the agency Friday, she has told POLITICO.

The move will bring the commission down to just one member, acting Chairwoman Cheryl LaFleur, meaning the Senate will have to confirm both of President Donald Trump's pending nominees before it can conduct most major business again. FERC has been operating without a quorum since former Chairman Norman Bay stepped down in February.

Honorable said she will formally announce her plans in a speech Tuesday to the Energy Information Administration conference in Washington.

Honorable said she plans to stay in D.C. but doesn't have her next job lined up.

WHAT'S NEXT: Trump's FERC nominees, Senate aide Neil Chatterjee and Pennsylvania regulator Robert Powelson, have cleared the Energy and Natural Resources Committee but are still waiting for a vote to be scheduled before the full Senate.

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Carter Page says he's been interviewed by the FBI Back

By Austin Wright | 06/26/2017 06:24 PM EDT

Carter Page, a former Donald Trump campaign foreign policy adviser, said Monday he's been interviewed by the FBI as part of its investigation into Russia's election meddling.

The interviews, which he called "extensive discussions," came prior to James Comey's firing as

FBI director in May, Page said. Page, an energy consultant who traveled to Moscow last summer to deliver a speech while advising the Trump campaign, has become a target of the FBI investigation, along with the probes being pursued by the House and Senate Intelligence Committees, which are all looking into the possibility of collusion between Moscow and the Trump campaign.

"During my extensive discussions with the FBI agents just weeks before Comey's departure, they acknowledged that I'm a loyal American veteran but indicated that their 'management' was concerned that I did not believe the conclusions of the fake January 6 intelligence report," Page said in a statement, referring to the public assessment by U.S. intelligence agencies that Russia sought to sway the presidential election in Trump's favor.

"I told them that I learned the lessons from the intelligence failures of the original Dodgy Dossier from 2003 which cost this country thousands of service members lives and over a trillion dollars," he continued. "Our frank and open conversations gave me confidence that there are still logical, honest individuals at the Bureau who respect civil rights and the Constitution, despite the recent devastating impact on our democracy by self-centered politicians at the top of the Clinton-Obama-Comey regime."

Page has previously claimed to be the victim of a civil-rights conspiracy because of possible government surveillance of his communications.

The Washington Post first reported that he had been interviewed by the FBI.

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Park Service behaved appropriately regarding Trump crowd reports, watchdog finds Back

By Matthew Nussbaum | 06/26/2017 06:14 PM EDT

The feud between the National Park Service and the Trump White House appeared to ease on Monday after a watchdog found that NPS officials did not alter inauguration crowd size estimates and that public affairs officials did not leak information about a phone call between President Donald Trump and the agency's acting director.

The NPS was wrapped up in the controversy that overwhelmed the first days of Trump's administration after the president and his aides claimed record crowds at his inauguration and railed against those who cast doubt on the claim.

One day after the inauguration, White House press secretary Sean Spicer lambasted reporters in the briefing room and said, falsely, that Trump's inaugural had drawn the "largest audience ever to witness an inauguration, period."

The Park Service became the target of Trump's ire after its Twitter account retweeted side-by-side images that appeared to show a paltry crowd for Trump's inauguration compared to former President Barack Obama.

The feud deepened when reports leaked of a phone call Trump placed the day after the inauguration to Acting NPS Director Michael Reynolds in which the president allegedly ordered the agency to produce images to help prove his claims of crowd size.

But a report from the Department of the Interior Inspector General released on Monday found that NPS employees did not alter crowd size records and the NPS public affairs officials did not leak information to the press about the phone call.

The report does not make clear who requested the investigation, which was initiated in February.

The watchdog explores whether an official with the NPS National Mall and Memorial Parks (NAMA) had inappropriately asked employees to scrub attendance records when responding to requests from both the media and the White House about the crowd size.

"We found no evidence to substantiate the allegation that the NAMA official asked staff to alter crowd size information," the IG report said. "The official told us that she instructed the staff not to include crowd size estimates in the reports because she wanted to make sure that the reports did not contain nonfactual references to crowd size. She explained that the NPS did not have the necessary methodology in place to do an accurate crowd count and, since the Million Man March in 1995, had made it a practice not to collect or provide any crowd size information for events held at the National Mall."

A second point the IG dug into was whether a public affairs employee had leaked information about a call between Reynolds and Trump, in which Trump allegedly ordered the acting NPS director to release additional photos of the crowd and apparently vented about the agency's Twitter account posting the side-by-side photos.

The complaint, apparently from another NPS employee to the IG, was made after an NPS employee allegedly commented about the need to "refute" Spicer's Jan. 21 claims and said he disagreed with Spicer's characterization. The IG's report concluded that neither that employee, or other members of the public affairs team had disclosed information about the phone call and that "Reynolds stated that he did not consider his conversation with the President protected information."

The employee who was accused acknowledged that he took issue with three of Spicer's comments that he considered false: that the inauguration was the first time protective grass coverings had been used; that the crowd extended from the steps of the Capitol to the Washington monument; and that the crowd was the biggest ever at an inauguration.

"The public affairs employee recalled thinking that NPS would need to prepare a response to address Spicer's statements; he explained that based on his experience, he expected the NPS to get questions about them from the media," the report found. "Soon after the press conference

ended, the employee said, NPS prepared a written response to Spicer's statements, which was vetted through the NPS and DOI Offices of Communications, so that public affairs staff would be ready for any media inquiries. We confirmed the employee's account with an NPS communications official."

The report confirmed that Trump did in fact contact Reynolds by phone on Jan. 21 and "request photographs of the inauguration." The NPS sent six pictures to the White House, the report found.

The White House later hung a different picture of the inauguration crowd in the area near the press room. The picture is incorrectly dated Jan. 21, 2017.

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Subject: POLITICO's Morning Energy, presented by Chevron: Mixed signals from U.S. as world leaders arrive in Bonn — More shots fired in RFS fight — Senate panel votes on ANWR measure today

By Anthony Adragna | 11/15/2017 10:00 AM EDT

With help from Sara Stefanini, Eric Wolff and Alex Guillén

POLITICAL COPS HIT THE CLIMATE BEAT: Politicians roll into Bonn, Germany, today to take over the final three days of the COP23. The opening ceremony will include German Chancellor Angela Merkel, French President Emmanuel Macron, and U.N. Secretary General António Guterres around 10 a.m. EST. The goal over the remaining days of the summit is to make as much progress as possible on the complex rules supporting the Paris climate agreement.

No Bonn voyage: Citing "a family emergency," career State Department diplomat Tom Shannon will no longer arrive in Bonn today to lead the U.S. delegation to the climate talks, Pro's Emily Holden reports. Other delegations had been anxiously waiting to see what tone and direction he'd set for the U.S. at the talks. Leading the delegation in his place will be Judith Garber, acting assistant secretary of State for oceans and international environmental and scientific affairs.

Optimism among other diplomats: Career U.S. diplomats negotiating technical elements of the deal with their foreign counterparts have stuck to many of the same stances they did under the Obama administration and that's raising hopes the Paris accord will survive the presidency of Donald Trump, POLITICO's Emily Holden, Kalina Oroschakoff and David Siders report. Christiana Figueres, a former United Nations climate envoy who helped orchestrate the Paris climate agreement's adoption two years ago, said that in the long-term effort to reduce greenhouse gas emissions, Trump is "going to be a blip" in history.

Walking the line: Dave Banks, Trump's energy adviser, argued the U.S. policy on fossil fuels is totally separate from what American diplomats are discussing in negotiation halls. The administration hasn't made any effort to start renegotiating the agreement, which would have set off an immediate diplomatic fray. And Banks said Shannon would not have pushed the administration's coal efforts if he made the trip. "So you think he's going to say, 'We're going to promote coal'? No, that's a policy discussion. It's not a negotiation," Banks said.

How one senior African negotiator summed up the situation for career State diplomats: "I think the mandate is not to be a blocker. They engage, but in the end they're not the ones calling the shots," he said.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and ME led you astray with an imprecise trivia question. Alaska has the most federal land by acreage and Nevada has the greatest percentage federal land within its border. Sorry! For today: Which former congressman was convicted of voter fraud by forging ballots at a nursing home? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring technology reporter Margaret Harding McGill and the artwork of Pulitzer Prize-winning cartoonist Matt Wuerker. Click HERE to watch.

ANWR SET TO CLEAR COMMITTEE: The Senate Energy Committee convenes at 9 a.m. to consider reconciliation legislation offered by Chairman Lisa Murkowski that would open a small part of the Arctic National Wildlife Refuge to oil and gas development. The CBO estimates the package would raise $1.092 billion over the 10-year budget window, though Democrats and public lands groups say that overestimates how much lease sales could raise. Expect the package to pass on a largely party-line vote with West Virginia Democratic Sen. Joe Manchin likely to vote in favor.

ME first - New ad blitz launched: The League of Conservation Voters is unveiling a $550,000 television ad campaign in the districts of Republican Reps. Erik Paulsen, Bruce Poliquin, John Katko and Washington today opposing the effort to open ANWR to drilling. Watch it here.

BISHOP: SOMETHING'S GOTTA GIVE: Don't expect Congress to send tens of billions in relief funds to Puerto Rico until the island's government and a congressionally created independent financial oversight board are able to work together, House Natural Resources Chairman Rob Bishop told reporters. "If they don't do that, then it's going to be a very difficult ask to ask this body to appropriate a whole bunch of money without some kind of guarantee that things will be different," he said. "The power struggle has got to stop if they expect Congress to actually come up with the money." Bishop said he doesn't think additional legislation is necessary to improve that relationship, but he's willing to insert language into forthcoming spending packages if necessary.

What about Whitefish? Bishop's not worried about the details of the now-cancelled contract, but wants to ensure the process that led to it is never replicated. "The details of Whitefish and PREPA are insignificant - that's history," he said. "The process that created Whitefish cannot happen again and cannot be replicated. This is what's bothersome to me." He declined to say whether Ricardo Ramos, the head of the utility who inked the Whitefish deal, should be fired.

That comes as documents showed the utility ignored advice from its law firm of Greenberg Traurig to include language in the contract that would cap the amount of money Whitefish Energy could charge, allow PREPA to terminate the agreement for any breach of contract and make Whitefish responsible for paying Puerto Rican taxes, Pro's Ben Lefebvre reports.

CRUZ TO IOWA: COME TO THE TABLE OR NORTHEY GETS IT: Sen. Ted Cruz, having seemingly failed to secure a meeting with Midwestern senators brokered by the White House, has turned to newly fledged Iowa Gov. Kim Reynolds to try and bring corn-staters to the table. Cruz wrote to Reynolds Tuesday to explain why he has put a hold on the nomination of Iowan Bill Northey to become an undersecretary for the Department of Agriculture. He cites high costs of biofuel credits in the Renewable Fuel Standard that refiners in Texas and elsewhere

say is hurting their bottom line (Reuters reported yesterday that at least one refinery is selling off high priced credits to meet debt payments). "Both sides of the debate must negotiate in good faith to find a mutually agreeable solution to secure the fate of liquid fuels in America," Cruz wrote.

You started it! Cruz said Iowa Sens. Joni Ernst and Chuck Grassley blocked "multiple EPA nominations (and threatened to do the same to judicial nominations)" to protect the RFS from EPA interference. Ernst blocked only EPA air chief Bill Wehrum. The rumor that Grassley, who chairs the Senate Judiciary committee, threatened to block judicial nominations has circulated for months. A spokesman told ME that the Iowa Republican "did not place a hold on any EPA nominee and has not threatened to place a hold on any judicial nominee."

What about that meeting? Cruz and eight colleagues wrote to Trump last month asking the White House to broker a meeting with the Midwestern senators within three weeks. Three weeks is up today, and as of Monday, aides to two Midwestern Senators said they had received no outreach from the White House to set up a meeting.

** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat-buckwheat. Watch the video: http://politi.co/2yQ8q7z **

PAGING GRASSLEY: It's not just Cruz you have to worry about. Sen. Lamar Alexander, one of the chamber's top wind energy critics, took aim at the production tax credit in a floor speech Tuesday. The Senate Finance Committee is expected to beginning processing amendments today to its tax bill, and Alexander said the wind incentive should go on the chopping block. "I'm here today to challenge my colleagues to be willing to consider all energy subsidies for mature technologies - wind, solar, oil and gas - as candidates for elimination in a tax reform bill," he said. "These dollars could be better spent to lower rates for taxpayers." Senate tax-writers did not follow the lead of their House counterparts and left the PTC alone in their tax bill, and Grassley, a senior Finance Committee member, is likely to make sure it stays that way after the markup.

Green group targets bill: The Sierra Club launched a digital ad campaign urging 29 House Republicans to oppose the chamber's tax package H.R. 1 (115). "The GOP's plan even manages to raise taxes on the middle class, while sneaking in an outrageous attack on the Arctic Refuge by opening it up for drilling," Melinda Pierce, the group's legislative director, said in a statement.

FOR YOUR RADAR: Vice President Mike Pence joins Energy Secretary Rick Perry, FEMA Administrator Brock Long and Texas Gov. Greg Abbott in Austin for a briefing on recovery efforts from Hurricane Harvey today at 1:40 p.m. EST.

VOTE EXPECTED ON MINE SAFETY PICK: A final vote is scheduled for noon today to confirm David Zatezalo to be assistant secretary of Labor for Mine Safety and Health. Majority Leader Mitch McConnell hailed his "keen understanding of the challenges and risks sometimes associated with mining" on the floor Tuesday and said "this firsthand experience will serve him well in his new role." The cloture vote was 52 to 45.

House clears flood insurance, final NDAA bills: Lawmakers cleared by a 237-189 vote legislation H.R. 2874 (115) would reauthorize and overhaul the National Flood Insurance Program, which has struggled to meet its obligations to policyholders in the midst of a string of hurricanes, Pro Financial Services' Zachary Warmbrodt reports. The House also passed a compromise defense policy bill H.R. 2810 (115) that includes language requiring a study of the threats posed by climate change to military installations by a 356-70 vote, Pro Defense's Connor O'Brien reports.

SASC CLEARS ARMY CORPS NOM, EPW UP NEXT: The Senate Armed Services Committee on Tuesday gave the green light to R.D. James' nomination to run the Army Corps of Engineers, but thanks to the Corps' dual role in water policy, he also has to clear the Environment and Public Works Committee before he can hit the floor. An EPW spokesman said the hearing for James will happen sometime in December, though that timeline means a committee vote may not happen until the new year.

HEARING ROUNDUP - E&C SUBPANEL VOTES ON AIR BILLS: The House Energy and Commerce Environment Subcommittee today marks up legislation on the brick MACT H.R. 1917 (115), wood heaters H.R. 453 (115), racing vehicles H.R. 350 (115) and a bill H.R. 1119 (115) meant to help waste coal-to-energy power plants cope with the Cross-State Air Pollution Rule and the mercury rule. That vote takes place at 10 a.m. in Rayburn 2123.

Science panel tackles research bills: The full House Science Committee marks up a series of bills today, including one H.R. 4376 (115) making upgrades to DOE research capacities and another H.R. 4378 (115) boosting nuclear energy research infrastructure. The session convenes at 10 a.m. in Rayburn 2318.

EPW looks at reducing emissions: Senate EPW holds a hearing entitled "Promoting American Leadership in Reducing Air Emissions Through Innovation" at 10 a.m. in Dirksen 406. Look for the National Association of Manufacturers to call for Congress to "work with the EPA to fix [the New Source Review program] so that it functions properly and does not stand in the way of efficiency." Watch here.

MAIL CALL! RESTORE CLIMATE WEBPAGES: Seven members of the Senate Democratic caucus asked EPA Administrator Scott Pruitt in a letter to restore a series of removed webpages on climate change and for explanations of modifications. "These latest website alterations are part of a sequence of disturbing EPA actions that appear designed to censor dialogue about climate change in the United States," the group, led by Cory Booker, wrote.

WHAT A WASTE: The Environmental Defense Fund is out with a new report finding wide discrepancies between flaring rates among the top 15 oil and gas producers working in the Texas Permian Basin and concluding the industry continues to struggle to tamp down on natural gas waste.

NEW LIFE FOR OLD MINES? The Rocky Mountain Institute released new research on how to evaluate old mining sites for potential renewable energy siting opportunities. Link here.

TAKE A GLANCE! The Federalist Society launched the Regulatory Transparency Project, which it aims to "foster a national discussion about where government regulation seems to be doing more harm than good."

MOVERS, SHAKERS: Members of New Jersey Gov.-elect Phil Murphy's transition team on environmental and energy issues include: former NRG Energy CEO David Crane, former John Kerry senior advisor Kathleen Frangione, Earthjustice VP Lisa Garcia and former state Board of Public Utilities President Jeanne Fox, according to NJ.com.

QUICK HITS

- Grand Staircase-Escalante monument will be pruned by half, Hatch official says. Salt Lake Tribune.

- LG&E and KU credits LED lights as it announces plans to shut down two coal-burning units. Louisville Courier Journal.

- Climate Change and Water Woes Drove ISIS Recruiting in Iraq. National Geographic.

- Lawsuit Seeks to Stop Work on Appalachian Gas Pipeline. AP.

- Trump's team may move the Bureau of Land Management headquarters to Salt Lake City. Salt Lake Tribune.

- 61 EPA Staff Have Left Chicago Office in 2017, And They're Missed. WTTV.

- U.S. Steel dumps more toxic chromium near Lake Michigan, faces lawsuit. Chicago Tribune.

THAT'S ALL FOR ME!

** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2yQ8q7z **

To view online:
https://www.politico.com/newsletters/morning-energy/2017/11/15/mixed-signals-from-us-as-world-leaders-arrive-in-bonn-223363

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/6/2017 11:37:02 PM
Subject: June 06 -- Energy and Climate Report

Energy and Climate Report

June 06, 2017 - Number 108

News

Climate Change
Top U.S. Diplomat in China Steps Down Over Climate Move
The top U.S. diplomat in China, David Rank, has resigned in protest of President Donald Trump's decision to withdraw from the Paris climate change accord, according to three people familiar with the matter.

Climate Policy
Google, Facebook Join Cities in Challenging Trump on Climate
Alphabet Inc.'s Google, Microsoft Corp. and Facebook Inc. are among dozens of companies that pledged their support for policies combating climate change following President Donald Trump's decision to withdraw from the Paris accord.

Coal Mining
India's Adani Approves Controversial Australian Coal Project
India's Adani Group will proceed with its $16.5 billion Carmichael coal project in Australia's Queensland state after its board approved an investment decision on the development.

Congress
David Vitter Tackles Energy Issues at New Orleans Law Firm
Former Sen. David Vitter (R-La.) has joined Butler Snow LLP to work on energy issues, the law firm announced June 6.

Energy
Historic California Gas Leak Spurs Boom in Big Batteries
Installations of large-scale energy-storage systems surged to record levels during the first quarter as power companies and state officials pushed to better incorporate electricity from wind and solar farms.

Energy
NuScale CEO: Energy Department Must Keep Funding Small Reactor
The Energy Department should keep its public-private funding commitment to NuScale Power LLC, which is developing the country's first small modular nuclear reactor, the company's CEO said June 6.

Energy
Senate Panel Advances FERC, Interior, Energy Nominees
A Senate committee voted June 6 to advance two nominations for the Federal Energy Regulatory Commission, a step toward restoring the quorum the commission needs to make

basic decisions on electric grid regulation, natural gas pipeline projects and more.

Enforcement

Jeffrey Bossert Clark Chosen for Justice Environment Division

Jeffrey Bossert Clark, a George W. Bush administration Justice Department official, is President Donald Trump's choice to lead the department's Energy and Natural Resources Division.

Environmental Justice

For Polluted Communities, Data Drives Action; Will Trump Listen?

Flint, Mich., residents held protests and spoke out at town halls for months about their brown, foul-smelling drinking water. But it took a university and a pediatrician's tests of the water and children's blood lead levels before the crisis spurred government action. "We substantiated what Flint residents had been screaming for months and put it on the internet for the world to see," Siddhartha Roy, one of the graduate students at Virginia Polytechnic Institute and ...

International Climate

Paris Climate Deal Needs New Rules and Clarity, Scientists Say

The Paris climate accord needs to be strengthened through new negotiations and national commitments to transparency, scientists argued in a report.

International Issues

California Governor Says China 'On the Move,' U.S. Role Reduced

California Governor Jerry Brown said "America can't rest on its laurels" as competitive pressures from China become more intense, particularly in light of the U.S. moving away from the Paris climate change agreement.

Oil & Gas

Cowboy Country Turns Oil-Basin Bargain Versus Pricey Permian

A year ago, it cost the family-owned Kirkwood Oil & Gas LLC a relative pittance to secure drilling rights in the Powder River Basin, the lonely, scrubby corner of northeast Wyoming known mostly as a home to cattle ranches and coal mines. Today, it's a different story.

Renewable Energy

Germany Rejects Curbing Wind Auctions as Clean Power Surges

Germany's ruling coalition has no plans to curb auctions of onshore wind power even though capacity coming online has strained the electricity grid.

Renewable Energy

Governor Says He Intends to Sign Nevada Net Metering Bill

Nevada Gov. Brian Sandoval (R) plans to sign legislation that will restore net metering for the rooftop solar industry.

Renewable Energy

Prince on Funding Solar Power: Let's Go Crazy

Before his abrupt death a year ago, the pop musician Prince made an investment in green energy that's now helping solar start-ups weather an assault from President Donald Trump.

Vehicle Fuels

California Biodiesel Credits on Hold as Court Orders New Analysis

Biodiesel producers are going to have to wait a little longer to get more California credits under the state's low-carbon fuel standard.

U.K. Election Results, Emissions Plan Are Up in the Air

The only thing certain about the U.K.'s general election this week is nobody's sure what's going to happen.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/6/2017 11:54:29 AM
Subject: July 06 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

July 06, 2017 - Number 128

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

ENDANGERED SPECIES
California/Monterey Bay Marine Mammals Incidental Take
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces issuance of a letter of authorization for the take of marine mammals incidental to commercial fireworks displays permitted by the Monterey Bay National Marine Sanctuary in California. The authorization allows only Level B harassment take of harbor seals and California sea lions from June 29, 2017, through June 28, 2022. Contact: Laura McCue; NMFS, Office of Protected Resources; 301-427-8401. Citations: 50 CFR 217.11 through 217.18

82 FR 31306 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Alaska/Prince of Wales Landscape Level Analysis Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Forest Service announces a correction to a Nov. 30, 2016, notice of intent (81 FR 86320) to prepare an environmental impact statement for the Prince of Wales Landscape Level Analysis project in the Craig and Thorne Bay Ranger Districts that encompass Prince of Wales Island and surrounding islands in the Tongass National Forest in Alaska. The project includes vegetation management, watershed improvement and restoration, sustainable recreation management, and associated actions. Alternatives to the project will be examined as well as the possibility of taking no action. The correction provides a more detailed description of the project based on comments from the public and stakeholders. Comments now are due Aug. 7, 2016. Contact: Matthew Anderson; USFS; Craig and Thorne Bay Ranger Districts; 907-826-3271

82 FR 31284 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Alaska/Sand Point City Dock Replacement Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Marine Fisheries Service announces a request from the Alaska Department of Transportation and Public Facilities for an incidental harassment authorization to take marine mammals that may be affected by the construction of a new dock in Sand Point, Alaska. The applicant requests approval for incidental take of nine species of marine mammals by levels A and B harassment. Comments are due Aug. 7, 2017. Contact: Rob Pauline; NMFS, Office of Protected Resources; 301-427-8401; ITP.pauline@noaa.gov

82 FR 31400 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Michigan/I-94 Rehabilitation Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Highway Administration, in cooperation with the Michigan Department of Transportation, to prepare a supplemental environmental impact statement examining the impacts of modifying the approved selected alternative for the I-94 Rehabilitation Project in Detroit. The approved alternative involves reconstruction of 6.7 miles of I-94, including lane widening, continuous service roads, new interchanges, and new bridges over the interstate. The SEIS will evaluate the use of local roads as local connections to the service drives and interchanges, modification of local access ramps, and the addition of vehicular and pedestrian walkways. The SEIS will also analyze the potential impacts of the project and its modifications on natural, human, and cultural resources. Comments are requested, but a due date is not specified. Contact: Patrick Marchman; FHWA, 517-702-1820; Patrick.Marchman@dot.gov

82 FR 31388 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
National Boating Safety Advisory Council Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Coast Guard announces a meeting of the National Boating Safety Advisory Council to request information on existing regulations, guidance documents, interpretative documents, and information collections for possible repeal, replacement, or modification. The request is in response to Executive Order 13771 (82 FR 9339; 02/03/2017), Executive Order 13777 (82 FR 12285; 03/01/2017), and Executive Order 13783 (82 FR 16093; 03/31/2017). The meeting is scheduled for July 21, 2017, via teleconference. Contact: Jeff Ludwig; NBSAC; 202-372-1061; jeffrey.a.ludwig@uscg.mil

82 FR 31340 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
New Hampshire/Northern Pass Transmission Line Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Energy Department announces the availability of an interconnection facilities studies summary for the Northern Pass Transmission Line Project (80 FR 54876; 09/06/2013). The project, proposed by Northern Pass Transmission LLC, of Manchester, N.H., involves the construction, operation, maintenance, and connection of a new, 192-mile electric transmission line across the U.S.-Canada border into northern New Hampshire that will be capable of transmitting up to 1,090 megawatts of power. The notice addresses modifications to the original proposal. Comments are due Aug. 7, 2017. Contact: Christopher Lawrence; DOE, Office of Electricity Delivery and Energy Reliability; 202-586-5260; Christopher.Lawrence@hq.doe.gov

82 FR 31315 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
North Carolina, South Carolina/Carolina Bays Parkway Extension
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Army Corps of Engineers to prepare a draft environmental impact statement (DEIS) for the Carolina Bays Parkway Extension project. The DEIS will be prepared in cooperation with the North Carolina Department of Transportation and the South Carolina Department of Transportation. The project would improve SC 31 from the SC 9 interchange near Little River, S.C., to US 17, near Shallotte, N.C. The DEIS will assess environmental impacts, including secondary and cumulative impacts with particular emphasis on wetlands and surface/groundwater resources, and will provide wetlands impact mitigation measures. Comments are requested, but a due date is not specified. Contact: Brad Shaver; USACE, Wilmington Regulatory Field Office; 910-251-4611; Brad.E.Shaver@USACE.army.mil

82 FR 31313 (07/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Treasury Department Review/Domestic Energy Resources
GENERAL ENVIRONMENT AND SAFETY

Notice of the Treasury Department announces a request for information concerning regulatory, subregulatory, and other policy documents that could potentially burden the development of domestic energy resources. The request is in response to Executive Order 13783 (82 FR 16093; 03/31/2017), which requires department and agency heads to review regulations, orders, guidances, policies, and any other similar agency action that could burden the development and use of domestically produced energy resources, with a focus on oil, natural gas, coal, and nuclear energy resources. Comments are due July 14, 2017. Contact: Heidi Cohen; Treasury, Office of the General Counsel; 202-622-1142

82 FR 31396 (07/06/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
New York City/Hazardous Materials Transportation Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of PHMSA announces an administrative determination regarding the New York City Fire Department's (FDNY's) requirement that those wishing to transport hazardous materials by motor vehicle must, in certain circumstances, obtain a permit, submit to inspections, and pay a permit fee. PHMSA has determined that federal hazardous material transportation law preempts FDNY's permit and inspection requirements with respect to vehicles based outside the inspection jurisdiction because scheduling and conducting inspections may cause unnecessary delays in the transportation of hazardous materials. PHMSA also finds that federal hazardous material transportation law preempts the FDNY's hazardous materials permit fee requirement for all vehicles. The determination will become final July 26, 2017, if no petition for reconsideration is filed by that date. Contact: Vincent Lopez; PHMSA, Office of Chief Counsel; 202-366-4400. Citations: 49 CFR 171 through 180

82 FR 31390 (07/06/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Massachusetts/Shpack Landfill Superfund Site
HAZARDOUS WASTE CLEANUP

Direct final rule of the EPA deletes the Shpack Landfill Superfund Site in Attleboro and Norton, Mass., from the National Priorities List. The agency and the Massachusetts Department of Environmental Protection have determined that all appropriate response actions under CERCLA have been completed. The deletion does not preclude future actions under Superfund. The rule is effective Sept. 5, 2017, unless adverse comments are received by Aug. 7, 2017. Contact: Elaine Stanley; EPA Region 1, Office of Site Remediation and Restoration; 617-918-1332; Stanley.ElaineT@epa.gov. Citations: 40 CFR 300, Appendix B

82 FR 31263 (07/06/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Massachusetts/Shpack Landfill Superfund Site
HAZARDOUS WASTE CLEANUP

Proposed rule of the EPA would delete the Shpack Landfill Superfund Site in Attleboro and Norton, Mass., from the National Priorities List. The agency and the Massachusetts Department of Environmental Protection have determined that all appropriate response actions under CERCLA have been completed. The deletion would not preclude future actions under Superfund. A concurrent direct final rule adopts the revisions, effective Sept. 5, 2017. Comments are due Aug. 7, 2017. Contact: Elaine Stanley; EPA Region 1, Office of Site Remediation and Restoration; 617-918-1332; Stanley.ElaineT@epa.gov. Citations: 40 CFR 300, Appendix B

82 FR 31281 (07/06/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Minnesota/SLRIDT Superfund Site
HAZARDOUS WASTE CLEANUP

Notice of the Justice Department announces a proposed consent decree and draft restoration plan/environmental assessment in the United States v. XIK LLC (Civil Action No. 017-cv-02368), lodged June 29, 2017, with the U.S. District Court for the District of Minnesota. The consent decree resolves claims under CERCLA regarding natural resource damages from industrial discharges of polycyclic aromatic hydrocarbons identified in river sediments at the St. Louis River/Interlake/Duluth Tar (SLRIDT) Superfund Site in Duluth, Minn. The consent decree requires the defendants to pay a civil penalty of $8.2 million, $6.5 million of which will fund trustee-sponsored natural resource restoration projects. The consent decree also provides that the trustees conduct enhancement and restoration of shallow sheltered embayment at Kingsbury Bay, implement watershed protection at Kingsbury Creek, and restore wild rice in the St. Louis River estuary. Comments are due Aug. 7, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701; pubcomment-ees.enrd@usdoj.gov

82 FR 31351 (07/06/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Walking and Working Surfaces/Fall Protection Systems
OCCUPATIONAL SAFETY AND HEALTH

Final rule of OSHA makes technical revisions to reflect the OMB approval of new information collection requests in a Nov. 18, 2016, final rule (81 FR 82494) that updated the general industry standards for walking-working surfaces and personal protective equipment (fall protection systems). The current rule adds the OMB control number for new information collection requirements regarding ladder defect notifications, rope descent system inspection notifications, and the development of alternative fall protection plans and associated training. The collections also add hazard assessments for workers who use personal fall protection systems. The rule is effective July 6, 2017. Contact: Todd Owen; OSHA, Directorate of Standards and Guidance; 202-693-2222. Citation: 29 CFR 1910.8

82 FR 31252 (07/06/2017)

Regulatory Update

OIL AND GAS INDUSTRY
Critical Facility Information of the Top 100 Most Critical Pipelines
OIL AND GAS INDUSTRY

Notice announces the intention of the Transportation Security Administration to seek OMB approval for a continuing information collection request concerning critical facility information of the top 100 most critical pipelines. The collection addresses site-specific information from pipeline operators on facility security policies, procedures, and physical security measures collected by the TSA during critical pipeline facility visits using the Critical Facility Security

Review form. The collection also addresses follow-up procedures for implementation of security improvements and recommendations made during facility visits. Comments are due Sept. 5, 2017. Contact: Christina Walsh; TSA, Office of Information Technology; 571-227-2062; TSAPRA@dhs.gov. Citations: 49 CFR 15, 1520

82 FR 31341 (07/06/2017)

Regulatory Update

PESTICIDES
Pesticide Registration Cancellations
PESTICIDES

Notice of the EPA announces a cancellation order granting requests from various registrants to voluntarily cancel 10 pesticide product registrations. The cancellations are effective July 6, 2017. Contact: Michael Yanchulis; EPA, Office of Pesticide Programs; 703-347-0237; yanchulis.michael@epa.gov

82 FR 31320 (07/06/2017)

Regulatory Update

PESTICIDES
Pesticide-Related Information/Transfer of Data
PESTICIDES

Notice of the EPA announces that pesticide-related information submitted to the Office of Pesticide Programs (OPP), including confidential business information (CBI), will be transferred to CACI/Emergent and its subcontractor Arctic Slope Mission Services LLC. CACI/Emergent and its subcontractor have been awarded a contract to perform work for OPP and are required to submit to the EPA a security plan under which any CBI will be secured and protected against unauthorized release or compromise. The transfer will be effective no later than July 11, 2017. Contact: Mario Steadman; EPA, Office of Pesticide Programs; 703-305-8338; steadman.mario@epa.gov

82 FR 31319 (07/06/2017)

Regulatory Update

TOXIC SUBSTANCES
Formaldehyde Emission Standards for Composite Wood Products
TOXIC SUBSTANCES

Notice of the EPA announces the withdrawal of a May 24, 2017, direct final rule (82 FR 23735) to extend the compliance dates for a Dec. 12, 2016, final rule (81 FR 89674) that established formaldehyde emission standards for composite wood products and finished goods containing these products that are sold, supplied, manufactured or imported, or offered for sale in the U.S., under TSCA Title VI. The December 2016 rule set forth standards for laminated products and products made with no-added formaldehyde-based resins or ultra low-emitting formaldehyde resins and addressed testing requirements, product labeling, chain of custody documentation and recordkeeping, enforcement, import certification, and product inventory sell-through

provisions. The rule also established a third-party certification program, provided procedures for the accreditation of third-party certifiers, and set forth general requirements for accreditation bodies and third-party certifiers. The May 2017 direct final rule would have extended compliance dates for emission standards, recordkeeping, and labeling provisions to March 22, 2018; import certification provisions to March 22, 2019; and provisions applicable to producers of laminated products to March 22, 2024. The direct final rule also would have extended the transitional period for California Air Resources Board third-party certifiers to March 22, 2019. The withdrawal is in response to receipt of adverse comments, and the agency will instead proceed with a final rule based on the related proposed rule (82 FR 23769; 05/24/2017). The withdrawal is effective July 6, 2017. Contact: Erik Winchester; EPA, Office of Pollution Prevention and Toxics; 202-564-6450; winchester.erik@epa.gov. Citations: 40 CFR 770.2, 770.3, 770.7, 770.10, 770.12, 77.015, 770.30

82 FR 31267 (07/06/2017)

Regulatory Update

WATER
Georgia/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of Georgia's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective Aug. 7, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citations: 40 CFR 142

82 FR 31322 (07/06/2017)

Regulatory Update

WATER
North Carolina/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of North Carolina's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective Aug. 7, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov. Citations: 40 CFR 142

82 FR 31322 (07/06/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Tue 7/11/2017 5:07:21 PM
Subject: Playbook Power Briefing, presented by Better Medicare Alliance: THE DON JR. EMAILS -- STELTER says Trump Jr asked NYT for more time, and then tweeted out emails they were about to report on -- GRAHAM's 'new approach' on health care -- JARRETT writing book

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by Better Medicare Alliance

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Tuesday afternoon.

DONALD TRUMP JR. RELEASES HIS EMAILS WITH ROB GOLDSTONE -- @DonaldJTrumpJr: "Here's my statement and the full email chain" http://bit.ly/2tEiT1r ... "Here is page 4 (which did not post due to space constraints)." http://bit.ly/2t9P8Cm

-- THE EMAILS FROM ROB GOLDSTONE to **DONALD TRUMP JR.** that the "crown prosecutor of Russia ... offered to provide the Trump campaign with some official documents and information that would incriminate Hillary and her dealings with Russia and would be very useful to your father. This is obviously very high level and sensitive information but is part of Russia and its government's support for Mr. Trump -- helped by Aras and Emin." **TRUMP** said if the information is how it's described by Goldstone, Trump "love it, especially later in the summer."

-- THEY THEN set up a meeting with a "Russian government attorney" with Paul Manafort, Donald Trump Jr. and Jared Kushner.

THE TIMING is probably not coincidental. The New York Times published a story from Jo Becker, Adam Goldman and Matt Apuzzo at about the same time Trump Jr. tweeted out the email chain. http://nyti.ms/2v8tAHq

-- @brianstelter: "Confirmed from an NYT source: 'We were preparing to publish' story -- Don Jr. camp 'asked for more time' to comment 'and then pre-empted us'".

CONSIDER HOW MUCH THIS STORY DEVELOPED -- TRUMP JR. initially said this was a meeting about Russian adoptions. But within a few days, he admitted he was knowingly meeting with a Russian government emissary to get dirt on Hillary Clinton.

STATEMENT FROM PENCE PRESS SECRETARY MARC LOTTER, per NBC's Kasie Hunt: "He was not aware of the meeting. He is also not focused on stories about the campaign -- especially those pertaining to the time before he joined the campaign."

NEW YORKER'S MICHAEL LUO (@michaelluo): "I keep re-reading this section of the statute" http://bit.ly/2t0FnuO

MICHAEL MCFAUL (@mcfaul), the former U.S. ambassador to Russia under Barack Obama: "Wow, I'll let the experts judge the legalities here, but engaging the Russian government to influence our elections is deeply unethical." **NORM EISEN (@normeisen)**, the founder of CREW and Obama's special counsel for ethics and government reform: "even more deeply illegal @McFaul. clearly violates campaign finance law and likely implicates Don Jr. and campaign under conspiracy statute".

TV TONIGHT -- Fox News producer Fin Gomez (@finnygo): ".@DonaldJTrumpJr will be on @seanhannity tonight."

-- "Russian Lawyer Who Met With Trump Jr.: I Didn't Have Clinton Info They Wanted," by NBC News' Keir Simmons and Rachel Elbaum: "The Russian lawyer who met with Donald Trump Jr. during the presidential campaign denied in an exclusive interview with NBC News that she had any connection to the Kremlin and insists she met with President Donald Trump's son to press her client's interest in the Magnitsky Act - not to hand over information about Hillary Clinton's campaign. 'I never had any damaging or sensitive information about Hillary Clinton. It was never my intention to have that,' Natalia Veselnitskaya said.

"When asked how Trump Jr. seemed to have the impression that she had information about the [DNC], she responded: 'It is quite possible that maybe they were longing for such an information. They wanted it so badly that they could only hear the thought that they wanted.'" http://nbcnews.to/2v8EXPE

-- "Donald Trump Jr.'s lawyer is a Juilliard-trained trombonist who plays in a symphony and defends mobsters," by WaPo's Derek Hawkins http://wapo.st/2uaA6QN

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

A BIG THANK YOU for reading Playbook on our one-year anniversary. Here's a special video message from Anna, Jake and Daniel: http://bit.ly/2uMNDfn

-- TODAY'S BONUS BRIEFING -- Jake and Anna talk about how Washington and American politics at large has changed in the last year. http://bit.ly/2uaeHqZ

-- "SPOTTED" ON SNAP -- Have some fun with us today and find our secret Snapchat "SPOTTED" filter at select locations around Washington, D.C., including federal office

buildings, popular restaurants and watering holes, metro stops, and more. Snap us your "Spotted" snaps to @POLITICO and we will feature your best snaps on Twitter!

SPOTTED in first class on a flight from O'Hare to DCA: Rep. Markwayne Mullin, the Oklahoma Republican who recently told his constituents he was abandoning his term-limit pledge. Veteran Michigan Rep. Fred Upton (R) was in coach on the same flight.

GOING THERE -- @mkraju: "TIM KAINE, former Dem VP nominee, tells us that Don Jr 'potentially' could have committed 'treason'". ***Video from NBC*** http://snpy.tv/2u4z89b

APPOINTMENT TELEVISION ALERT -- @JenniferJJacobs: "New: Trump and Macron will do a press conference in Paris on Thursday, per @gviscusi. Conférence de presse conjointe."

NEWS -- @kasie: "LINDSEY GRAHAM: Says new approach underway on healthcare that could involve DEMOCRATS -- mum on details but says 24-48hrs he'll say more".

-- KEEP IN MIND: Graham isn't a member of Senate Republican leadership. He often freelances. It's unclear what he is referencing here. Senate Minority Leader Chuck Schumer has given no indication that he is looking to cut a deal with Republicans based on any publicly released draft legislation. A main sticking point is how lawmakers deal with Medicaid. Unless there is a deal on that, nothing is going to get any Democratic support and will likely lose a lot of GOP moderates as well. ***Austin Wright's story*** http://politi.co/2t0m44N

AND ON THE OTHER SIDE OF THE CAPITOL: What might fly in the Senate doesn't necessarily fly in the House, where Democrats are, broadly speaking, more liberal and more willing to oppose tweaking the health-care law.

THE WHITE HOUSE BRIEFING -- Sarah Huckabee Sanders will brief reporters off camera at 2 p.m.

DEEP DIVE -- "The Business Links of Those Leading Trump's Rollbacks," by NYT's Danielle Ivory and Karl Russell and ProPublica's Robert Faturechi: "In February, President Trump ordered federal agencies to form teams that would identify regulations to roll back or eliminate. Through interviews, public records and documents obtained under the Freedom of Information Act, The New York Times and ProPublica have identified many appointees to these groups. An investigation has revealed a string of possible conflicts, including some hires who may be reviewing rules their previous employers tried to weaken or kill, and others who may personally profit if certain regulations are changed." http://nyti.ms/2v8xrEp

BEN SCHRECKINGER'S LATEST -- "GOP Researcher Who Sought Clinton Emails Had Alt-Right Help," in POLITICO Magazine: "In his Hail Mary bid to tip the election to Trump, the Republican private equity executive [Peter Smith] enlisted two controversial alt-right activists to help him understand the workings of the internet and make contacts

in Trump's orbit, according to interviews with those involved and emails obtained by POLITICO. The activists, the journalist-turned-entrepreneur Charles Johnson and his former business partner Pax Dickinson, agreed to help Smith's quixotic mission, which failed to track down copies of Clinton's emails. Johnson is a polarizing figure who was banned from Twitter in 2015 after promoting an effort to 'take out' a Black Lives Matter activist but maintains ties to White House officials. Smith also reached out to 'Guccifer 2.0'-an alias the U.S. intelligence community has linked to Russian state hackers-and was advised to seek the help of a white nationalist hacker who lives in Ukraine." http://politi.co/2v8C81a

STATEMENTS FROM THE WHITE HOUSE -- @realDonaldTrump at 6:59 a.m.: "The Senate Democrats have only confirmed 48 of 197 Presidential Nominees. They can't win so all they do is slow things down & obstruct!" ... **at 7:46 a.m.:** "Working hard to get the Olympics for the United States (L.A.). Stay tuned!" ... **at 8:09 a.m.:** "Marine Plane crash in Mississippi is heartbreaking. Melania and I send our deepest condolences to all!" ... **at 8:23 a.m.:** "Big wins against ISIS!" ***He also retweeted Fox & Friends three times***

2020 WATCH -- Former Maryland Gov. Martin O'Malley is headed back to New Hampshire next week to lend his support to the special elections. (h/t NH1's Paul Steinhauser)

WHAT THEY'RE READING AT C.A.A.-- "Valerie Jarrett, top Obama adviser, working on book," by AP's Hillel Italie: "Viking told The Associated Press on Tuesday that Jarrett is working on a book that will combine personal history and civic advice. The book is currently untitled and scheduled for 2019. 'I don't want to just tell my story,' Jarrett, a senior adviser during both terms of the Obama administration, said in a statement. 'I want to share the experiences, life lessons and values that have shaped who I am and my ideas for the future.'" http://bit.ly/2tJ4D5X

TODAY'S BEYOND THE BELTWAY -- Florida Republican party has awful fundraising quarter -- Rauner ousts his chief of staff http://politi.co/2uamZis

JARED POLIS IS SMILING -- "Ed Perlmutter to drop out of Colorado governor's race, sources say," by The Denver Post's Mark Matthews: "Rep. Ed Perlmutter plans to announce Tuesday that he will end his run for Colorado governor just three months after the Arvada Democrat began it, according to three sources close to the campaign. The sixth-term lawmaker also won't seek re-election in Colorado's 7th Congressional District; a move likely to bring a sigh of relief to the three Democratic state lawmakers who already have declared for his left-leaning seat, which includes the Denver suburbs of Thornton and Lakewood." http://dpo.st/2v8EZau

LUNCHTIME READ -- FRED FROMMER in The Atlantic -- **"When the Nation's Capital Came Together for the MLB All-Star Game:** In the throes of the Great Depression, residents and lawmakers rallied around the summer event" http://theatln.tc/2sLY5lL

WEEKEND WEDDING -- Elham Khatami , national outreach director at the National Iranian American Council and a CQ Roll Call alum, recently married **Kirk Keshishian**, a financial analyst for a microloan company. "We met at a mutual friend's birthday party in late 2011 and we got engaged in January 2016 [***pic*** http://politi.co/2u8PL3a]. The wedding was at the Sulgrave Club in Dupont Circle. It was a traditional Persian ceremony, followed by a reception." ***Wedding pic*** http://bit.ly/2uMyKK8

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

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From: POLITICO Pro Energy Whiteboard
Sent: Thur 10/5/2017 6:57:07 PM
Subject: Utility exec picked to run EPA Region 8

By Alex Guillén

10/05/2017 02:52 PM EDT

EPA has picked an Xcel Energy executive to run the Region 8 office, which oversees Colorado, Utah, Wyoming, Montana and North and South Dakota.

Doug Benevento has been at Xcel since 2010, for most of that time as vice president of public affairs, according to his LinkedIn profile. He previously was an attorney at the law firm Greenberg Traurig, executive director of the Colorado Department of Public Health and Environment, and an aide to former Sen. Wayne Allard (R-Co.).

He also served six years as an elected member of the Douglas County school board, and in 2013 was one beneficiary of a major push by the Koch brothers-connected Americans for Prosperity to get conservative voices elected to that board, as POLITICO reported at the time. Benevento resigned last year, writing that his "priorities have been largely accomplished."

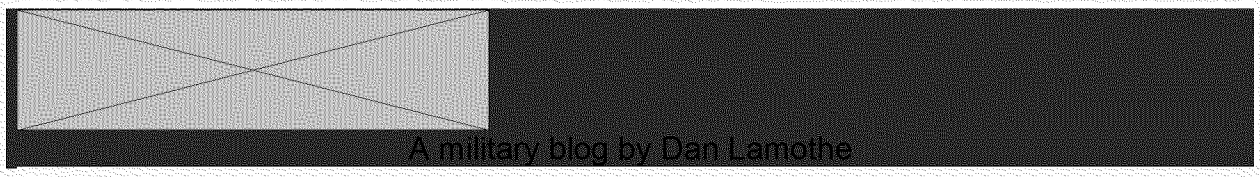
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https://www.politicopro.com/energy/whiteboard/2017/10/utility-exec-picked-to-run-epa-region-8-094000

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From: The Washington Post
Sent: Fri 9/8/2017 4:01:20 PM
Subject: Checkpoint: Admiral: After deadly collisions, the Navy must scrutinize how it deploys 'from the ground up'



As Hurricane Irma heads toward Florida, U.S. military launches amphibious relief efforts in the Caribbean

Five U.S. ships are headed to the Caribbean.
By Thomas Gibbons-Neff • Read more »

Admiral: After deadly collisions, the Navy must scrutinize how it deploys 'from the ground up'

"Sometimes our culture works against us," said Adm. William F. Moran.
By Dan Lamothe • Read more »

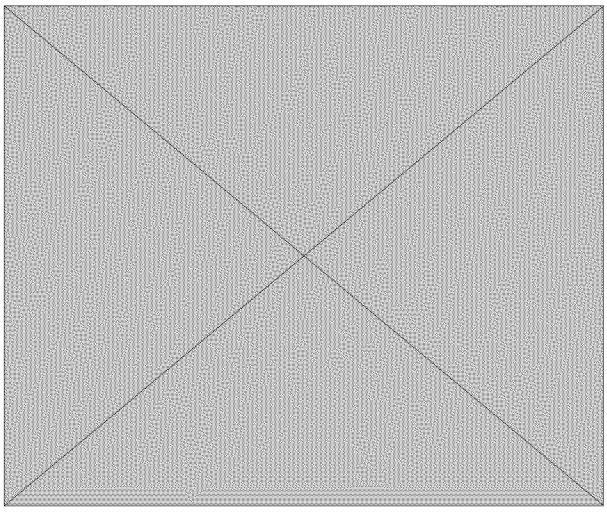
The military looked to 'dreamers' to use their vital skills. Now the U.S. might deport them.

"Indonesia is a foreign country to me," one soldier said.
By Alex Horton • Read more »

An old American rifle gains prominence in Islamic State propaganda footage

The rifle has been in use with the U.S. military since the 1950s.
By Thomas Gibbons-Neff • Read more »

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3,500 more U.S. troops headed to Afghanistan, officials say

The Pentagon is expected to make an official announcement about the troop increase in the coming days.

By Thomas Gibbons-Neff and Dan Lamothe • Read more »

An old Marine firebase gets new use in once-again expanding Afghan war

The base was named Fiddler's Green.

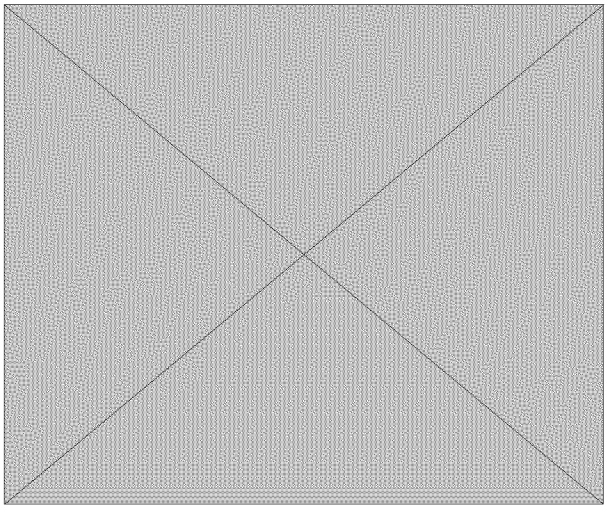
By Thomas Gibbons-Neff • Read more »

U.S. military preparations for Hurricane Irma now include four Navy ships and thousands of troops

Every branch of the armed services could be involved.

By Dan Lamothe • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 11/16/2017 5:36:58 PM
Subject: Collins 'leaning against' Dourson for EPA chemicals role

By Anthony Adragna

11/16/2017 12:35 PM EDT

Sen. Susan Collins told reporters today she's "leaning against" backing Michael Dourson's nomination to run EPA's chemicals office, which would leave him without adequate support for confirmation in the closely divided chamber.

"I have a lot of concerns about Mr. Dourson, but I've not yet made a final decision," she said.

North Carolina Republican Sens. Richard Burr and Thom Tillis both came out in opposition on Wednesday to Dourson, who is currently working as an adviser at the agency. Both declined to say if he should leave that role today.

Sen. John McCain (R-Ariz.) also said today he had not decided whether to support the nomination.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/collins-leaning-against-dourson-for-epa-chemicals-role-098419

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Thur 6/1/2017 9:41:55 AM
Subject: Morning Media, presented by MSNBC: The good and the bad of the NYT public editor — Peter J. Boyer joins The Weekly Standard — A new deal for Lawrence O'Donnell

By Joe Pompeo | 06/01/2017 05:39 AM EDT

With Cristiano Lima and Alex Weprin

IF YOUR TWITTER FEED LOOKED ANYTHING LIKE MINE YESTERDAY AFTERNOON, then the sense you would have gotten about The New York Times eliminating its high-profile Public Editor role , after nearly 15 years and six iterations, was that a whole lot of prominent journalists and media figures think it's a bad idea, while a smaller number of these types of people were all too happy to say good riddance. I was chatting with an in-the-know Times source who reiterated the company's official position that, in an era where readers can interact with and hold a publication accountable in so many different ways on so many different platforms, the Times' has essentially outgrown the public editor as a sort of singular, all-powerful ombudsman. Two other things emphasized in our conversation: this wasn't about money, and it wasn't about the performance of the latest public editor, Liz Spayd, whose brief stewardship of the position proved particularly controversial both inside the newsroom and out.

The upside of a public editor, per HuffPost's Michael Calderone, who broke the news: "[B]y being in the newsroom, public editors and ombudsmen can often get responses from management on editorial decision-making that outside reporters and critics cannot. While an outside reporter covering the Times may not get calls returned, the public editor ... can literally wait outside a Times editor's office. And Times management typically responded to the public editor's queries, since failing to do so would call into question its commitment to transparency."

The cynical take, via Tom Scocca, writing for POLITICO Magazine: "The majority of the public editors were bad because the public editor's job was designed to be badly done. ... [T]he work of minding the Times fell to a series of timid people, dull-witted ones and bores. Only the fifth public editor, Margaret Sullivan, broke with that pattern and did her job energetically enough that she ended up being hired as a real media columnist, at the Washington Post. ... The public editors were a flagellating instrument, meant to sting the paper on its surface, never to cut to the bone."

IN OTHER TIMES NEWS - The latest round of buyouts is at hand, and this time it is targeting the most behind-the-scenes layer of editors with the goal of generating enough savings to hire up to 100 new journalists. Layoffs could happen if there aren't enough takers. As the FT notes, the move could cost the Times between $17m and $23m this year.

Statement from the union that reps Times journalists: "The announcement ... is devastating for our members ... and though we're heartened to hear that they intend to invest more in reporters and content, it comes at an unfortunate cost. ... These Guild members don't simply correct comma splices, they protect the integrity of the brand. They are the watchdogs that ensure that the truth is told. The "Paper of Record" should value their importance. We have

asked for a meeting with Times management to discuss how they intend to restructure their editing process, as we fight to keep our members and their institutional knowledge in the newsroom."

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

REVOLVING DOOR: PETER J. BOYER IS JOINING THE WEEKLY STANDARD - Morning Media has learned that he'll be a national correspondent at the 22-year-old conservative publication, as part of what EIC Stephen Hayes is calling a "big staff expansion." Boyer is an illustrious magazine veteran who has done tours at Vanity Fair, The New Yorker and Newsweek. But his most recent job, as an editor at large for Fox News, included a brush with controversy, as it was revealed that Boyer was present for a series of "war room" meetings in which Roger Ailes plotted a smear campaign against biographer Gabriel Sherman. After exiting Fox amid the network chief's sexual harassment scandal last summer, Boyer resurfaced earlier this year working on a piece for Esquire. Presumably he's happy to have all the Fox drama behind him and to get back to magazine deadlines.

A NEW DEAL FOR LAWRENCE O'DONNELL? - It sure sounds like MSNBC's 10 p.m. host Lawrence O'Donnell has inked a new deal to remain with the cable channel. On his show last night, O'Donnell told a guest "You know where I'll be next week? I will be sitting right here talking about the James Comey hearing and everything else that happens next week and everything that happens for the next couple of years." He added on Twitter later, "Yes I will be saying hi to Rachel @maddow at 10pm for the foreseeable future." O'Donnell's contract negotiations had come down to the wire, with his current deal set to expire this weekend. MSNBC hasn't announced anything yet, but don't be surprised to see something official today.

WHAT THE OFFICIAL CBS ANNOUNCEMENT ABOUT SCOTT PELLEY *DIDN'T* SAY - via Page Six : "Furious fired CBS News anchor Scott Pelley ordered his assistant to clear out his office on Tuesday after he clashed with the news division's president David Rhodes. Pelley, who is away on assignment in Syria, had already learned of his firing from the 'Evening News' and decided to take action on his own, well-placed sources tell us. Rhodes and Pelley have recently had a rocky relationship, mostly due to Pelley's poor ratings and his reluctance to shake the broadcast up by moving away from his traditional delivery ... The source familiar with the matter said that even CBS News chiefs were taken by surprise when Pelley's assistant brought in the removal crew Tuesday and started shipping out his belongings."

MUST READS:

-- "Inside the struggle to sway Trump on Paris" [POLITICO]

-- "Looking For Right And Wrong In The Philippines" [BuzzFeed]

-- "The Secret Evangelicals at Planned Parenthood" [Marie Claire]

-- "The Addict's Next Door" [The New Yorker]

KEEP YOUR EYE OUT FOR THESE JOURNO BIG SHOTS IN 'HOUSE OF CARDS' - We haven't yet dug into season 5, which Netflix dropped on Tuesday, but a rep for the show confirmed the following cameos: Charlie Rose; Ann Curry; Bret Baier; Joe Scarborough; Mika Brzezinski; Kasie Hunt; Donny Deutsch; Van Jones; S.E. Cupp; Gloria Borger; Rachel Maddow; and Connie Chung. Aside from the (perhaps no-longer-so-over-the-top-ridiculous-seeming) storylines, part of the fun of the show is keeping tabs on the real-life media figures who make it into the script. In past seasons, journalists like Matt Bai and Ashleigh Banfield were worked into key plot points. Other past appearances have included Chuck Todd, Wolf Blitzer, John King, Chris Matthews and Sean Hannity.

JULIAN ASSANGE IS 'LOOKING INTO' SUBBING FOR HANNITY - Just when you thought things couldn't get more surreal, this happened: "Wikileaks founder Julian Assange told CNN on Wednesday that he is exploring the possibility of guest hosting conservative personality Sean Hannity's nationally-syndicated radio show after Hannity offered him the opportunity to fill in. 'I'm looking into it,' Assange said in a Twitter direct message. 'My physical circumstances means that nothing is easy.'" Hannity's Twitter invite : "If you would like to fill in for me one day I am on over 550 stations and 14 plus million listeners."

SOUND BITES:

-- "The @nytimes might be right in eliminating the public editor but most of its stated reasons for doing so seem like cobbled together nonsense" [Emily Bell]

-- "Tonight @seanhannity is misleading his audience by suggesting @maddow is part of the NBC News operation, not an opinion host on MSNBC. ...which is funny because he always complains when people don't refer to him as opinion host but make him out to be part of Fox News news op" [Oliver Darcy]

-- "Next issue of @NYTmag is a special one: all comics, all based on stories from @NYTMetro. Here's the cover. Issue online Friday." [Jake Silverstein]

NBC AND EURONEWS SEAL THE DEAL - Our colleague Ryan Heath reports from Brussels: "NBC News will [today] close a ???25 million transaction to purchase a 25 percent stake of Euronews, a European media company that claims 52 million daily TV viewers and digital users in 158 countries. The acquisition is the latest in a series of recent NBC investments, including stakes in Snapchat, Vox and Buzzfeed.Company executives told POLITICO a Euronews board meeting Thursday morning will confirm a plan to infuse the multilingual network with NBC's global reach and production values."

From the official announcement: "Euronews has unmatched scale as well as the unique ability to offer international coverage rooted in a local sensibility in every country and language it spans," said NBC News chief Andy Lack. ... Deborah Turness, President of NBC News International, will lead the NBC side of the collaboration, providing editorial and programming leadership as well as strategic guidance."

REVOLVING DOOR, PART 2:

-- **POLITICO is importing its Playbook newsletter franchise to London** later this summer, and we've hired Jack Blanchard, political editor of UK newspaper the Daily Mirror, as the author.

-- **"Liz Garrigan is stepping down as editor of" Washington City Paper,** Washingtonian's Andrew Beaujon reports. "She's returning to Paris, where her husband is still working, says strain of households on two continents was too much"

-- **Mashable has hired Michael Nuñez**, formerly Gizmodo's technology editor, as its deputy technology editor.

SOUNDTRACK: Neil Diamond, "Do It"

EXTRAS:

-- The Roger Ailes comeback that wasn't to be: Bannon TV. [The Daily Beast]

-- As the Trump-Russia plot thickens, the president is increasingly leaning on a friendly face: Fox News Channel. [CNN]

-- CNN has cut ties with comedia Kathy Griffin, who co-hosted the network's New Year's special, over her incendiary video featuring a fake severed and bloody Trump head. [POLITICO]

-- A Daily Caller story about a rally in support of Confederate Gen. Robert E. Lee's statue failed to mention a few things -- like a speech in which the story's reporter praised the white nationalist movement. [ProPublica]

** **A message from MSNBC:** At MSNBC, we recognize that information and facts have never been more important. Each weeknight, Chris Matthews, Chris Hayes, Rachel Maddow, Lawrence O'Donnell, and Brian Williams help you make sense of a complicated time, with insight and perspective that allows you to know that you're in the know. These trusted journalists made MSNBC the #1 cable news network between 7pm-midnight for the month of May. Join us nightly on MSNBC, or catch up at msnbc.com.
Source: Nielsen; Live SD; 5/1-26/17; A2554; M-F 7p-12a **

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/01/the-good-and-the-bad-of-the-nyt-public-editor-peter-j-boyer-joins-the-weekly-standard-house-of-cards-cameos-001283

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Sent: Thur 11/9/2017 5:34:37 PM
Subject: Japanese Internationalism in the 21st Century: Reshaping Foreign Policy in an Era of Upheaval

Japanese Internationalism in the 21st Century: Reshaping Foreign Policy in an Era of Upheaval

November 2017

Michael Auslin

Key points

- **Implementing Japanese Prime Minister Shinzo Abe's vision of a more regionally and internationally engaged foreign policy is essential to the future of Japan and the region.**
- **Abe has distanced his country from its postwar pacifism and unveiled a new, more realist foreign policy. His attempts to modernize Japan's foreign and security policies are limited by how much internal change he and other Japanese are willing to accept.**
- **The competition between Tokyo and Beijing is poised to enter an even more intense period.**
- **As Asia's most developed democracy, Japan can be a key partner for the United States in championing liberal values.**

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Michael Auslin | The Telegraph | April 28, 2017

Abe wins over Trump

Michael Auslin | Foreign Affairs | February 16, 2017

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Tue 6/27/2017 9:39:30 AM
Subject: Morning Media: NYT Styles search in home stretch — Heads roll at CNN — 'Studio 360' heads to Slate

By Joe Pompeo | 06/27/2017 05:36 AM EDT

With Hadas Gold and Alex Weprin

STYLES SHORTLIST - New York Times insiders tell Morning Media the company is close to naming a new editor for its Styles section, a high-profile gig that's been open since it became public a few months ago that Stuart Emmrich would be stepping down, after seven years at the helm, for a new position within the Times. Sources familiar with the search told Morning Media a decision is expected as early as the end of this week. The internal favorite is Jim Windolf, editor of the monthly Men's Style supplement; formerly of Vanity Fair and The New York Observer. The two external candidates that Times executive editor Dean Baquet has his eye on, my sources confirmed, are Choire Sicha and Lori Leibovich. As with Windolf, probably neither of them needs an introduction for many readers of this newsletter, but just in case: Sicha is an executive at Vox Media, co-founder of The Awl and a veteran of Gawker and The New York Observer. (He also has written for Windolf at Men's Style.) Leibovich is Time Inc's digital director of women's content, whose previous editing gigs include HuffPost and Salon. (Fun fact: Her brother is NYT Mag chief national correspondent and "This Town" author Mark Leibovich.) As Morning Media reported in April, Baquet had offered the job to New York mag's Stella Bugbee, but she turned it down. The Times declined to comment.

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**. (clima@politico.com / @ludacristiano). **Hadas Gold** contributed to today's newsletter. **Archives**. **Subscribe.**

HARD FAST FALL - Eric Lichtblau had barely gotten up and running at CNN after 15 years as a Pulitzer Prize-winning investigative reporter for The New York Times. Now Lichtblau and two of his colleagues are out in the midst of a controversy -- over a retracted article linking Trump ally Anthony Scaramucci to the Russia investigation -- that has cast a shadow over CNN while adding fuel to the anti-mainstream-media fire that's been spreading across the land. The other two journalists are no schlubs themselves. Thomas Frank, author of the retracted story, is a seasoned alum of USA Today and Newsday, as well as a Pulitzer finalist. Lex Haris, who formerly ran CNN Money, had been the editor in charge of a new investigative unit that Lichtblau and Frank had joined.

A tidbit that was making the rounds last night was that the offending article had been submitted to CNN's lawyers for review, and was published despite the legal team throwing up red flags. At the same time, a CNN source told us that, in fact, legal *hadn't* reviewed the final piece, and was concerned/surprised when they saw that it had been published. A CNN rep didn't respond to an email seeking clarification/confirmation. (If you know exactly how it went down, we'd love to hear from you.)

Additionally, a source told my colleague Hadas Gold that Scaramucci called Frank and Washington Bureau Chief Sam Feist on Friday after the story posted, hinting at a potential lawsuit if the piece was not taken down, which it was by Friday night. An editor's note said the story "did not meet CNN's editorial standards and has been retracted. Links to the story have been disabled. CNN apologizes to Mr. Scaramucci." Yesterday evening, CNN said it had "accepted the resignations of the employees involved in the story's publication." No way around it: The whole thing's a bad look for CNN, and a devastating blow for three otherwise well-respected newsmen.

SOUND BITES:

-- "CNN published a bad story, pulled it, apologized. 3 journalists quit. That's impressive and decisive action. Yelling 'Fake News' unfair." [John Podhoretz]

-- "Inquiring minds want to know: what in the story was bad? Has anyone said? Have I missed?" [Michael Wolff]

-- "CNN employs Jeffrey Lord. And yet it lets 3 reporters/editors w/ combined 80 years of experience and a Pulitzer go over one mistaken story?" [Daniel Gross]

-- "Many of our best journalists seem, in news coverage, not just opinion pieces, to be moving away from balance and nonpartisanship. Is this the end of all that is good and decent in American journalism? Nah." [Mitchell Stephens]

-- "Their briefing room. Their rules. TV camera coverage relatively recent development during Clinton Admin." [Mark Knoller]

FIRST IN MORNING MEDIA: KURT ANDERSEN'S 'STUDIO 360' IS HEADED TO SLATE - The weekly public radio show and podcast has long been co-produced by Public Radio International and WNYC. But the 18-year marriage is coming to an end. "Studio 360," a Peabody-winning pop-culture broadcast, will now be a partnership between PRI and Slate, which has developed its own podcasting operation. WNYC will continue to be one of the 214 stations that distribute "Studio 360," but PRI Chief Content Officer Melinda Ward says the Slate partnership will help the show "realize its full potential as a podcast." WNYC is itself a serious podcast player, but most of its energy/resources in that department go into shows that WNYC started/owns. ("Studio 360" is owned by PRI.) Andersen, who's also a novelist and co-creator (with Graydon Carter) of the legendary Spy magazine, said he "couldn't be more excited" about combining forces with Slate.

Podcasts are becoming increasingly influential both from an audience standpoint and a business one. (A study out yesterday from IAB/PwC says U.S. advertising revenues for the medium are projected to rise 85 percent in 2017 to $220 million.) Slate, best known as a long-running digital magazine, is one in a number of companies to create a successful podcast network over the past few years, and "Studio 360" will easily be the most high profile of Slate's roughly 30 shows. Andersen and his team will move to Slate's Brooklyn headquarters, where

they will collaborate with Slate staff on the production, distribution, and promotion of both the radio program and podcast.

MUST READS:

-- "Being Donald Trump: the life of an impersonator" [The Guardian]

-- Jack Shafer: "America's Mayor" [POLITICO Mag]

-- "What Happened to America's Public Intellectuals?" [Smithsonian]

-- An oral history of Playgirl. [Esquire]

MOVE OVER, PULITZER PRIZE WINNERS: SEAN HANNITY IS BEING HONORED WITH AN AWARD FOR 'MEDIA EXCELLENCE' - Granted, said award is to be handed down not from the ivory tower of an elite journalism school, but from the Media Research Center (a conservative watchdog group) at its upcoming September gala. Nonetheless, it's bound to send a shiver of irony down the spines of many journalists to whom the Fox News anchor's brand of propagandistic anti-MSM fervor and unabashed Trump boosterism is downright anathema. The annual MRC fete, known as the DisHonor Awards, is a cheeky black-tie affair where "dishonors" are bestowed on liberals and the mainstream media, while conservative media types are honored in earnest. Previous winners of the William F. Buckley award that Hannity is to receive include Andrew Breitbart, Charles Krauthammer, Phyllis Schlafly and Charlie Daniels. Rush Limbaugh also is set to make an appearance.

REVOLVING DOOR:

-- **Bloomberg has hired former BBC Economics Editor Stephanie Flanders** to lead a new unit called Bloomberg Economics. From EIC John Micklethwait's memo: "We believe that we can provide a better product if our ... economists and our economics journalists ... belong to one unified team. So in October we will bring them together into one unit called Bloomberg Economics. ... Dan Moss, who has led our economics journalists for more than a decade and built the team into a reporting powerhouse of 100 people around the globe, will soon take on a new role in the world of commentary and analysis." Flanders also is an alum of the FT and The New York Times, and has been with with JPMorgan since 2013.

-- **Two new Washington-oriented hires at Al-Monitor**, a U.S.-based news website that does in-depth coverage of the Middle East. Per the announcement: "Jack Detsch will spearhead our coverage of the Pentagon as we expand our reporting of US military alliances, arms sales and many other aspects of Defense policy. Jack joins us from the Christian Science Monitor ... Bryant Harris has been hired as our new congressional correspondent. Bryant spent three years as an assistant correspondent for Japan's Yomiuri Shimbun."

ERRATUM - My mistake: It was Keith Kelly who first reported, back in January, that David Pecker's AMI was interested in buying Time Inc. (Missed that one!)

SOUNDTRACK: Gang of Four, "Damaged Goods"

EXTRAS:

-- CBS News says it was the first outlet to broadcast from inside Raqqa since ISIS took control of the city. [TV Newser]

-- "Taking the pulse of ESPN" [Sports Business Daily]

-- "Can Journalists Live Without Twitter?" [TNR]

-- The Washington Post, Bloomberg and the Chicago Tribune are among this year's National Press Club Award winners. [press.org]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/27/nyt-styles-search-nears-end-heads-roll-at-cnn-studio-360-heads-to-slate-001299

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 11/15/2017 3:02:00 PM
Subject: POLITICO's Morning Transportation: NTSB: Amtrak safety culture needs work — Bradbury confirmed — Huerta's plea for perspective

By Tanya Snyder and Lauren Gardner | 11/15/2017 10:00 AM EDT

With help from Brianna Gurciullo and Stephanie Beasley

NTSB POUNDS AMTRAK SAFETY CULTURE: Amtrak had a "deficient" safety culture marked by a hyper-focus on following rules and marred by a silent acceptance of workarounds that enabled one of its trains to crash into an active work zone last year near Philadelphia, killing two track workers and injuring dozens, NTSB determined Tuesday. It was altogether a jarring assessment of the company's safety posture at the time of the collision, with investigators discovering more than two dozen unsafe conditions revealing an inconsistent safety vision across layers of Amtrak's corporate structure.

Two big takeaways: Amtrak workers had instituted a workaround for company procedures on "fouling" - or taking a track out of service for maintenance work - that in practice should have prevented the accident. Removing those foul time limits, coupled with workers not using supplemental devices to protect the track segment being worked on as an additional safety measure, prevented positive train control from working as designed, since the technology couldn't detect the backhoe on the track. Check out the NTSB abstract of the report, findings and recommendations here.

Call and response: Amtrak blasted out an advisory to employees after NTSB wrapped to describe ways the company has worked to address the agency's concerns along the way, something board Chairman Robert Sumwalt acknowledged. "The important message we want you to take away from today is that we've been in the process of transforming our safety culture since this incident," co-CEOs Richard Anderson and Wick Moorman wrote . Even so, NTSB staff noted at different points that they had yet to see evidence that Amtrak had made significant strides to address some of their harshest criticisms - namely the company's relationship with its unions on safety issues and an apparent focus on on-time performance over safety.

Not to be left out: NTSB also dinged FRA for being five years late on issuing a final rule requiring system safety plans for railroads. DOT stayed the effective date of the regulation until Dec. 4, though FRA recently held a meeting to hear concerns from states about the requirements. An FRA spokesman said the agency will "thoroughly review" NTSB's findings.

WEDNESDAY ALREADY? Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Tanya is at the MT helm. Send tips, feedback and song lyrics to tsnyder@politico.com or @TSnyderDC.

"Well traffic is kind of bad / They're widening 'Easy Street' / To fit more SUVs."

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than

with songs (picked by us and readers) about lonely highways and south-bound trains?

BRADBURY'S IN: The Senate confirmed Steven Bradbury to be DOT's top attorney Tuesday, despite vehement objections from Democrats and some Republicans over his role in the George W. Bush administration writing memos authorizing torture. Sen. John McCain (R-Ariz.) said before the vote that it was "a dark, dark chapter in the history of the United States Senate" and that the chamber was "legitimizing offenses against the code of the Geneva Conventions." Sen. Tammy Duckworth (D-Ill.) spoke on the floor for an hour against Bradbury's confirmation. Sen. Bill Nelson (D-Fla.), the top Democrat on the Commerce Committee, had spoken out against Bradbury due to his work representing Takata, the now-bankrupt manufacturer of lethal airbags involved in a massive recall, reports our Lauren Gardner.

LEARN TO LISTEN: FAA Administrator Michael Huerta wants the debate over air traffic control to get an injection of facts and a dose of perspective. "We need to have a transparent discussion that's based on where we are today - not where we were a decade ago," he said Tuesday in his final speech before the Aero Club of Washington as the head of the FAA. Huerta, echoing the point he made in a speech to the National Business Aviation Association last month, also said opposing sides need to do a better job passing around the talking stick. "We can't keep talking past each other. We need to talk with each other," he said.

Fun fact: Huerta gave a NextGen shout out during his remarks, saying that for "three years now, GPS procedures have outnumbered the old ground-based navigation routes."

What's next? "Jan. 6 is my last day, which happens to correspond to the start of ski season," Huerta said, in response to a question from the audience. He also gave some tips to his successor, saying he or she should "embrace change, be a good listener, make the tough decisions."

NIELSEN APPROVED: After much hemming and hawing, the Senate Homeland Committee approved DHS secretary nominee Kirstjen Nielsen on Tuesday afternoon, Stephanie Beasley reports. Though four Democrats - Sens. Tom Carper (Del.), Maggie Hassan (N.H.), Kamala Harris (Calif.) and Gary Peters (Mich.) - voted in opposition. Carper said he worried that Nielsen did not have the "leadership training" needed for the position. "I have struggled with this probably as much as anything I've struggled with this year," he said at the markup. And Hassan said she voted "no" because Nielsen was not called back to again testify under oath, as she and some other committee Democrats requested last week.

Next steps: Chairman Ron Johnson (R-Wis.), who has touted Nielsen's cybersecurity experience and relationship with White House chief of staff John Kelly as pluses, said that he hopes the Senate "moves as quickly as possible" to take up a vote on her nomination. It's possible that Nielsen could be confirmed this week, but with the Senate's full floor agenda and the Thanksgiving holiday fast approaching, it might be a long shot.

YOU HAD ONE JOB (WELL, TWO): The American Association of State Highway and Transportation Officials wrote to Senate leaders Tuesday to say how disappointed they are that the tax overhaul bill (H.R. 1 (115)) does not include a fix to the Highway Trust Fund's structural deficit. Calling it a missed opportunity, AASHTO said that if nothing is done, federal highways

will face a 40 percent cut in 2021 and federal transit funding will be zeroed out completely from 2021 to 2023. AASHTO also called out the GOP doublespeak on an infrastructure plan: "We need to be honest with the American people: failure to find the revenue for an infrastructure initiative now, as part of tax reform, will make passage of such a package nearly impossible in the future."

HECKUVA JOB: Between April and September of this year, the DOT's Inspector General closed 157 investigations and opened 131 more, leading to 43 convictions, the office said in a semiannual report to Congress released Tuesday. The office blew the whistle on hazmat fraud, got a man sentenced for killing a police officer while driving a commercial vehicle under the influence of drugs, and enforced highway and bridge safety rules. The financial impact of their work over those six months, they say: $3.42 million.

IN WITH THE NEW: Cathy Gautreaux, who was executive director at the Louisiana Motor Transport Association for nearly three decades, started Monday as deputy FMCSA administrator, a DOT source confirmed to MT.

MAKE A RUN PAST THE BORDER: More than 100 trade organizations urged U.S. Trade Representative Robert Lighthizer on Tuesday to keep NAFTA's rules allowing Mexican trucking companies to drive beyond U.S. border zones. The organizations that signed the letter said allowing Mexican truckers to haul goods further into the United States helps alleviate congestion at and near the border, "creating more efficiency through the system." They noted that Mexican carriers have "have an excellent safety record."

Don't go: The Trump administration doesn't appear to be proposing the complete removal of Mexico's long-haul trucking industry from NAFTA's cross-border services chapter, Morning Trade reported. What they are considering is a form of safeguard mechanism that would allow the U.S. to impose new restrictions or limitations on Mexico's trucking industry if it were faced with certain negative conditions. The proposal was formally put forward in the fourth round of talks outside Washington.

THEIR TURN: Tuesday was the deadline for comments to DOT's revised driverless car policy. The Auto Alliance remains concerned that the guidance isn't clear enough that states shouldn't enact any kind of pre-approval process before allowing the testing and deployment of self-driving cars on the road, creating "unnecessary delays." NTSB Chairman Robert Sumwalt said he was disappointed that the guidance didn't address Level 2 automation, like the Tesla involved in a fatal May 2016 crash that NTSB just investigated. And as always, motorcyclists showed up in force with concerns about whether driverless cars will be able to adequately detect motorcycles on the road.

SPOTTED: Transportation Secretary Elaine Chao with several other Cabinet officials, more than two dozen members of Congress and Delta Air Lines CEO Ed Bastian on Tuesday night at a reception in honor of Andie Newman, who retired this summer as Delta's senior vice president of government affairs after a 22-year career in the airline industry.

SHIFTING GEARS: Laura Bonavita is the new new manager of policy communications in

Hyundai Motor Company's Washington office. Bonavita previously worked at the U.S. Chamber of Commerce and the National League of Cities.

NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring technology reporter Margaret Harding McGill and the artwork of Pulitzer Prize-winning cartoonist Matt Wuerker. Click HERE to watch.

THE AUTOBAHN:

- "These are the GOP officials who have spent the most at Trump properties." The Washington Post. (MT note: Reps. Bill Shuster (R-Pa.) and Michael McCaul (R-Texas) are on the list.)

- "How a decaying surface transport system is endangering U.S. security and economic strength." Forbes.

- "Boeing inks $1.3B Ethiopian Airlines deal for 777 freighters." The Associated Press.

- "New FAA guidance for electronic flight bags." FAA.

- "Study: Ride-hailing, automation will hurt car sales." The Detroit News.

- "Colorado track will test super-speedy transit that could be offered at toll-road price." The Denver Post.

THE COUNTDOWN: DOT appropriations run out in 24 days. The FAA reauthorization expires in 137 days. Highway and transit policy is up for renewal in 1,051 days.

To view online:
https://www.politico.com/newsletters/morning-transportation/2017/11/15/ntsb-amtrak-safety-culture-needs-work-223361

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 5/30/2017 4:49:37 PM
Subject: BREAKING NEWS: U.S. tells EU: No laptop ban

The U.S. today opted not to introduce a ban on bringing laptops into the cabins of flights to the U.S. from Europe, sources told POLITICO.

"No ban," a Commission official said. "Both sides have agreed to intensify technical talks and try to find a common solution."

The decision was made during a conference call this afternoon between U.S. Department of Homeland Security Secretary John Kelly and European Home Affairs Commissioner Dimitris Avramopoulos and Transport Commissioner Violeta Bulc.

Read more: http://www.politico.com/story/2017/05/30/united-states-no-laptop-ban-238939

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 6/6/2017 11:18:00 PM
Subject: Pruitt delays next step in implementing 2015 ozone standard

By Alex Guillén

06/06/2017 07:14 PM EDT

EPA Administrator Scott Pruitt is delaying a deadline for deciding which areas of the U.S. do not meet the 2015 ozone standard, saying "there is insufficient information" to act at this time.

In letters to governors sent today, Pruitt says he needs the extra year to "consider completely" the states' suggestions "and to rely fully on the most recent air quality data." Determining which areas do not comply with the new standard is the first step toward requiring states to form plans to reduce ozone levels.

June 9 had been the target date for EPA to publish state proposals and take public comment, with a final decision coming by Oct. 1 of this year, according to a February 2016 memo from EPA.

Pruitt said he is also reviewing "a host of complex issues" regarding the standard, including background ozone, international sources and "exceptional events" like wildfires or volcanic eruptions that can spike ozone levels. The letter says Pruitt has also created an Ozone Cooperative Compliance Task Force "to develop additional flexibilities for states to comply with the ozone standard."

EPA has paused legal challenges to the standard while it reviews the rule requiring states to limit ozone to 70 parts per billion. It is not yet clear whether Pruitt will seek to repeal it and return to the 2008 standard of 75 ppb.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/pruitt-delays-next-step-in-implementing-2015-ozone-standard-088723

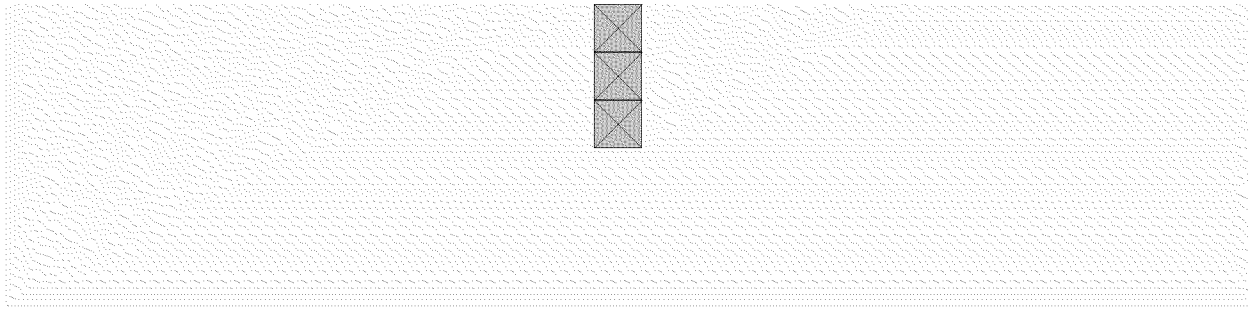
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Thur 7/6/2017 11:33:39 AM
Subject: NYPD Officer Murdered, NYPD & ATF Reward, DHS Works to Mitigate Car Bombs





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 6/15/2017 1:05:54 PM
Subject: June 15 -- EHS Federal Regulatory Alert

EHS Federal Regulatory Alert

June 15, 2017 - Number 114

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Summaries

AIR
California SIP/Placer County APCD
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the Placer County Air Pollution Control District (APCD) portion of the California SIP. The revisions concern the district's demonstration regarding reasonably available control technology (RACT) requirements for the 1997 and 2008 eight-hour ozone NAAQS and negative declarations for the polyester resin control techniques guidelines for the 2008 eight-hour ozone standard. Comments are due July 17, 2017. Contact: Nicole Law; EPA Region 9; 415-947-4126; law.nicole@epa.gov

82 FR 27456 (06/15/2017)

Regulatory Update

AIR
California SIP/South Coast Air Quality Management District
AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the South Coast Air Quality Management District portion of the California SIP. The revisions concern the district's demonstration of reasonably available control technology requirements for the 2008 eight-hour ozone NAAQS in the South Coast Air Basin and Coachella Valley ozone nonattainment areas under the nitrogen oxides Regional Clean Air Incentives Market (RECLAIM) program. The revisions supplement a prior RACT submission and include additional emissions analysis, two negative declarations, and certain conditions from permits for two specific stationary sources located in Coachella Valley. The EPA also is withdrawing a Nov. 3, 2016, proposed rule (81 FR 76547) that would have partially approved and partially disapproved the RACT SIP demonstration. The proposed approval is based on a draft version of the RACT supplement that was submitted by the California Air Resources Board, and final approval will not be granted until the supplement is adopted and submitted to the EPA. Comments are due July 17, 2017. Contact: Stanley Tong; EPA Region 9; 415-947-4122; tong.stanley@epa.gov

82 FR 27451 (06/15/2017)

Regulatory Update

AIR
Tennessee SIP/Visibility Transport Infrastructure Requirements
AIR

Final rule of the EPA adopts regulations under 40 CFR 52.2219 to conditionally approve portions of revisions to the Tennessee SIP. The revisions address the visibility transport (prong 4) infrastructure requirements for the 2010 one-hour nitrogen dioxide, the 2010 one-hour sulfur dioxide, and the 2012 annual fine particulate matter NAAQS. The rule is effective July 17, 2017. Contact: Sean Lakeman; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9043; lakeman.sean@epa.gov

82 FR 27428 (06/15/2017)

Regulatory Update

ENDANGERED SPECIES
California/Monterey Bay Marine Mammals Incidental Take
ENDANGERED SPECIES

Final rule of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, amends regulations under 50 CFR 217.11 through 217.18 to allow for issuance of letters of authorization for the take of marine mammals incidental to commercial fireworks displays permitted by the Monterey Bay National Marine Sanctuary in California. The rule authorizes take of small numbers of California sea lions and harbor seals by Level B harassment in the Cambria, Half Moon Bay, Monterey Peninsula, and Santa Cruz/Soquel regions from 2017 through 2022. The rule extends current incidental take authorizations under a May 29, 2012, final rule (77 FR 31537) from June 28, 2017, through July 3, 2022. The rule is effective July 4, 2017. Contact: Laura McCue; NMFS, Office of Protected Resources; 301-427-8401

82 FR 27434 (06/15/2017)

Regulatory Update

FOOD SAFETY
Animal Generic Drug User Fee Act Cover Sheet
FOOD SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing information collection request to the OMB regarding the Animal Generic Drug User Fee Act cover sheet (FDA Form 3728). The collection addresses fees for certain types of abbreviated applications for generic new animal drugs, annual fees for certain generic new animal drug products, and annual fees for certain sponsors of abbreviated applications for new animal drugs and/or investigational submissions for generic new animal drugs. The collection also provides information to determine whether a fee is required for an application, to determine the amount of the fee required, and to account for and track user fees. Comments are due July 17, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 27512 (06/15/2017)

Regulatory Update

FOOD SAFETY
Food Labeling
FOOD SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing information collection request to the OMB concerning food labeling requirements and exemptions from such requirements for small businesses (21 CFR 101, 102, 104, and 105). The collection addresses requirements for food producers to disclose specific information on the label of a product, to retain records concerning the basis for the information contained in the label, and to submit food labeling petitions to the FDA. The collection also addresses small business exemption claims (FDA 3570), requirements for restaurants to provide nutrition information upon request, requirements concerning certain nutrient claims, and requirements for dietary supplements. Comments are due July 17, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726

82 FR 27504 (06/15/2017)

Regulatory Update

FOOD SAFETY
Human Food and Cosmetics Manufactured with Cattle Material
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding human food and cosmetics manufactured from, processed with, or containing material from cattle. The collection addresses the recordkeeping and reporting requirements for manufacturers, processors, and importers of FDA regulated human food, dietary supplements, and cosmetics to ensure such products do not contain prohibited cattle materials, including specified risk materials, the small intestine of cattle not otherwise excluded from being a prohibited cattle material, material from nonambulatory disabled cattle, and mechanically separated beef (21 CFR 189.5 and 700.27). Comments are due Aug. 14, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726

82 FR 27501 (06/15/2017)

Regulatory Update

FOOD SAFETY
Infant Formula Recall Requirements
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning infant formula recall requirements (21 CFR 107). The collection addresses reporting and recordkeeping requirements that allow the agency to monitor the effectiveness and speed of recalls in order to protect babies from products that may be unsafe because of contamination, nutritional inadequacy, misbranding, or other

adulteration. Comments are due Aug. 14, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 27509 (06/15/2017)

Regulatory Update

FOOD SAFETY
Temporary Market Permits/Experimental Packs of Food
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding temporary market permits to test consumer acceptance and measure the technological and commercial feasibility in interstate commerce of experimental packs of food that deviate from applicable definitions or standards of identity (21 CFR 130.17). The collection addresses agency monitoring of the manufacture, labeling, and distribution of experimental packs of food to be used to support petitions to establish or revise applicable definitions or standards of identity. The collection also addresses requirements for firms to submit certain information to obtain an extension of a temporary marketing permit. Comments are due Aug. 14, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 27489 (06/15/2017)

Regulatory Update

FOOD SAFETY
U.S. Milk Product Manufacturers and Processors with Interest in Exporting
FOOD SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning lists of U.S. milk product manufacturers and processors with interest in exporting. The collection addresses the voluntary submission of information for and maintenance of a list of manufacturers and processors with an interest in exporting their products that are subject to FDA jurisdiction and are not the subject of a pending enforcement action. The notice specifies that the list currently provides the information for use by Chile, China, and the European Union member countries. Comments are due Aug. 14, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794

82 FR 27485 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Alaska/Marine Mammals Incidental Take
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces the issuance of a letter of authorization to Alaska Aerospace Corp. for the take of marine mammals incidental to space vehicle and missile launch operations at the Pacific Spaceport Complex Alaska on Kodiak Island, Alaska. The letter allows the incidental take of

harbor seals during the same type and amount of activities as specified in a March 24, 2017, final rule (82 FR 14996). The authorization is effective May 11, 2017, through April 25, 2022. Contact: Stephanie Egger; NMFS, Office of Protected Resources; 301-427-8401

82 FR 27472 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
California/Shasta Dam Fish Passage Evaluation
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Department of Interior, Bureau of Reclamation, to prepare an environmental impact statement for the Shasta Dam Fish Passage Evaluation. The project includes a pilot program concerning the near-term reintroduction of federally listed endangered winter-run and potentially spring-run Chinook salmon into historical habitat on the Shasta Lake and the Sacramento and McCloud rivers in Shasta and Siskiyou counties in California. The pilot program will implement the near-term actions identified in the National Marine Fisheries Service's 2009 biological opinion and conference opinion on the long-term operation of the Central Valley Project and the State Water Project reasonable and prudent alternative. Meetings are scheduled for June 27 and 28, 2017, in Sacramento and Lakehead, respectively. Comments are due July 21, 2017. Contact: Carolyn Bragg; Bureau of Reclamation; 916-414-2433; cbragg@usbr.gov

82 FR 27522 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Drug Regulatory Review Period/Natpara
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a determination of the regulatory review period for the human biological product Natpara (parathyroid hormone (recombinant human)) in response to an application submitted by NPS Pharmaceuticals Inc., of Bedminster, N.J. The notice specifies that the product is an adjunct to calcium and vitamin D to control hypocalcemia in patients with hypoparathyroidism. Comments are due Aug. 14, 2017. Petitions for a determination of whether the applicant for extension acted with due diligence during the regulatory review period are due Dec. 12, 2017. Contact: Beverly Friedman; FDA, Office of Regulatory Policy; 301-796-3600

82 FR 27496 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
FDA Consumer Advisory Committees and Panels Nominations
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces a request for nominations for voting and nonvoting consumer representatives on numerous advisory committees and panels. The agency also seeks to identify consumer organizations interested in participating in the selection of

advisory committee or panel members. Nominations and notifications are due July 17, 2017. Contact: Kimberly Hamilton; FDA, Advisory Committee Oversight and Management Staff; 301-796-8220; kimberly.hamilton@fda.hhs.gov

82 FR 27497 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
FDA Qualitative Feedback on Agency Service Delivery
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding generic clearance for the collection of qualitative feedback on agency service delivery. The collection concerns feedback from customers and stakeholders about perceptions, experiences, expectations, early warning of issues with services, and potential changes to improve the delivery of products or services. Comments are due Aug. 14, 2017. Contact: Amber Sanford; FDA, Office of Operations; 301-796-8867; PRAStaff@fda.hhs.gov

82 FR 27508 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Food Labeling State Petitions for Exemption From Preemption
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning state petitions for exemption from federal preemption of state food labeling and standard-of-identity requirements (21 CFR 100.1). The collection addresses agency's process for determining whether a state food labeling or standard-of-identity requirement satisfies statutory criteria for granting an exemption. Comments are due Aug. 14, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 27491 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Human Drug Compounding Outsourcing Facility Registration
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding industry guidance on fees for human drug compounding outsourcing facilities. The collection, as described in the guidance, addresses required fees that entities seeking to register as outsourcing facilities must pay, required fee adjustments, the submission of payment to the FDA, the consequences for failure to pay fees, the way an outsourcing facility may qualify as a small business to obtain a reduction in fees, and the process for facility reconsideration requests. Comments are due Aug. 14, 2017. Contact: Domini

Bean; FDA, Office of Operations; 301-796-5733; PRAStaff@fda.hhs.gov

82 FR 27493 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Modified Risk Tobacco Product Applications/Marlboro Heatsticks
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the availability of modified risk tobacco product applications for the IQOS system with Marlboro Heatsticks, Marlboro Smooth Menthol Heatsticks, and Marlboro Fresh Menthol Heatsticks submitted by Philip Morris Products SA, of Neuchatel, Switzerland. The notice requests comments on the label, labeling, and advertising accompanying the application. Comments are due Dec. 12, 2017. Contact: Paul Hart; FDA, Center for Tobacco Products; 877-287-1373; AskCTP@fda.hhs.gov

82 FR 27487 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oregon/Jordan Cove LNG Terminal and Pacific Connector Pipeline Projects
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Energy Regulatory Commission to prepare an environmental impact statement for the proposed Jordan Cove LNG Terminal and Pacific Connector Pipeline Projects located in Coos, Douglas, Jackson, and Klamath counties in Oregon. The projects, proposed by Jordan Cove Energy Project LP, a subsidiary of Veresen Inc., of Calgary, and Pacific Connector Gas Pipeline LP, of Roseburg, Ore., include the construction and operation of a liquefied natural gas export terminal on the North Spit of Coos Bay designed to liquefy about 1.04 billion cubic feet per day of LNG for export to markets across the Pacific Rim. The projects also include the construction and operation of a 235-mile-long, 36-inch diameter interstate natural gas transmission pipeline capable of transporting about 1.2 billion cubic feet per day of natural gas, and associated aboveground facilities. The notice specifies that although no formal application has been filed with FERC, the agency has begun initial review of the project under the prefiling process. The agency previously denied the project application in a March 11, 2016, order. The notice also specifies preliminary environmental issues identified by FERC and cooperating agencies, including impacts on endangered species and aquatic resources. Meetings are scheduled for June 27, 28, and 29, 2017, in Coos Bay, Roseburg, and Klamath Falls, Ore., respectively. Comments are due July 10, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FercOnlineSupport@ferc.gov

82 FR 27473 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Regulated Drug Products/Social and Behavioral Research
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the submission of a new information collection request to the OMB regarding data to support the agency's social and behavioral research. The collection includes individual and focus group interviews and surveys to test communications and social and behavioral methods about regulated drug products. Comments are due July 17, 2017. Contact: Domini Bean; FDA, Office of Operations; 301-796-5733; PRAStaff@fda.hhs.gov

82 FR 27492 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Texas/Border Crossing Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of the schedule of environmental review for the Border Crossing Project, proposed by Valley Crossing Pipeline LLC, of Houston. The project involves the siting, construction, and operation of 1,000 feet of natural gas pipeline that extends into the Gulf of Mexico in Texas state waters to the international boundary between the U.S. and Mexico. The issuance of the environmental assessment is scheduled for June 30, 2017, and the 90-day federal authorization decision is due Sept. 28, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 27477 (06/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Utah/Uinta-Wasatch-Cache National Forest EIS
GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Forest Service announces the cancellation of a notice of intent to prepare an environmental impact statement for a special use application for authorization to construct and maintain a crude oil pipeline from the Uinta Basin to Salt Lake City, including 14 miles of land located in the Uinta-Wasatch-Cache National Forest, in Utah (79 FR 4657; 01/29/2014). The application was submitted by Uinta Express Pipeline Co., a subsidiary of Tesoro Refining and Marketing Co., of San Antonio, Texas. The notice specifies that the project has been cancelled. Contact: Peter Gomben; USFS, Uinta-Wasatch-Cache National Forest; 801-999-2182; pgomben@fs.fed.us

82 FR 27462 (06/15/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Florida/Cape Canaveral Air Force Station
HAZARDOUS WASTE CLEANUP

Notice of the Department of Justice announces a proposed consent decree in United States v. Johnson Controls Inc. (Civil Action No.6:17-cv-01028-RBD-DCI), lodged on June 7, 2017, with the U.S. District Court for the Middle District of Florida. The consent decree resolves claims under

CERCLA regarding the alleged release of hazardous substances at certain Installation Restoration Program (IRP) sites at the Cape Canaveral Air Force Station in Brevard County, Fla. The consent decree requires Johnson Controls Inc., IAP World Services Inc., and IAP Worldwide Services Inc. to pay $3.3 million to reimburse recovery costs incurred by the U.S. at the sites. In addition, the decree contains an agreement that the U.S. will not sue the defendant at certain Cape Canaveral IRP sites. Comments are due July 17, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 27526 (06/15/2017)

Regulatory Update

OIL AND GAS INDUSTRY

Onshore Oil and Gas Leases/Venting and Flaring of Waste Gases

OIL AND GAS INDUSTRY

Notice the Department of the Interior, Bureau of Land Management, announces the postponement of compliance dates for a Nov. 18, 2016, final rule (81 FR 83008) that amended regulations under 43 CFR 3103.3-1, 3160.0-5c, and 3162.3-1 and adopted regulations under 43 CFR 3178.1 through 3179.401 to set forth requirements to reduce waste of natural gas from venting, flaring and leaks during oil and natural gas production activities on onshore federal and Indian leases. The rule updated and revised requirements for flaring, venting, and royalty-free use of gas (NTL-4A). The current action postpones compliance dates that have not yet passed for provisions requiring operators to capture a certain percentage of gas they produce; to measure flared volumes; to upgrade or replace pneumatic equipment; to capture or combust storage tank vapors; and to implement leak detection and repair programs. The action is effective June 15, 2017. Contact: Timothy Spisak; BLM; 202-912-7311

82 FR 27430 (06/15/2017)

Regulatory Update

OIL AND GAS INDUSTRY

PHMSA Voluntary Information-Sharing System Working Group Meeting

OIL AND GAS INDUSTRY

Notice of the Pipeline and Hazardous Materials Safety Administration announces a meeting of the Voluntary Information-Sharing System Working Group. The agenda includes discussions regarding the development of a voluntary information sharing system, including mandate requirements, integrity management requirements, data types and tools, repair methods, geographic information system pipeline data and operator implementation, lessons learned, existing information-sharing and safety management systems, and administrative matters. The meeting is scheduled for June 29-30, 2017, in Arlington, Va. Comments are requested, but a due date is not specified. Contact: Cheryl Whetsel; PHMSA; 202-366-4431; cheryl.whetsel@dot.gov

82 FR 27544 (06/15/2017)

Regulatory Update

RADIATION

Storage of Spent Nuclear Fuel, Radioactive Waste

RADIATION

Notice announces the intention of the Nuclear Regulatory Commission to seek OMB approval for a continuing information collection request concerning licensing requirements for storage of spent nuclear fuel, high-level radioactive waste, and reactor-related greater than Class C waste (10 CFR 72). The collection addresses applications for new licenses, certificates of compliance, amendments, and applications for renewal of licenses to receive, transfer, and possess spent fuel and other radioactive materials associated with spent fuel storage in an independent storage of spent nuclear fuel or a monitored retrievable storage facility. Comments are due Aug. 14, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 27536 (06/15/2017)

Regulatory Update

RADIATION

Technical Electronic Product Radiation Safety Standards Committee

RADIATION

Notice of the Food and Drug Administration announces a request for nominations to fill vacancies on the Technical Electronic Product Radiation Safety Standards Committee. The committee provides advice to the commissioner on the technical feasibility, reasonableness, and practicality of performance standards for electronic products to control such product's emission of radiation. Nominations and participant requests are due Aug. 14, 2017. Contact: Shanika Craig; FDA, Center for Devices and Radiological Health; 301-796-6639; Shanika.Craig@fda.hhs.gov

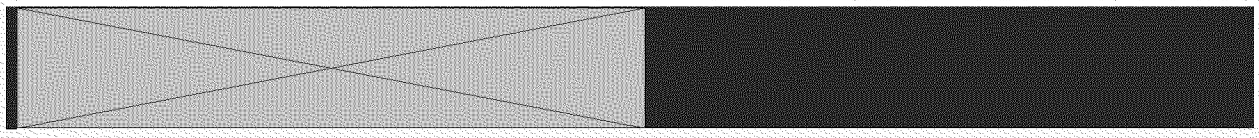
82 FR 27504 (06/15/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 9/8/2017 4:00:35 PM
Subject: Federal Insider: Panel pushes Trump, Congress for better use of confidential evidence in policymaking



Panel pushes Trump, Congress for better use of confidential evidence in policymaking

By Joe Davidson

The U.S. Capitol (Aaron P. Bernstein/Bloomberg)

There's sweet irony in a federal blue-ribbon panel dispatching a report on the need for evidence in policymaking to a president known for prevarication.

Yet without sarcasm or irony, the Commission on Evidence-Based Policymaking sent its findings to President Trump and congressional leaders Thursday.

In their cover letter, the 15 commissioners, who unanimously adopted the report, said the panel "envisions a future in which rigorous evidence is created efficiently, as a routine part of government operations, and used to construct effective public policy … while simultaneously providing stronger protections for the privacy and confidentiality of the people, businesses, and organizations from which the government collects information."

"Traditionally, increasing access to confidential data presumed significantly increasing privacy risk," the report says. "The Commission rejects that idea."

Commissioners did more than call for the obvious. We shouldn't need a commission to make the case for evidence in policymaking. The panel made nearly two dozen well-considered recommendations, tools for better use of data, in four areas — "improving secure, private and confidential data access," "modernizing privacy protections for evidence building," "strengthening federal evidence-building capacity" and "implementing a National Secure Data Service."

The data service would be housed in the Commerce Department and would

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"maintain a searchable inventory of approved projects using confidential data."

This would assist policymakers who "must have good information on which to base their decisions about improving the viability and effectiveness of government programs and policies," the report begins. "Today, too little evidence is produced to meet this need."

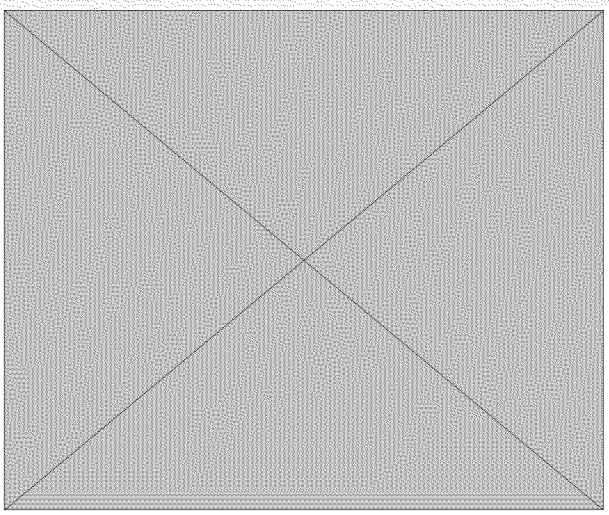
To get the needed information, commission members recommended revising "laws authorizing Federal data collection and use … but only under strict privacy controls."

Presentation of the report at a Capitol Hill news conference was an almost joyous event for a dull but important topic. Speaker Paul D. Ryan (R-Wis.) and Sen. Patty Murray (D-Wash.), who both worked to create the commission, joked about Sunday's football game between the Green Bay Packers and Seattle Seahawks and the infrequent nature of bipartisan agreement before praising the commission.

Ryan called the report "phenomenal … impressive and important work … for an efficient and effective federal government."

Murray said that "no matter what any of us think about government in general — and no matter what we may think about programs or investments in particular — surely we should be able to agree that we should all do everything we can to make them work as well as possible. Not just by wishing for it, and not just letting blind ideology or partisanship guide the way or undermine policies that help people — but by using evidence, facts, science — making sure our policies are aligned with what we know works — and what we know doesn't."

The call for increased use of confidential data comes as companies invade our privacy by collecting information on our buying and recreational habits so they can sell us more. Facebook and Google can creep too deep into our lives. Equifax, the credit reporting agency, said Thursday that personal information on 143 million Americans was hacked. Still fresh is the memory of the 2015 Office of Personnel Management data breach, which resulted in the theft of personal information, including Social Security numbers, belonging to more than 22 million people.



Even confidential data should be used for research

It is interested in anonymous administrative and survey information that could be used to improve programs, if not for roadblocks. For example, census data are available “only for the narrow purpose of improving Census Bureau programs,” the report said, yet that information, without names or identifying information, could be used to enhance any number of agency efforts.

The commission’s emphasis on evidence is particularly welcome during a period when the nation is beset with a president renown for lies, deceptions and dissimulation. Since Trump’s inauguration, he was made an average of nearly five false or misleading claims a day, according to The Washington Post’s Fact Checker.

The commission was created through legislation enacted last year. The members were appointed by then-President Barack Obama and the Republican and Democratic leaders of the House and Senate.

Privacy is a driving concern throughout the report. It urges the adoption of “modern privacy-enhancing technologies for confidential data used for evidence building.”

Marc Rotenberg, president of the Electronic Privacy Information Center (EPIC), welcomed the report, saying, “Smart public policy requires good information.”

But his email cautioned that some government “data sets, such as census

More from Federal Insider

data, to impersonal privacy. There the key is to adopt new 'Privacy Enhancing Techniques' that minimize or eliminate the collection of personally identifiable information. The Commission endorsed PETs, which EPIC has long supported. But federal agencies must also demonstrate that these techniques successfully safeguard privacy.

"That is the big test ahead."

Read more [ ]:

[Equifax says data from 143 million Americans exposed in hack]

[After the latest hack attack, can feds trust Uncle Sam with their personal information?]

[Thieves stole taxpayer data from IRS 'Get Transcript' service]

[Congress hits FDIC cyber breach that 'boggles the mind']

government policy, panel says

Strict privacy controls should remain, but commission says good information is vital resource in decision-making.

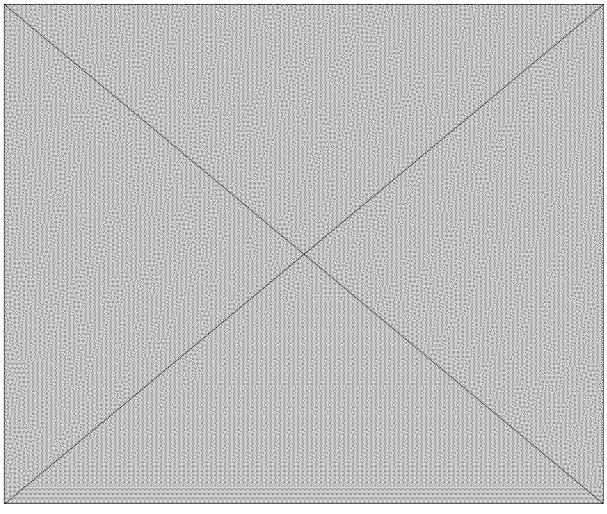
By Joe Davidson | Columnist • Read more »

Rep. Cummings: GOP failure to avert shutdown would 'highlight their inability to govern effectively'

A Q&A with the top Democrat on the House Oversight and Government Reform Committee.

By Joe Davidson | Columnist • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 6/1/2017 2:04:18 AM
Subject: White House waiver lets former lobbyist help shape energy policy

By Anthony Adragna

05/31/2017 09:59 PM EDT

The White House disclosed tonight it has granted energy aide Mike Catanzaro an ethics waiver to allow him to participate in policy matters he once lobbied on.

Catanzaro, a former partner with CGCN Group LLC, has been cleared to specifically participate in matters related to EPA's Clean Power Plan, the waters of the U.S. rule and methane regulations. The waiver also covers unspecified "broad policy matters."

At CGCN, Catanzaro's clients included the American Fuel and Petrochemical Manufacturers, the American Chemistry Council and Noble Energy. He also worked on behalf of Devon Energy, an Oklahoma-based oil and gas company close to EPA Administrator Scott Pruitt.

Catanzaro's waiver was one of 14 disclosed by the White House. Their release capped a battle between the Office of Government Ethics and Trump's administration, which initially refused to release them.

Trump's January executive order on ethics barred lobbyists entering the administration from working on anything they specifically lobbied on for two years, but allowed waivers.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/white-house-waiver-lets-former-lobbyist-help-shape-energy-policy-088475

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This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Thur 9/14/2017 2:03:59 PM
Subject: POLITICO's Morning Energy: Replacing Clean Power Plan could disappoint conservatives — Domenech nomination clears Senate — More regulatory waivers extended after hurricanes

By Anthony Adragna | 09/14/2017 10:00 AM EDT

With help from Eric Wolff

PRUITT'S CARBON TIGHTROPE BALANCING ACT: Leaving the door open to rewrite the Obama administration's Clean Power Plan would help President Donald Trump's administration honor the wishes of power companies looking to avoid years of legal uncertainty but might not satisfy the demands of some conservative activists, Pro's Emily Holden reports. EPA wants to move to collect comments about whether to write a new regulation, and is likely to write a new rule given the agency would be on much shakier legal ground if it simply opted not to regulate carbon dioxide from power plants.

Any replacement rule would be unlikely to take a meaningful bite out of carbon levels and would be based on a much narrower interpretation of EPA's Clean Air Act authority. That may be enough in the interim for some conservatives who would prefer a straight withdrawal of Clean Power Plan but who wouldn't oppose a replacement rule. "Ultimately, the responsibility to fix this mess lies with the Congress, so until they act, the only thing the Administration can do is minimize the damage," said Tom Pyle, a conservative lobbyist with the American Energy Alliance who led Trump's Energy Department transition team. But the details could have political implications for Pruitt, who is widely seen as a potential candidate for the U.S. Senate in his native Oklahoma.

Most utilities assume future regulations or laws will ultimately require them to curb carbon emissions even if the Obama administration's Clean Power Plan goes down and support EPA issuing a replacement rule - albeit a much weaker one. "We think that future regulation of carbon emissions from power production is likely, and could provide additional planning certainty," Tammy Ridout, a spokeswoman with coal-heavy AEP, said. Regardless of the approach Pruitt ultimately selects, environmental groups are sure to vigorously contest his efforts in court.

DOMENECH CLEARS SENATE: Trump's pick for Interior assistant secretary nominee, Douglas Domenech, cleared the Senate by voice vote late Wednesday. The veteran of George W. Bush's Interior Department who was on the Trump transition team's landing team at the agency said during the confirmation process that he still believes that the human contribution to climate change is very small. Domenech also previously served as Virginia's secretary of natural resources.

But others will wait: Efforts to fill out the Trump energy team must wait a few more days again after the Senate Energy and Natural Resources Committee shelved votes slated for today on the nominations of five FERC, DOE and Interior nominees, Pro's Darius Dixon reports. Votes are now slated for next Tuesday.

Democrats threaten to delay Bodine: Two EPW Democrats - Sheldon Whitehouse and Jeff Merkley - threatened to hold up Susan Bodine's nomination to be EPA enforcement chief until she provides details about her advisory role to the administrator and whether she played a role in the agency's decision to enforce its methane rule on a "case by case" basis. They said Bodine's assumption of a role at EPA without being confirmed first may run afoul of federal law.

EPA nominees up next week: Four EPA nominees will get their day at Senate EPW for a hearing next Wednesday. They are: Michael Dourson to run the agency's chemical office; Matt Leopold to be general counsel; David Ross to run the water office; and William Wehrum's contentious bid to be EPA's top air official. The committee also will consider Jeffery Baran's renomination to another five-year NRC term.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and Bracewell's Frank Maisano named Schuyler Colfax and John Nance Garner as the two House speakers that became vice president. For today, and in keeping with the theme: Who is the lone speaker that went on to become president? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

TEMPORARY REGULATORY WAIVERS GALORE: With Florida and Texas still restoring power and taking stock of damage following Hurricanes Harvey and Irma, federal regulators are temporarily relaxing regulatory requirements to help those states get back online. As POLITICO Florida's Bruce Ritchie reports, the EPA acknowledged in a letter Wednesday it recognized the need to use "flexibility" provided in federal stormwater discharge permits for facilities affected by the storm.

Jones Act waiver extended: Citing "severe disruptions of the oil supply system," DHS announced Wednesday it extended a Jones Act waiver through Sept. 22 to alleviate fuel shortages in the areas affected by the hurricanes. The decision will allow foreign-flagged vessels to deliver fuel from U.S. refineries to Florida and other impacted states, something barred under the 1920 Jones Act.

Texas' too: EPA said late Wednesday it would waive fuel requirements under the Clean Air Act for reformulated gasoline and low volatility gasoline in Texas through Oct. 1 to "help address the emergency circumstances" in the state from the hurricanes. In addition, the agency also continued to allow the use of Texas Low Emission Diesel in 110 Texas counties.

Three's a trend! OMB Chief Mick Mulvaney told CNN's Jake Tapper on Wednesday there's "plenty of time later" to discuss climate change but said the focus right now should be on helping hurricane victims in Texas and Florida. "I'd be more than happy to have a longer discussion another day about climate change, man-made climate change," he said. Energy Secretary Rick Perry previously said now's "not the time" to discuss climate change, while EPA Administrator Scott Pruitt called such talk " insensitive."

Curbelo fine with climate talk: Back on Capitol Hill after responding to Hurricane Irma's impacts on his district, Rep. Carlos Curbelo said climate change should be a part of post-storm discussion. "It shouldn't be the first thing people talk about - the first concern has to be all the

people in the Florida Keys and throughout the state of Florida who are struggling," he told reporters. "[But] it's certainly not irresponsible to highlight how this storm was probably fueled - in part - by conditions that were caused by human-induced climate change."

Backs Nelson's climate comments: Curbelo said he "absolutely" agreed with his state's senior senator, Bill Nelson, that Republicans were "denying reality " if they refused to acknowledge climate change. "I am critical of both the deniers and the alarmists because they don't contribute much to solving this problem," he said. "The deniers deny it so you can't address a problem you don't recognize and the alarmists scare everyone and take credibility away from the issue, and people who are convincible then shy away. People need to talk about this in a sober way, in a rational way."

Be on the lookout: Curbelo said his bipartisan Climate Solutions Caucus should hit 60 members in the near future, which would triple its membership from last Congress. The caucus grew to 56 members on Tuesday with the additions of Republicans Chris Collins and Pat Tiberi and Democrats John Larson and Nydia Velazquez.

HOUSE PANEL TAKES FIRST LOOK AT RELIABILITY: They've split the original hearing into two, but the House Energy and Commerce Energy Subcommittee takes a first look at various issues associated at the reliability of the U.S. electric grid. Making his first congressional appearance since confirmation is FERC Chairman Neil Chatterjee. Also testifying is Gerry Cauley, president of the North American Electric Reliability Corporation, and Patricia Hoffman, an official within DOE's Office of Electricity. The background memo for the hearing, which kicks off at 10 a.m. in Rayburn 2123, is available here.

HERE'S SOMETHING YOU WON'T SEE EVERYDAY: Still looking to drum up momentum for their bipartisan bill boosting carbon capture and sequestration technologies, one of the Senate's most unusual possible quartets - Heidi Heitkamp, Shelley Moore Capito, Sheldon Whitehouse and John Barrasso - participate in an event hosted by the Center for Climate and Energy Solutions on the latest innovations in the technology and efforts to speed its deployment. It kicks off in Hart 902 at 8:30 a.m. Details here.

PARTS OF EPA DISCHARGE RULE DELAYED: EPA issued a final rule Wednesday formally delaying key compliance dates from a 2015 regulation limiting toxic discharges in power plants' wastewater streams, Pro's Alex Guillén reports . Specifically, the agency will delay deadlines related to limits on discharges of flue gas desulfurization wastewater and bottom ash transport water, two waste streams associated with burning coal for electricity, while it reconsiders those standards. EPA said the delays will provide annualized utility cost savings between $27.5 million and $36.8 million.

Environmental groups vowed to sue: Mary Anne Hitt, director of Sierra Club's Beyond Coal campaign, said in a statement her group would take "immediate action" to fight a decision she called "so unconscionable from a public health - and common sense - perspective, that [Pruitt] couldn't even name a valid legal reason for the delay." Earthjustice Attorney Thomas Cmar called the rule "a bold-faced gift to the coal industry at the expense of the health of families everywhere."

PROBE OF EPA GRANT PROCESS SOUGHT: The Center for American Progress and Union of Concerned Scientists are today asking EPA's inspector general in a letter to investigate the agency's grant review process, rumored cancellation of some grants and allegations of political interference. "We urge your office to begin an investigation of these matters immediately," they write.

REVAMPED FEDERAL LEASING PROGRAM SOUGHT: The Wilderness Society, along with several other petitioners, are asking Interior and BLM this morning to revamp the fiscal terms and management processes regarding oil and gas leasing on federal lands. The petitioners argue their reform proposals would not harm, slow, or stop energy production on public lands. "Analyses of these decades-old [current] policies has shown that they are harming the taxpayers that the BLM is obligated to ensure receive the benefits of leasing and the public lands that BLM is obligated to ensure are managed for multiple use and sustained yield," they write.

HIDDEN DANGER IN OKLAHOMA? Massive oil storage tanks in Cushing, Okla. could be growing more vulnerable by the day as man-made earthquakes stemming from fracking tests their limits, Kathryn Miles reports in POLITICO Magazine. Five of the largest energy companies each said have procedures and protocols for natural disasters, but that they would not comment on the specific designs of their tanks, nor how those tanks would fare in a major earthquake. Read the full thing here.

NRDC SEEKING REHEARING ON REFRIGERANTS CASE: The Natural Resources Defense Council plans to ask the D.C. Circuit for an en banc rehearing of last months' decision striking down an EPA rule limiting use of hydrofluorocarbons, a global warming exacerbating coolant. NRDC believes the majority in the 2-1 decision erred in its determination that the law was clear and did not require agency interpretation, known as Chevron Step 1. "[D.C. Circuit Judge Brett] Kavanagh interprets the law in a way that eviscerates the program," said David Doniger, head of climate programs for NRDC. "Everybody understood to this point that the substitutes for ozone depleting chemicals were replacements ... and when new ones are developed safer than the old ones, the old ones are supposed to give way." HFCs fall out of the atmosphere faster than CO2, but have a far higher global warming potential.

Honeywell, too? "We believe the EPA's regulation is well-supported by the law and was in the best interests of the public, industry and the environment," a spokeswoman for Honeywell International Inc. said in an email to ME. Honeywell makes next generation coolants. "We are closely reviewing the decision and are likely to pursue an appeal, and are already taking steps to ensure that the accelerated transition to HFC alternatives continues."

FOR YOUR REFERENCE: Advanced Energy Economy today released seven specific issue briefs as policymakers consider ways to modernize the U.S. electric grid. They cover: advanced metering; access to data; optimizing capital expenditures; distributed energy resource ownership; using energy efficiency as a resources; performance-based regulation and designing rates in a distributed energy resource future.

BETTER LUCK NEXT YEAR? Two ambitious bills in California - laying the groundwork for

a regional electricity grid and eventually phasing out use of fossil fuels - won't advance this year, a key committee chairman told the Los Angeles Times Wednesday. "There's not a lot of time for the engagement we need to make it work," Assemblyman Chris Holden said, adding they should be considered as part of a "comprehensive conversation" in 2018. The legislative session ends Friday and the deadline for amending legislation was Tuesday night.

REPORT: CLOSING COAL PLANTS MEANS BIG BUCKS: Phasing out inefficient coal plants would save U.S. customers up to $10 billion annually by 2021, a new report from Carbon Tracker finds. Constructing combined cycle gas turbines will be more cost-effective by the mid-2020s than continuing to operate 78 percent of the nation's current coal fleet, the study concludes. "The US power sector remains entirely unprepared for a coal phase-out consistent with a below [2 degree] C outcome," it finds, referring to the goal of the Paris climate agreement to limit global temperature increases.

NEW EDF AD USES HARVEY FOOTAGE: The Environmental Defense Fund is launching a new ad in the Washington area for three weeks using footage from the Arkema plant incident in Texas. The ad warns Congress that cutting the agency's budget could harm disaster response moving forward.

MOVER, SHAKER: Nick Conger starts a new gig as former Vice President Al Gore's communications director in Nashville on Oct. 2. The Obama administration EPA veteran leaves his current post as a press secretary at NRDC on Sept. 22. "I couldn't be more thrilled to join [Gore's] team and help shape his public activities," he writes of his role.

QUICK HITS

- New York's buildings emit most of its greenhouse gases. The mayor has a plan to change that. Washington Post.

- Former Vice President Al Gore: Investors can lead climate change battle. CNBC.

- US judge cites tribal sovereignty in dismissing coal lawsuit. AP.

- Colorado outlines how new pipeline rules will be considered after fatal Firestone explosion. Denver Post.

- Saudis Prepare for Possible Aramco IPO Delay to 2019. Bloomberg.

- Oil Rises on Signs of Tightening Supply. Wall Street Journal.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Thur 11/9/2017 5:10:53 PM
Subject: EPA Proposes Repeal of Glider Provisions for Heavy-Duty Truck Rule

Administrator Pruitt Advances Effort to Keep EPA within Regulatory Lane with Proposed Repeal of Glider Provisions from Heavy-Duty Truck Rule

WASHINGTON (November 9, 2017) The Environmental Protection Agency (EPA) is proposing to undo the regulatory overreach of the prior administration by repealing application of the Medium- and Heavy-Duty Truck Phase II Greenhouse Gas Emission and Fuel Efficiency Standards for the glider industry. Gliders are a specially manufactured type of heavy duty highway vehicle assembled from newly manufactured kits that include the vehicle's frame and cab, to which a used engine, transmission and axles are added.

"The previous administration attempted to bend the rule of law and expand the reach of the federal government in a way that threatened to put an entire industry of specialized truck manufacturers out of business," **said EPA Administrator Scott Pruitt**. "Accordingly, the Agency is taking comment on an interpretation of the Clean Air Act that recognizes the unique nature of a vehicle made up of both new and used component parts. Gliders not only provide a more affordable option for smaller owners and operators, but also serve as a key economic driver to numerous rural communities."

Due to the unique way that gliders are manufactured, the Agency is proposing that gliders should not be regulated as "new motor vehicles" or "new motor vehicle engines" under section 202(a)(1) of the Clean Air Act. This action does not affect nor propose to affect EPA's authority to address heavy-duty engine rebuilding practices under Clean Air Act section 202(a)(3)(D).

EPA estimates that about 10,000 gliders are manufactured annually, comprising less than five percent of the Class 8 heavy-duty highway truck market.

The public comment period for the proposal will be open through January 5, 2018. EPA will also hold a public hearing on Monday, December 4, 2017 at EPA's Washington, DC headquarters. More information on the proposal, hearing and how to comment: https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks

Today's proposal is based on a review of the glider provisions of the Phase II rule. On August 17, 2017, Administrator Pruitt announced the Agency's intent to reconsider the glider provisions of the Phase II rule in response to several petitions for reconsideration. See: https://www.epa.gov/regulations-emissions-vehicles-and-engines/petitions-reconsideration-phase-2-ghg-emissions-and-fuel

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/28/2017 8:14:59 PM
Subject: June 28 -- Daily Environment Report - Afternoon Briefing



Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Michigan Sues to Keep Flint on Detroit Water System

Posted June 28, 2017, 02:46 P.M. ET

By Alex Ebert

Michigan's Department of Environmental Quality sued the Flint City Council over the local government's decision against a long-term deal to purchase water from a Detroit-area water authority.

The complaint, filed June 28 in federal court, seeks to compel the council to enter into an agreement with the Great Lakes Water Authority. Flint Mayor Karen Weaver, the state, and Genessee County struck the agreement with the water authority in response to an Environmental Protection Agency emergency administrative order that requires extensive testing if Flint decides to switch water sources. The council wants to change water sources this fall, so the state sent a letter two weeks ago arguing Flint would not be able to meet safety requirements and must enter the long-term deal or face litigation (Michigan Dep't of Envtl Quality v. City of Flint, E.D. Mich., No. 2:17-cv-12107, 6/28/17).

"It is imperative that the City of Flint have a water source in place prior to October 1, and switching to a new water source at this late hour is practically impossible and we believe violates the U.S. Environmental Protection Agency's order under the federal Safe Drinking Water Act," Heidi Grether, director of the Department of Environmental Quality, said in a statement.

For about 50 years, Flint purchased water from Detroit-area water authorities that draw water from Lake Huron. In 2013, Flint announced that it was going to join the Karegnondi Water Authority in hopes of lowering its costs.

When the Detroit water authority to cut off water to Flint in 2014, Flint's emergency manager decided to draw water from the Flint river while the Karegnondi Water Authority pipeline was being constructed. That led to the city's water supply being contaminated with high concentrations of lead.

The contract between Great Lakes Water Authority and Flint is set to expire in October of this year.

The city did not immediately respond to requests for comment.

Senators Want More Water Infrastructure Spending, Not Cuts

Posted June 28, 2017, 03:20 P.M. ET

By Alan Kovski

The Trump administration's proposed spending cuts for the U.S. Army Corps of Engineers and the Bureau of Reclamation are unlikely to be accepted by Senate appropriators, members of both parties said June 28.

"In my opinion we should spend more, not less, on our water infrastructure," Sen. Lamar Alexander (R-Tenn.) said during a hearing of the Senate Appropriations Subcommittee on Energy and Water Development, which he chairs.

"This is an enormous step backwards," Alexander said of the $1 billion cut proposed for the Corps of Engineers, a remark seconded by Sen. Tom Udall (D-N.M.).

$200 Million Brownfields Bill Easily Clears House Panel

Posted June 28, 2017, 12:54 P.M. ET

By Sylvia Carignan

Members of the House Energy and Commerce Committee gave their blessing to a popular brownfields bill on its way to the House floor.

The bill (H.R. 3017) to reauthorize the brownfields program passed by voice vote at a committee meeting June 28. Both Republican and Democratic committee members touted bipartisan efforts on the bill and the jobs it would create.

"This is one of the best job-creation pieces of legislation you could come up with," said Rep. David McKinley (R-W.Va.), who introduced the program reauthorization bill.

The Environmental Protection Agency's brownfields program provides grants to those who want to remediate and redevelop a contaminated property. Those properties generally need less remediation work than sites that are placed on the agency's National Priorities List, which includes the most contaminated sites in the country.

The bill will still need the approval of the House Transportation and Infrastructure Committee before it can move to the House floor, according to an Energy and Commerce Committee spokesperson. The transportation committee last had a hearing on a brownfields bill in March.

Modifying the Program

The brownfields program started in 2002, at a funding level of $200 million. H.R. 3017 would reauthorize the program at the same funding level. The program has not been reauthorized since 2006.

Rep. Paul Tonko (D-N.Y.) said the bill would enable more "complex" brownfields sites to be

remediated because of the increased dollar limit on grants for individual sites.

The proposed changes for the brownfields program include:

• setting aside $1.5 million in annual grants for recipients in rural areas, small communities, disadvantaged areas, and tribes;

• allowing petroleum spill sites to be eligible for brownfields grant funding if no viable, responsible party is able to pay for cleanup; and

• increasing the funding limit for remediation grants from $200,000 to $500,000, with the option for the EPA to waive the limit and award up to $750,000 based on contamination, size, or site ownership.

Rep. Buddy Carter (R-Ga.) said the House bill "represents an opportunity to really reinvigorate our communities across the country."

Companion Bill

The Senate Environment and Public Works Committee was scheduled to discuss a similar brownfields bill June 28, but the committee's meeting was indefinitely postponed.

Mike Danylak, a spokesman for the Senate committee, said staff are working to reschedule those agenda items.

House Compromise Struck on Interim Nuclear Storage Measure

Posted June 28, 2017, 11:56 A.M. ET

By Brian Dabbs

A bipartisan measure to authorize private interim storage of nuclear waste will move to the House floor following the Energy and Commerce Committee's approval June 28.

Lawmakers struck a compromise on an amendment to provide "adequate" funding for related transportation services, while ensuring a "base authorization for at least $150 million for the first private interim storage agreement," Rep. John Shimkus (R-Ill.) said at the markup.

"This gives those private storage initiatives financial surety," he said, noting that interim storage must have local support.

The legislation also reboots Energy Department research on a permanent repository at Nevada's Yucca Mountain site, which had been under study as the permanent U.S. burial site before the Obama administration mothballed it. Most Nevada lawmakers staunchly oppose using Yucca Mountain as a waste repository.

Another amendment aims to placate concerns over Nevada's water rights.

The underlying legislation (H.R. 3053) authorizes the Energy Department to strike contracts with private facilities on interim storage of spent fuel from commercial nuclear power plants, which is currently stored on-site at those plants.

But Rep. Ben Ray Lujan (D-N.M.) opposed the bill over concerns the interim storage facilities will

become de facto permanent repositories. The Nuclear Regulatory Commission has received two applications from private companies to accept the spent fuel.

House Energy Spending Chair Cuts Research Program He Likes

Posted June 28, 2017, 01:17 P.M. ET

By Rebecca Kern

Rep. Mike Simpson (R-Idaho) said that while he likes the Energy Department's ARPA-E program, which provides early stage investment in innovative energy technologies, his Energy and Water Subcommittee's fiscal 2018 appropriations bill would cut it "because of limited resources."

The House Appropriations Committee's Energy and Water Subcommittee approved by voice vote June 28 the $37.56 billion appropriations bill funding the Energy Department, Army Corps of Engineers, and other related agencies. The funding would be $209 million below the fiscal 2017 enacted level and $3.65 billion above the President Donald Trump's budget request. No amendments were offered during the markup.

The Advanced Research Projects Agency-Energy was proposed to be eliminated in Trump fiscal 2018 budget, which requested just $20 million to wind down remaining projects, compared to $291 million in the fiscal 2017 annualized continuing resolution.

While the House version would cut ARPA-E funding, the program has strong backing in the Senate. Sen. Lamar Alexander (R-Tenn.), chairman of the Senate Appropriations Committee's Energy and Water Subcommittee, told Energy Secretary Rick Perry during the Energy Department budget hearing June 21 that he wanted his assurance that Perry would continue to fund the program.

Simpson acknowledged the funding bill will be altered. "We'll go into conference and it will change. This is the first step in a process, but it will change along the way," he told reporters after the markup.

ARPA-E was created during President George W. Bush's administration. Since 2009, ARPA-E has funded over 400 potentially transformational energy technology projects.

Pipeline Pinch Adds to Oil-Sands Woes as Keystone Wait Drags

Posted June 28, 2017, 03:33 P.M. ET

By Kevin Orland and Frederic Tomesco

Call it the pipeline pinch, or maybe the Keystone quagmire.

While plans by Canadian companies from Suncor Energy Inc. to Canadian Natural Resources Ltd. to boost oil output are racing to fruition, the construction of three pipelines needed to move that product to market, including the infamous Keystone XL, is lagging years behind.

The result: Producers have little choice but to move those extra barrels by train, with costs two to three times higher than pipeline shipping. It's an unwelcome added expense after oil plunged about 20 percent from this year's peak. Futures prices have settled in below $45 a barrel, after many predicted it would rise to $60.

"We're not going to see significant new pipeline capacity until late 2019 or 2020," said Nick Schultz, vice president for pipelines and regulatory matters at the Canadian Association of Petroleum Producers. In the meantime, the extra expense for shipping "impacts royalties and other things that impact the public."

During Barack Obama's administration, oil-sands producers feared a future when they would have to rely heavily on costly railway shipments if he didn't approve Keystone XL. That may start this year.

Pipelines in Western Canada, which holds the world's third-largest oil reserves, can carry about 3.3 million barrels of crude a day, according to CAPP. Meanwhile, the area is expected to produce 3.92 million barrels a day this year and 4.2 million next year as a number of large oil-sands projects come online.

The looming bottleneck adds a new urgency to the industry's calls for more capacity and may lend credence to its argument that the lack of lines hurts the nation's economy.

More Expensive

Canadian oil producers have long lamented the dearth of pipelines carrying their supplies to the nation's east and west coasts, saying that the situation leaves them able to export only to the U.S. and forces them to accept whatever price American refiners will pay. Environmentalists in Canada and the U.S. have opposed new or expanded pipelines, arguing that burning the crude locked up in the oil sands would contribute to catastrophic global warming.

The industry saw glimmers of hope last year, when government regulators approved expansions of Kinder Morgan Inc.'s Trans Mountain pipeline linking Alberta's oil sands with export facilities on British Columbia's Pacific Coast as well as Enbridge Inc.'s Line 3 running from Hardisty, Alberta, to the U.S. border in Manitoba.

The pipeline situation got another boost when U.S. President Donald Trump approved TransCanada Corp.'s Keystone XL, which spans from the oil sands to the U.S. Gulf Coast. Kinder Morgan this month entered into credit agreements totaling C$5.5 billion ($4.2 billion) to help fund the development of Trans Mountain.

More Hurdles

Yet Keystone still needs to win approvals from regulators in Nebraska, and the Line 3 project has faced delays that pushed its in-service date back to 2019. The fate of Trans Mountain also has been called into question after opponents of the project won power in British Columbia last month.

Meanwhile, there are a handful of massive new oil projects that will start production this year and next. Suncor's Fort Hills oil-sands project is expected to begin production in the fourth quarter and ramp up to about 90 percent of its capacity of 194,000 barrels a day within 12 months. Canadian Natural plans to complete another phase of expansion at its Horizon mine this year that will add 80,000 barrels a day.

While Suncor has pipeline space reserved for output from Fort Hills, the company believes market access is important to Canada's oil producers and its economy, said Sneh Seetal, a spokeswoman. Canadian Natural isn't concerned with transportation of Horizon's production because the operation produces light oil, which has fewer shipping constraints, said spokeswoman Julie Woo.

"Though transportation of crude oil by pipeline is our current and primary method of shipment, we evaluate and monitor on an ongoing basis where crude by rail has been, and will continue to be, an option," Woo said.

Offshore Project

More oil will be produced outside of Western Canada as well. The Hebron project off the coast of Newfoundland and Labrador also is expected to come online this year. Operated by Exxon Mobil Corp. with investments by Chevron Corp., Suncor, Statoil ASA and Nalcor Energy Corp., Hebron is expected to have crude oil production capacity of 150,000 barrels a day at its peak.

All that extra Canadian crude promises to be a boon for railroad companies who were stung by declines in that business when crude prices crashed in 2014. In fact, some already are seeing a pickup in their oil business. Canadian Pacific Railway Ltd. Chief Executive Officer Keith Creel said on a conference call last month that the company had moved 17,000 carloads of oil so far this year, nearly meeting its forecast for 20,000 carloads for all of 2017.

Two-Year Window

Canadian National Railway Co. foresees a two-year window of opportunity before Trans Mountain starts up and crude-by-rail shipments are affected, Chief Commercial Officer Jean-Jacques Ruest told an investor presentation June 14.

If crude-by-rail demand "comes in, you want to ride it very hard, and if at some point the opportunity disappears, then you ride something else," Ruest said.

Crude and condensate accounted for about C$370 million of revenue at Canadian National Railway last year. That's less than half the C$750 million that the company generated from the same line of business in 2014. The company's overall revenue was C$12 billion last year.

Railways may benefit from a pickup in their oil businesses for the next year or two, said David Tyerman, an analyst at Cormark Securities.

"They view it as a short-term boost," he said. "They're happy to haul the stuff, but they're not going to spend a lot of money on infrastructure because they don't know if this is going to be around long."

But the oil industry's trade group sees a need for more pipelines beyond those that already are expected to enter service. Canada will need an additional 1.3 million barrels a day of pipeline capacity by 2030 to meet the nation's growing production, CAPP said in a report earlier this month.

"The urgent need for new pipelines to increase our competitiveness continues to be one of the biggest challenges facing our industry," CAPP CEO Tim McMillan said.

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Justice Department Environment Pick Downplays BP Defense Work

Posted June 28, 2017, 01:52 P.M. ET

By David Schultz

Past work defending BP PLC after the Deepwater Horizon oil spill and personal opposition to the EPA's climate change efforts would have no bearing on running the Justice Department's environmental office, President Donald Trump's nominee said.

Jeffrey Bossert Clark told senators at his June 28 confirmation hearing that, if approved to head the Environment and Natural Resources Division, he would vigorously defend his federal agency clients just as he has defended corporate clients.

"Client agencies are the ones who make policies. I don't think my personal views are relevant," Clark said.

During the hearing, Democrats pressed him about his work for corporate clients such as BP, his views on climate change, and his affiliation with the Federalist Society for Law & Public Policy Studies.

'Hired to Do a Job'

Several Democrats on the Judiciary Committee, including Sens. Dianne Feinstein (D-Calif.) and Sheldon Whitehouse (D-R.I.), grew frustrated with Clark's evasion and pleaded with the committee's chairman, Sen. Chuck Grassley (R-Iowa), to force him to answer their queries.

Though he expressed concern with the issue of the Trump administration stonewalling congressional inquiries, Grassley said it wouldn't be appropriate to demand that Clark talk about his views on environmental issues in this case.

"What Democrats really need to know is these guys are hired to do a job," Grassley told reporters after the hearing. "They leave their personal views out."

Grassley also said he expects his committee to cast a vote on Clark's nomination late next month.

No Fan of Chevron

Clark has been at the firm Kirkland & Ellis LLP since 1996, with the exception of a four-year period during the George W. Bush administration when he served in the Justice Department.

While at the department, he was the second-in-command at its environment division, in charge of its appellate work. If confirmed, Clark would be in charge of the entire environment division, which prosecutes civil and criminal environmental violations and also defends the Environmental Protection Agency and others when their actions are challenged in court.

Last year, Clark testified before the House Judiciary Committee in favor of a bill that would have reined in the regulatory authority of federal agencies. The bill, which passed the House but died in the Senate, would have effectively overturned the so-called Chevron doctrine, in which courts defer to agencies' interpretations of ambiguous laws.

"Chevron has been a failed experiment," Clark said at the May 2016 hearing. It has resulted in "too much authority being given to the executive branch."

Criticism for Writings

When asked about Chevron at his confirmation hearing, however, Clark told the senators, "As we sit here today, Chevron is still good law and I would enforce it."

Though there were three other nominees being considered at the hearing, the majority of the senators' questions were directed at Clark.

He came under the most intense questioning from Democrats on the issue of articles he wrote for the Federalist Society's website on the issue of climate change. In these articles, Clark criticized EPA decisions to classify greenhouse gasses as dangerous pollutants and its reliance on United Nations-backed climate science.

"You have gone beyond role of a lawyer," Whitehouse told him. "You've been a political advocate against climate science."

Clark responded by pointing to his record at the Justice Department during the Bush administration as an indication that he would defend agencies and enforce environmental laws objectively.

Looking for a Coal Job? Better Work on Those Playstation Skills

Posted June 28, 2017, 10:23 A.M. ET

By Tim Loh

While on the campaign trail in West Virginia last year, Donald Trump donned a hardhat and pantomimed digging coal with a shovel. The coal miners in the audience would soon be back to work, he promised: "Get ready, because you are going to be working your asses off."

The only problem: Coal miners no longer swing a pickax or wield a shovel. While coal companies are hiring again, executives are starting to search for workers who can crunch gigabytes of data or use a joystick to maneuver mining vehicles hundreds of miles away.

"If you do PlayStation, you can run a 300-ton truck," said Douglas Blackburn, a fourth-generation miner himself who runs the industry consultancy Blackacre LLC. For an industry once notorious for its risks, "the worst that can happen is you sprain a thumb."

The trend toward fewer workers, of course, is nothing new. The heyday of coal employment came in 1923, when the U.S. industry—then reliant on laborers with hand tools, blast powder and oil lamps—had a record 863,000 miners, according to the Mine Safety and Health Administration. Ever since, that number has fallen thanks to increasingly sophisticated machinery. The technological change took a leap forward in the 1980s with the expansion of large-scale mining in Wyoming's Powder River Basin, where the coal can be scooped out of the ground from above. The miners no longer had to tunnel underground.

In the Powder River Basin's giant open-pit mines, large haul trucks now crisscross the sites day and night, collecting up to 400 tons of coal at a time from towering seams. High-school graduates with little experience often drive the trucks, taking home salaries that can be $30 an hour. Trains that can stretch more than 100 cars long are loaded up mechanically with the coal and sent off to plants as far away as Georgia.

"Whether coal comes back or not is not necessarily directly related to jobs," Heath Lovell, a spokesman for coal producer Alliance Resource Partners LP, said in an interview on NPR's On

Point. "We should be becoming more and more efficient, which would mean we could produce the same amount of coal with less employees."

In Illinois, underground miners including Alliance Resource and Foresight Energy LP have a collection of longwall machines—computerized devices that cut coal from the earth in slices that can extend for miles—ready to ramp up production with minimal manpower if demand allows.

To be sure, Trump's pledge has come true for some workers. Coal companies added 2,400 jobs since September, bringing the total to 51,000, according to the Bureau of Labor Statistics. Coal companies are advertising for licensed mechanics and electricians, warehouse clerks and security guards.

Coal's future, however, is likely to involve a new set of skills. It won't be long before a miner is working out of an office in, say, Denver, where she'll stare at computer screens and maneuver equipment in Wyoming, according to Blackburn. The miner— earning, perhaps, $15 an hour—will monitor several massive trucks that largely steer themselves, he said.

Just as electric locomotives once replaced the pit ponies and mules in the mines, Caterpillar Inc. is already selling fleets of its "autonomous" haul trucks to Australian mining companies. One customer, iron-ore giant Fortescue Metals Group Ltd, has increased productivity by up to 30 percent thanks to the vehicles' better-than-human consistency and precision, Denise Johnson, Caterpillar's head of resource industries, said at a Deutsche Bank summit on June 8.

"You can keep those trucks running 24/7," Johnson said. "You don't have to take bathroom breaks."

That sort of savings will be hard for U.S. coal companies to resist as they struggle to stay competitive against the onslaught of cheap natural gas, solar and wind power. Caterpillar's autonomous-mining technology is already being adopted by U.S. customers, and it's expanding its offerings, a company spokesman said by email. The company declined to identify its customers.

And such technology won't be limited to Wyoming. When talking to coal executives, Rick Honaker, chairman of the University of Kentucky's mining program for the past decade, keeps hearing how they want young engineers who can automate a piece of equipment, managing gigabytes of data so the machinery can be used most efficiently.

"The way to compete is being more automated," Honaker said in an interview. "And unfortunately, that means less jobs—more skilled labor but less overall employment."

Sense of Nostalgia

Against that backdrop, Trump is capitalizing on the sense of nostalgia for coal's bygone days and anxiety about the future, said Patrick Hickey, a political science professor at West Virginia University. In Appalachia, people are well aware that miners stopped heaving coal with shovels generations ago, but Trump's air-shoveling still resonated in a state whose flag bears the image of a 19th century miner holding a pickax.

"Coal mining jobs were hard jobs—people had serious health problems as a result of them—but an honest effort was rewarded well," Hickey said. By trading politically on an antiquated image of a miner, Trump is appealing not just to displaced coal workers but to those in manufacturing and other sectors threatened by automation and foreign competition.

"As we see this disruption all over the economy in the public and private sector, I think it's really

powerful to hearken back to these touchstones of an economy that had more certainty," he said.

One irony for the industry now is that in some areas the coal companies say they can't find the high-skilled workers they need. In West Virginia, companies are resorting to offering signing bonuses and fully paid healthcare to poach experienced shift foremen, mechanics and electricians from rivals. Many of those workers left the coal industry during the last decade's collapse and found more stable employment in other sectors. They aren't anxious to switch back.

"The scars are still fresh," said George Dethlefsen, CEO of Canonsburg, Penn.,-based Corsa Coal Corp., which opened a mine in Pennsylvania this month. "Those guys are not fully trusting that this market is back and here to stay.''

Finding young talent is especially hard. During the bust, companies were laying off people rather than training a new generation of miners. That created a dearth of high-skilled workers in their 20s and 30s.

"Youth might be the most looked-for qualification," Matt Preston, a coal analyst at Wood Mackenzie Ltd., said in an email. Finding young workers "willing to get into a shrinking industry is an uphill climb."

—With assistance from Jennifer A. Dlouhy.

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North Carolina Slashes Blood Lead-Level Thresholds

Posted June 28, 2017, 12:14 P.M. ET

By Andrew M. Ballard

North Carolina lowered its thresholds for blood lead levels in children to match federal recommendations and extended those protections to pregnant women in its newly enacted budget.

The state Legislature overrode the governor's veto to enact the budget legislation (S.B. 257) June 28. The new law boosts North Carolina's lead-poisoning prevention program that has seen a drop in funding and attention during the past few years.

S.B. 257 will cut in half its threshold for "confirmed lead poisoning" that triggers an investigation, from 20 micrograms per deciliter to 10 micrograms per deciliter, effective July 1. The new law also will drop its threshold for "elevated blood lead levels" from 10 micrograms per deciliter to 5 micrograms per deciliter.

When a confirmed lead poisoning case is discovered through two consecutive blood tests within a year, the state Department of Health can require the removal of lead risks in residences and other facilities such as daycare centers. Findings of elevated blood lead levels also can trigger hazard investigations.

Leading Again

Matt Gross, policy director for N.C. Child, a Raleigh-based children's advocacy group, told Bloomberg BNA that most states already use the federally recommended levels when testing young

children. However, North Carolina's extension of such provisions to pregnant women puts it ahead of other states in lead poisoning prevention efforts, he said.

"A decade ago, North Carolina was noted as a leader in lead surveillance of young children, but in recent years, progress has stagnated due to budget cutbacks," according to Gross. "The new budget provisions, plus an allocation of more than $500,000 to implement them, are expected to re-energize the state's program," he said.

Paint represents approximately 70 percent of the lead exposure in North Carolina, and water makes up about 20 percent, Gross told Bloomberg BNA. A separate bill addressing water testing stalled this session, he said, but N.C. Child hopes it will be revived in 2018, he said.

Another provision in the new budget law will provide $250,000 to pursue a legal challenge against the federal "waters of the United States" rule enacted during the Obama administration. Those regulations expanded the bodies of water covered by the Clean Water Act.

California Weighs Making Electric Cars Cheaper Right Off the Lot

Posted June 28, 2017, 12:07 P.M. ET

By Dana Hull and Ryan Beene

The federal tax credit for electric car purchases has an end in sight, but California doesn't want demand for the zero-emissions vehicles to meet the same fate.

The state, long a champion of electric cars, is considering a bill to provide rebates to electric vehicle buyers at the time of purchase, reducing the sale price right as customers drive off the lot. The bill, which does not specify the size of rebates but proposes giving more cash to low-income buyers, looks to set aside as much as $3 billion for the incentives.

If passed, the program could help bridge the "valley of death" looming on the horizon for electric vehicle demand as federal rebates begin to wind down, said Max Baumhefner, an attorney with the Natural Resources Defense Council's clean vehicles program.

"The conditions are right for a tipping point to occur but with uncertainty about the state's purchase rebates and the prospect of federal tax incentives expiring, it could tip in the wrong way."

The plan—dubbed the California Electric Vehicle Initiative—could be a key step in encouraging the purchase of battery-powered vehicles by bringing the price after credits more in line with similar gasoline-fueled models. Gov. Jerry Brown (D) set a goal of 1.5 million zero-emission cars on state roads by 2025, and the state already offers clean vehicle rebates for the purchase of models including the Chevy Bolt, Nissan Leaf and Tesla Model S and X, but customers have to apply for those credits after the purchase is complete, a possible deterrent.

Plan Details

The bill would eliminate the need for buyers to file tax rebates with the state, according to a draft statement on the bill seen by Bloomberg News. The income-based rebates would also help assuage concerns that tax dollars are helping wealthy buyers afford luxury cars such as the Tesla Model S, which can sell for more than $100,000.

The legislation, which passed a vote on the assembly floor earlier this month, faces votes in two state Senate committees next week, the draft statement said.

The bill is modeled on the state's highly successful California Solar Initiative, which resulted in an uptick in rooftop solar installations on homes and commercial buildings across the state. Like that program, the electric vehicle proposal suggests the rebates decline over time as market penetration rises. Electric vehicles are forecast to become comparable price-wise with combustion-engine vehicles around 2026 in the U.S., according to Bloomberg New Energy Finance.

The bill comes as the federal tax rebate begins to run its course. Purchasers of only the first 200,000 electric cars sold by each manufacturer in the U.S. are eligible for the $7,500 federal tax credit before it starts to phase out, meaning the largest electric vehicle makers including General Motors Co., Nissan Motor Co. and Tesla Inc. will lose eligibility first, just as their more affordable, longer-range electrics are hitting the market.

Tesla is slated to begin in July production of its Model 3 sedan, which is expected to start at $35,000 before incentives or options. Tesla produced roughly 84,000 electric vehicles in 2016 and plans to make half a million in 2018, then 1 million in 2020.

As the nation's coal-fired power plants close, transportation is likely to eclipse electricity production as the nation's largest source of greenhouse gas emissions. That is already true in California, where transportation accounts for nearly 40 percent of the state's emissions.

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Discoveries Boost Hopes for Alaska Oil Output

Posted June 28, 2017, 9:15 A.M. ET

By Alan Kovski

Oil discoveries on the North Slope of Alaska during the past few years have increased hopes for the economy of the region and the state.

The developments also could quiet worries about keeping viable the North Slope's oil lifeline—the Trans-Alaska Pipeline. If its volumes sink too low, it becomes uneconomical to operate.

Oil production on the North Slope increased during the past 12 months as new wells more than made up for declines at older wells, said Ed King, a special assistant to the commissioner of the Alaska Department of Natural Resources.

The increases came from ConocoPhillips Co. operations primarily, and an Exxon Mobil Corp. project to a lesser extent. At the same time, BP Plc has slowed the decline at the super-giant Prudhoe Bay Oil Field.

"I don't anticipate that it'll be another increase in 2018," King said, referring to Alaska's fiscal 2018, which will start July 1. There are no notable new supplies set to come online during the next 12 months that would allow another increase, he told Bloomberg BNA.

After 2018, the picture becomes more complicated because of the difficulties in forecasting the output of new discoveries.

Sharply Differing Outlooks

The spring 2017 forecast from the Alaska Department of Revenue projected a decade of decline in North Slope output, without benefit of enough information to include significant volumes from recent discoveries.

Interior Secretary Ryan Zinke visited Alaska in late May. He signed an order to accelerate development of the National Petroleum Reserve-Alaska and to make a new estimate of potential oil reserves in part of the Arctic National Wildlife Refuge.

The Wilderness Society issued a report June 19 arguing that expected developments in North Slope oil fields should keep the Trans-Alaska Pipeline viable for many years to come.

"The pipeline will continue operating for decades, with no need to drill in controversial, ecologically important and federally protected Arctic regions, i.e., the Arctic National Wildlife Refuge, off-limits portions of the National Petroleum Reserve-Alaska, and the Arctic Ocean," the report said.

Pipeline Volumes Rise

The Trans-Alaska Pipeline carried more than 2.1 million barrels a day at its peak in 1988, but now is operating at a quarter of that amount.

Alyeska Pipeline Service Co., operator of the line for a consortium of oil companies, has not determined the lower limit at which the line would become uneconomical, said Michelle Egan, an Alyeska spokeswoman.

Flow through the pipeline rose in 2016 to 517,000 barrels a day, the first annual increase since 2002, according to Alyeska. Year-to-date flows in 2017 have averaged 557,000 barrels a day, Egan said June 26.

The increases in North Slope production that fed the pipeline occurred primarily because of more production from the Alpine and Kuparuk fields, both operated by ConocoPhillips, and the startup of Exxon Mobil's Point Thomson field.

Good management at the Prudhoe Bay field managed to temporarily arrest the long decline of output there, according to DNR's King.

"It'll be interesting to see if they can extend that," he said of the Prudhoe Bay work. "They did a really great job last year."

Two Especially Big Fields

But big hopes for future production come from new fields.

Foremost is Nanushuk, which Armstrong Energy LLC is developing in partnership with Spanish oil giant Repsol S.A. The companies estimate that 1.2 billion barrels of light oil can be recovered, their calculation boosted this year by additional exploration wells.

Nanushuk's location is not too far from existing infrastructure and enough wells have been drilled to boost confidence in estimates.

Less certain is the discovery of Caelus Energy LLC's Smith Bay Project, because only two wells have been drilled. In October 2016, the company said it estimated that there could be several billion barrels of oil in the field in state waters off the northern coast of Alaska. How much of the oil is recoverable remains to be determined.

Groups Sue Hawaiian Dairy to Halt Illegal Manure Discharges

Posted June 28, 2017, 03:54 P.M. ET

By Carolyn Whetzel

Groups in Hawaii want a federal court to order a large dairy in Hilo to stop discharging waste into streams and ocean waters.

Big Island Dairy LLC is dumping manure and other waste in violation of the federal Clean Water Act, Kupale Oookala Inc., a community group, and the Center for Food Safety said in a lawsuit filed in the U.S. District Court for the District of Hawaii June 28 (Kupale Ookala Inc. v. Big Island Dairy LLC, Haw. Dist. Ct., No. 1:17-cv-305, 6/28/17).

The complaint alleges the dairy lacks a federal permit to discharge animal waste to streams that empty into the Pacific Ocean. Also, Big Island Dairy has violated its individual National Pollutant Discharge Elimination System permit allowing storm water discharges from certain construction activities, the lawsuit said.

Since April 2012, the dairy has been improperly spraying manure-laden wastewater on its field, the complaint said. Wastewater also seeps from fields, compost areas, pens and lagoons into groundwater, plaintiffs said.

"Big Island Dairy has been dumping manure on the residents of Ookala, including flooding our properties, for many years," Genard Frazier a member of the community group, said in a written statement. "We want to be in the driver's seat so we can hold this pollluter accountable and protect our community."

The lawsuit follows a 60-day warning letter from the plaintiffs, which prompted an enforcement order from the Hawaii Department of Health in May, assessing a $25,000 penalty and directed the company to apply for an NPDES permit and take corrective actions to prevent future unlawful discharges.

The dairy, a confined animal feeding operation that has 2,600 cows, didn't immediately respond to Bloomberg BNA's request for comment.

Amanda Steiner, of Terrell, Marshall Law Group LLC in Seattle, and Charles M. Tebbutt and Sarah A. Matsumoto of the Law Offices of Charles M. Tebbutt P.C. in Eugene, Ore., represent the plaintiffs.

Connecticut's Renewable Efforts Get Court Approval

Posted June 28, 2017, 12:13 P.M. ET

By Adrianne Appel

A Connecticut effort to contract for renewable energy does not violate federal law, a federal judge ruled Wednesday.

The state and proponents of renewable energy hailed the decision as a broad win for states that seek to grow their renewables market by requesting proposals for renewable energy projects.

Allco Renewable Energy Limited, a solar developer and investment firm based in New York City, filed a suit in August 2016, claiming Connecticut violated the federal Commerce Clause by giving preference to energy developers based in the Northeast (Allco Finance Ltd. v. Klee, 2d Cir., No. 16-2946, 6/28/17).

EU Chemicals Agency Hopes Guidance Increases Imports' Scrutiny

Posted June 28, 2017, 01:40 P.M. ET

By Stephen Gardner

Updated guidance on the notification obligations of companies that import goods containing hazardous chemicals into the European Union could lead to more compliance checks on imports, the European Chemicals Agency told Bloomberg BNA.

The agency issued the revised guidance June 28, covering the requirement under the EU's REACH law (Regulation No. 1907/2006 on the registration, evaluation and authorization of chemicals) for companies that import goods containing hazardous substances above a 0.1 percent by weight threshold to notify the chemicals agency, unless exposure of people or the environment to the substance can be reasonably excluded.

The obligation applies to chemicals that are considered to be "substances of very high concern" under REACH, of which there are currently 173. Examples of hazardous substances in products include phthalates in vinyl flooring, cables, garden hoses and other soft plastics, and lead compounds in batteries, electronics and machinery.

According to the European Chemicals Agency website, only 365 product notifications covering 39 of the 173 high concern substances have been submitted.

The agency told Bloomberg BNA it was "of the impression that the number of notifications is low and probably does not reflect" the number of products containing high concern substances that are imported into the EU.

"Awareness-raising amongst importers, and ultimately stronger enforcement are the keys to making these mechanisms work better," the chemicals agency said. Clarity in the updated guidance on the obligations might "help and encourage" EU countries "to consider the initiation of additional enforcement actions," the agency added.

The updated guidance takes into account a European Court of Justice ruling from September 2015 that the 0.1 percent notification threshold for hazardous chemicals in products should apply to individual components within products, and not only to the whole product. For example, the obligations would apply to vehicle components that contain hazardous substances, rather than to the whole vehicle.

The updated guidance replaces interim guidance on the rules on hazardous substances in products that the chemicals agency issued in December 2015 in the wake of the court ruling.

China Is About to Bury Elon Musk in Batteries

Posted June 28, 2017, 9:04 A.M. ET

By Joe Ryan

As Elon Musk races to finish building the world's biggest battery factory in the Nevada desert, China is poised to leave him in the dust.

Chinese companies have plans for additional factories with the capacity to pump out more than 120 gigawatt-hours a year by 2021, according to a report published this week by Bloomberg Intelligence. That's enough to supply batteries for around 1.5 million Tesla Model S vehicles or 13.7 million Toyota Prius Plug-in Hybrids per year, according to Bloomberg New Energy Finance.

By comparison, when completed in 2018, Tesla Inc.'s Gigafactory will crank out up to 35 gigawatt-hours of battery cells annually.

Lithium-ion batteries have long been used in smartphones, laptops, and other personal electronics, but demand is forecast to explode in the next five years as electric vehicles proliferate and power companies install giant storage systems to smooth the ebb and flow of wind and solar.

Telsa produced nearly 84,000 vehicles in 2016 and has said it plans to make 500,000 in 2018.

While Tesla may be building the biggest and splashiest factory, the Chinese government has launched a sweeping effort to increase the country's dominant market share.

Roughly 55 percent of global lithium-ion battery production is already based in China, compared with 10 percent in the U.S. By 2021, China's share is forecast to grow to 65 percent, according to Bloomberg New Energy Finance.

In all, global battery-making capacity is forecast to more than double by 2021 to 273 gigawatt-hours, up from about 103 gigawatt-hours today. That's a huge opportunity, and China doesn't want to miss it.

"The Gigafactory announced three years ago sparked a global battery arms race," said Simon Moores, a managing director at Benchmark Mineral Intelligence. "China is making a big push."

But don't count Tesla out. The company, based in Palo Alto, Calif., plans to announce locations for up to four new factories by the end of 2017. (It's exploring at least one site in Shanghai.) And there are few, if any, individual Chinese battery companies that can match the scale of Tesla's production toe to toe.

Yet while China lacks a dominant battery behemoth, it makes up for it with a constellation of smaller players, including Amperex Technology Ltd., Tianjin Lishen Battery Joint-Stock Co. and dozens of others.

Earlier this year, the Chinese government announced plans to consolidate battery manufacturers to help the industry mature. The initiative goes hand in hand with China's plans to flood highways with

five million electric vehicles by 2020.

China's ambition to become the global leader in clean cars stems in part from pressure to clear pollution from smog-choked streets in Baoding, Xingtai, Shijiazhuang, and other cities. There's a second reason: creating a domestic market for Chinese battery manufacturers, said Logan Goldie-Scot, a Bloomberg New Energy Finance analyst.

"The Chinese government wants to encourage the creation of a domestic market to create a large enough base and gain a foothold," Goldie-Scot said. "From there, they can expand and sell globally."

—With assistance from Brian Eckhouse

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China State Grid Chairman Says Clean Energy Will Create Jobs

Posted June 28, 2017, 8:37 A.M. ET

By Bloomberg News

Thousands of renewable energy plants will create jobs as the world switches to clean power from coal, according to the chairman of the State Grid Corp. of China.

New roles will emerge during construction and for operators and maintenance personnel, Shu Yinbiao said at press briefing June 27 at the World Economic Forum's Annual Meeting of the New Champions in Dalian, China.

"We will have more opportunities for jobs," Shu said. "The transformation of energy will not impact employment, it will create opportunities."

The remarks followed the International Renewable Energy Agency's forecast that green energy jobs will continue to grow in developing nations, especially Asia. The clean-energy business employed 9.8 million people last year, up 1.1 percent from 2015, led by an expansion in solar photovoltaics, according to the Irena's annual report.

Green jobs may reach 24 million worldwide in 2030 as more countries work to combat climate change, Irena said.

China, the world's biggest emitter, plans to invest 2.5 trillion yuan ($360 billion) in renewable energy through 2020 to reduce greenhouse gases that cause global warming. The investment will help create 13 million jobs, Li Yangzhe, former deputy head of National Energy Administration said in January.

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China to Treat More Animal Waste to Help Clear Rural Pollution

Posted June 28, 2017, 8:13 A.M. ET

By Bloomberg News

China, the world's top pork producer, plans to treat more waste from livestock breeding to improve its rural environment and reduce agriculture pollution.

Pollution from the country's livestock breeding is becoming an "outstanding issue" after years of steady development of the sector to ensure meat, eggs and dairy supply, according to a summary of remarks by Vice Premier Wang Yang at a conference June 27. China will increase treatment of animal wastes, encourage more use of bio-gas in the countryside and expand large-scale farms which are able to treat the waste, he said.

China is tackling soil pollution as part of its nationwide agriculture reforms, with its top legislative body considering tougher penalties for those who pollute water and prohibiting the building of homes or schools in areas with contaminated soil. The country has dealt with problems including cases where crops have been grown in areas contaminated with cadmium. China has more than half of the world's pigs, according to the U.S. Department of Agriculture.

Farmers favor using chemical fertilizers, which save time and costs, over organic fertilizer, Yu Kangzhen, vice agriculture minister, told a press conference June 14. About 40 percent of China's 3.8 billion tons of annual animal waste have been left untreated and unutilized, he said. China is aiming to increase the use of animal waste as fertilizer for fruit, tea and vegetables by as much as 50 percent by 2020.

Some local governments are closing down more pig farms or banning breeding due to pollution concerns, which may threaten the meat supply, said Yu. China's central government will offer financial support to 500 counties and 200,000 large farms for waste treatment facilities, he said.

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Germany Counters Diesel's Dirty Image with National Task Force

Posted June 28, 2017, 8:26 A.M. ET

By Elisabeth Behrmann and Birgit Jennen

Germany is seeking to counter concerns over the harmful emissions from diesel vehicles by bringing together government and auto-industry experts to devise ways to clean up the technology, which supports thousands of jobs in the country.

The first meeting of the National Diesel Forum will take place on Aug. 2, a little less than two years since Volkswagen AG's emissions-cheating scandal led to a backlash. Since the German automaker admitted to rigging 11 million vehicles worldwide to circumvent regulatory tests, more cities are mulling bans on diesel vehicles and European consumers are gradually turning away from the technology.

"The task of this national forum is to bundle the discussion on optimizing diesel vehicles," Transport Minister Alexander Dobrindt said in a joint statement with the German Environment Ministry. "We're aiming to find workable measures to cut emissions from diesel cars."

Diesel technology plays a major role in the German auto industry, with the models accounting for about 46 percent of car sales in the country last year. At Robert Bosch GmbH, the world's biggest car-parts supplier, about 50,000 jobs are related to diesel, with many more at Volkswagen and other

automakers.

That importance hasn't stopped Germany from putting pressure on automakers to clean up their vehicles in the aftermath of the VW scandal. Last year, the Transport Ministry prodded manufacturers including VW, Audi and Mercedes-Benz to recall 630,000 cars that pushed the limits of emissions regulations. Government officials and carmakers remain in talks to upgrade older diesel vehicles to pollute less on the road.

Munich and Stuttgart—the hometowns of BMW AG and Mercedes parent Daimler AG, respectively—are among a growing list of municipalities that are weighing measures to restrict the use of diesel vehicles to reduce health risks caused by their exhaust. The debate is also turning off European consumers, with buying rates slipping.

"The national forum offers manufacturers the chance to win back lost trust," Environment Minister Barbara Hendricks said in the statement. "I hope they grasp that opportunity and make a substantial contribution to improving air quality in our cities."

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Green Energy Investing Meets Crowd Funding in African Venture

Posted June 28, 2017, 9:32 A.M. ET

By Mathew Carr

Gullspang Invest led a group of investors providing 6 million euros ($6.8 million) to Trine Finance Ltd., a company that spurs off-grid solar power in emerging markets including Africa by tapping crowd funding in the U.K. and other advanced economies.

Trine offers crowd investors a return of about 5 percent, with money used to finance solar lamps and solar home systems from Zambia to Uganda, the Gothenburg, Sweden-based company said on its website. The electricity can be cheaper and safer than existing systems typically fueled by kerosene, which emit toxic fumes.

"When you can go in with everything from 25 euros and up, it's opening up finance to people who might not have had that opportunity before," said Lena Apler, founder of Collector AB and a member of Trine's advisory board, by email. "Sustainable solutions are not only turning out to be necessary, but also out competing traditional alternatives."

Trine Chief Executive Officer Sam Manaberi wants to channel 100 million euros of crowd-investment into solar energy projects over two years, up from more than 1 million euros distributed the past three years. Risks for the crowd investors, who spend a minimum 25 euros, range from fluctuating currencies to developing-country solar suppliers who might struggle to make payments.

Payments for the solar energy equipment can be made via mobile phones on a weekly or monthly basis, saving the need for large upfront costs and boosting its appeal. A Trine project listed for Kenya expects to save each participant 1,000 Kenyan shillings ($9.65) a month, about 10 percent of average income, the company said.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Wed 11/15/2017 2:57:37 PM
Subject: White House ignores Cruz request for biofuels meeting

By Eric Wolff

11/15/2017 09:55 AM EDT

The White House appears to have spurned a request from Sen. Ted Cruz (R-Texas) and eight other senators to set up a meeting with seven Midwestern senators to discuss the Renewable Fuel Standard.

"We won't have such a meeting," Sen. Chuck Grassley (R-Iowa) told reporters today. "The White House would have to be interested in such a meeting. I've not heard from the White House."

Cruz has been blocking Iowan Bill Northey from becoming an undersecretary at the Department of Agriculture in an effort to force corn-state senators to discuss changes to the program. Last month he led a letter to President Donald Trump asking for a meeting within three weeks. That period ends today. Cruz has said he would lift the hold when he gets a meeting.

The White House did not respond to questions about setting up a meeting, nor did Cruz's office. Cruz sent a letter on Tuesday to Iowa Gov. Kim Reynolds explaining his desire to come to a compromise on the RFS to protect "liquid fuels."

Trump has consistently backed the RFS and the Midwestern senators in policy disputes, rejecting repeated efforts to change the program by a small group of refiners and EPA Administrator Scott Pruitt.

WHAT'S NEXT: The final rule setting RFS requirements for 2018 and 2019 is due by Nov. 30.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/white-house-ignores-cruz-request-for-biofuels-meeting-095692

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Tue 6/6/2017 10:22:32 PM
Subject: Trump floats idea of using solar panels to pay for Mexico wall

By Josh Dawsey and Rachael Bade

06/06/2017 06:00 PM EDT
Updated 06/06/2017 06:19 PM EDT

President Donald Trump floated putting solar panels on his planned Mexican border wall in a meeting with legislative leaders this afternoon, according to White House and Capitol Hill officials.

It was unclear why Trump brought up the topic, but he presented the panels as a way to fund the wall, which is expected to cost billions of dollars, according to three people familiar with the conversation.

He didn't express certainty that it would happen — but that he'd heard it as a possible idea and wanted to see what others thought, said a senior official familiar with the White House meeting.

Trump has insisted that Mexico will pay for the wall's construction — something Mexican officials have repeatedly denied — but has acknowledged that taxpayers may need to initially foot the bill before being repaid.

The president's interest in a potential solar panel solution comes as he's received intense criticism from world leaders for his decision to pull out of the Paris climate agreement.

To view online:
https://www.politicopro.com/tech/whiteboard/2017/06/trump-floats-idea-of-using-solar-panels-to-pay-for-mexico-wall-088716

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Subject: The Morning Headlines from InsideEPA.com -- July 6, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 6, 2017

Latest News

EPA Proposes To Maintain 2018 RFS Targets But Lowers Cellulosic Volumes

EPA's just-released 2018 renewable fuel standard (RFS) proposal calls for maintaining 2017 requirements that in effect call for blending 15 billion gallons of conventional, corn-based, renewable fuel -- though the plan would also use EPA's waiver authority to lower volumes for low-carbon cellulosic biofuel below legislative targets.

CEI Renews Call For Trump To Attack California's Vehicle GHG Rule Power

The Competitive Enterprise Institute (CEI) is citing an early effort to develop bipartisan endorsement of negotiations over vehicle greenhouse gas and fuel economy rules as a new justification for the Trump administration to pursue attacks on California's vehicle GHG authority -- illustrating the challenges to forging any bipartisan consensus on the issue.

SAB Panel Members Question Agency Method For Air Toxics Rule Reviews

EPA Science Advisory Board (SAB) panel members are questioning many of the agency's assumptions in its method for reviewing health risks from air toxics emitted by a host of industries, saying the approach might be too conservative by capturing too many emissions sources and could create too much work for EPA.

Pruitt Review Of Hanford ROD One Of First Under Centralized Oversight

A record of decision (ROD) for cleaning up part of the Energy Department's massive Hanford, WA, Superfund site will be one of the first to be decided by EPA Administrator Scott Pruitt pursuant to a policy he signed in May that transferred final authority on RODs for remedies costing more than $50 million from the regional and waste offices to him.

Wood Product Makers Seek More Changes To EPA Formaldehyde Air Rule

Wood product trade groups are seeking additional phase-in periods and other provisions of EPA's plan for extending compliance dates in an Obama-era Toxic

Substances Control Act (TSCA) rule setting formaldehyde emissions limits on wood products, prompting the agency to withdraw a direct final rule implementing the changes.

Daily Feed

Trump appears closer to nominating CEQ chief

Kathleen Hartnett White is a strong proponent of increased fossil fuel production and a skeptic of mainstream scientific conclusions that human-released carbon dioxide is the primary driver of climate change.

Our most read: budget cuts, personnel and more

This week's stories examine Senate pushback on proposed budget cuts, candidates for EPA general counsel and water slots, and EPA-environmentalist tensions on TSCA.

Ewire: Wyoming threatens to return EPA programs over FY18 cuts

In today's Ewire: Wyoming's top environmental official says the Trump administration's budget cuts could force the state to return delegated authority to EPA. Plus: Chesapeake Bay cleanup threatened and Holmstead's record.

NRDC urges White House to retain Clean Power Plan

The environmental group is urging retention of the Obama-era utility climate rule even though EPA Administrator Scott Pruitt was one of the leading opponents of the rule before he joined the agency.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/13/2017 7:13:52 PM
Subject: July 13 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Russia Sanctions Bill Stalled by GOP Over Energy Provisions

Posted July 13, 2017, 02:49 P.M. ET

By Anna Edgerton, Terrence Dopp and Jennifer A. Dlouhy

House Republicans are throwing up new roadblocks to a Russia and Iran sanctions bill over concerns from the energy industry that a provision could block U.S. companies from lucrative foreign oil deals.

A section of the legislation would prevent U.S. companies from doing business anywhere in the world with Russian interests, causing consternation in the capital-intensive energy industry where foreign partnerships are common. That prompted Republicans to push for a fix to the version passed by the Senate before the bill moves forward in the House.

"You're empowering Russia more based upon the way they wrote it, that you can give Russia greater energy power over Europe and everywhere else," House Majority Leader Kevin McCarthy (R-Calif.), said in an interview July 12. "So yes, we do need to change that."

Republicans previously said the measure was stalled over complaints from Democrats that changes to the bill would weaken lawmakers' authority to block the Trump administration from lifting sanctions on Russia. The delay gave time for companies to scale up their lobbying on the energy provision, even as lawmakers from both parties are pushing hard for new constraints on President Donald Trump's ability to ease penalties on the Russian government.

This new fight comes amid controversy over the release of emails related to Donald Trump Jr. accepting a meeting last year with a Russian lawyer who he was told had information from the Russian government that could prove damaging to Democratic presidential candidate Hillary Clinton.

House leadership is considering whether the sanctions bill can be put to a vote as is, with the promise that the energy provisions could be changed administratively, or if the matter needs to be addressed before a vote, according to a GOP aide who was briefed on the issue. House leaders don't want to give the impression they're watering down the bill, the aide said.

98-2 Vote

The sanctions measure, S. 722, passed the Senate last month in an overwhelming 98-2 vote, in an effort to punish Iran and get tough on Russia for its efforts to interfere in the U.S. election.

As the measure stalled in the House, several House Republicans said they have been hearing from energy companies with complaints about a provision that would allow the president to penalize someone who invests in or helps build Russian energy export pipelines.

Rep. Bill Flores (R-Texas), said he has been approached by "five or six of the majors" based in his state. The energy companies have told him they worry the bill as it stands is overly broad.

"You could restrict the sanctions of those activities within the borders of Russia, that might be a quick fix and also the national security carve out as well," Flores said when asked how the sanctions bill might be changed to address those concerns. "Most of us are fine with having sanctions on U.S. interests operating inside Russia, with Russian companies, but then going outside of Russia is too broad."

House Rules Chairman Pete Sessions said the Senate passed the bill before lawmakers understood its potential consequences and that whoever wrote the energy provisions wasn't familiar with the industry.

"I appreciate my friends in the Senate but this was rushed through," the Texas Republican said in an interview late July 12.

Broader Opposition

The possibility of the pipeline curbs sent a jolt through the traditional oil industry, as well as a broader group of related companies, including equipment providers, tubular piping manufacturers and oilfield services companies, that worry they wouldn't be able to supply projects in which sanctioned Russian companies are involved.

Current sanctions already block oil and gas companies from doing deals in Russia. But the Senate-passed bill would extend the reach of those prohibitions, barring U.S. companies from partnering with sanctioned Russian firms to develop energy projects anywhere around the world.

Richard Sawaya, who studies the impact of sanctions for the Washington-based National Foreign Trade Council, estimated the provision may mean U.S. oil and gas firms could be shut out of as much as $100 billion worth of projects over 10 years. Also at risk may be high-earning jobs and lost investment income, he said. His group advocates against unilateral U.S. sanctions in most cases.

'Loses Sight'

"In any place where Russian companies have a position—U.S. companies couldn't be there," Sawaya said. "It loses sight of the shape of the forest."

Democrats complain that Republicans are stalling, pointing to remarks from White House legislative affairs director Marc Short that the administration is opposed to the bill's provisions that would allow Congress to block some sanctions-related decisions by the president.

Three House Democrats, Minority leader Nancy Pelosi, Minority Whip Steny Hoyer of Maryland and Rep. Eliot Engel of New York, ranking member of the Foreign Affairs Committee, introduced their own measure, which is identical to the Senate version, in an effort to circumvent GOP procedural

objections. Republican leaders said that certain revenue-related provisions in the bill meant that it had to originate in the House.

Global Disadvantage

The fight over the energy provision, however, threatens to delay the bill further. The oil industry is warning of potentially widespread consequences—some unintended—that could put U.S. companies at a disadvantage globally, even when they aren't actively collaborating with sanctioned Russian firms.

"This has far-reaching impacts to a variety of companies and industries," said Jack Gerard, president of the American Petroleum Institute. "It has the potential to penalize U.S. interests and advantage Russia."

That broader approach could imperil at least one of Exxon Mobil Corp.'s major exploration projects, a joint venture with Rosneft that's producing oil and gas in waters off Russia's eastern shore. Oil fields there are estimated to contain 2.3 billion barrels of oil and 17.1 trillion cubic feet of natural gas. The project, called Sakhalin 1, doesn't fall under current U.S. sanctions that bar U.S. companies from producing oil in Russian deep-water, Arctic or shale areas.

If the legislation passes without changes, Exxon Mobil would likely have to obtain a special waiver from the U.S. government to maintain production at the site, slated to stretch until 2050.

Neighboring Wells

Industry officials warn that the Senate-passed bill could also jeopardize oil and gas projects far from Russia that have only tangential ties to the country. For instance, they say it could preclude U.S. oil companies from proceeding with offshore projects where sanctioned Russian companies hold neighboring leases because there may be pooled collaboration on pipelines and other infrastructure to support the developments.

"We will continue to comply with all applicable laws, including trade controls and sanctions regulations," said Royal Dutch Shell spokesman Curtis Smith. "We believe that this bill, if endorsed, would be contrary to the objective of providing international markets with reliable access to energy at competitive prices."

The fear is that Russian companies may invest in leases located next to U.S. energy projects as a way to help edge out their American competitors.

Oil industry lobbyists are circulating alternative language on Capitol Hill aimed at addressing these concerns and others. Most of the changes aim to narrow the legislation's reach. They are also seeking a 180-day ramp-up period to ensure companies have adequate time to comply, a narrowed definition of affected pipelines to zero in on oil export pipelines and to change the timeline for prohibitions on dealings in new debt to avoid a jolt to oil and gas trading.

The Senate-passed legislation would also place new penalties on Iran over its ballistic missile program. The bill directs the president to impose sanctions on any entity that knowingly contributes to Iran's ballistic missile program or other programs to develop vehicles to deliver weapons of mass destruction. Those who are sanctioned would have their assets within U.S. jurisdiction frozen and would be barred from entering the country.

—With assistance from Catherine Traywick and Billy House.

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Trump Administration Conditionally Approves Eni's Arctic Oil Drilling Plan

Posted July 13, 2017, 12:13 P.M. ET

By Jennifer A. Dlouhy

The Trump administration has conditionally approved Eni SpA's plan to drill up to four oil exploration wells in Arctic waters, with the activity launched from a gravel island in the Beaufort Sea.

The government's letter of approval lays out 13 conditions that Rome-based energy company must first meet, including securing drilling permits from the U.S. Bureau of Safety and Environmental Enforcement and other state and federal authorizations. The safety bureau also must approve Eni's spill response plan.

According to the Bureau of Ocean Energy Management, a site-specific monitoring program is not necessary for the first year of operations, but Eni may have to monitor for bowhead whales during its second year of operations.

Environmentalists pounced on the White House decision, saying it gives short shrift to potential damage from an oil spill in the remote Arctic.

"An oil spill here would do incredible damage, and it'd be impossible to clean up. The Trump administration clearly cares only about appeasing oil companies, no matter its legal obligations or the threats to polar bears or our planet," Kristen Monsell, an attorney with the Center for Biological Diversity, said in an emailed statement.

Eni's leases are set to expire Dec. 3, but a recent Interior Department rule effectively allows extensions of offshore leases for one year from most recent drilling. The company is expected to begin in December and continue throughout the winter months.

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U.S., China Immersed in Talks on LNG Export, Energy Issues

Posted July 13, 2017, 9:17 A.M. ET

By John Butcher

U.S. Secretary of Energy Rick Perry advanced the prospect of expanding American liquefied natural gas exports to China during a July 13 meeting with Executive Vice Premier Zhang Gaoli in Beijing.

LNG exports were among a range of energy issues the pair discussed, during a meeting in Zhongnanhai, the headquarters of China's Communist Party, according to a release by the U.S. embassy in Beijing.

LNG exports to countries that do not have a free trade agreement with the U.S. are restricted, but President Donald Trump last month agreed to lift barriers on those to China as part of a range of trade deals between the two countries. That could offer huge export potential for U.S. LNG suppliers

to China, which is the world's largest growth market for gas, according to energy research firm Wood Mackenzie, and may prompt new investment in industry.

It also could benefit China, which seeks alternatives to coal as it tackles a serious problem with air pollution.

Perry's talks with Zhang will be welcome news for U.S. LNG suppliers such as Cheniere Energy, which has been in negotiations with China about increasing exports there.

The Trump administration also hopes it will help them make good on election promises to rebalance trade and deliver jobs. In a statement, released June 5, to kick off his visit to China, Perry said, "By unleashing our domestic energy sector, we are creating, and will continue to create, well-paying, middle-class jobs and economic prosperity, protecting our environment, promoting innovation, and strengthening energy security for America and our allies."

Manchin Aims to Tack Appalachian Ethane Hub on Energy Bill

Posted July 13, 2017, 02:20 P.M. ET

By Brian Dabbs

West Virginia Sen. Joe Manchin (D) is ready to take a stab at creating an ethane storage hub in Appalachia that could break ground for more ethane use nationwide, while boosting manufacturing in the region.

Manchin told Bloomberg BNA July 12 he is aiming to propose an amendment on the Senate energy package to qualify a storage facility as a "critical infrastructure project," which would expedite Federal Energy Regulatory Commission licensing.

The facility's supporters, including the American Chemistry Council, argue it will pave the way for more nationwide use of ethane, a liquid derived from natural gas production that is used in consumer products and chemicals.

Manchin, along with Sen. Shelley Moore Capito (R-W.Va.), introduced the measure as a stand-alone bill (S. 1337) in June.

"That just gives it so much certainty to move forward. It gives it a pathway," Manchin, who described the energy bill as a "perfect vehicle," told Bloomberg BNA.

The energy bill (S. 1460) already contains a provision to compel the Energy Department to study the benefits of a ethane storage facility in the Marcellus, Utica, and Rogersville shale regions, which span from New York to Tennessee, but a spokeswoman for Manchin said the licensing is now the bigger priority.

Both Sens. Lisa Murkowski (R-Alaska) and Maria Cantwell (D-Wash.) are pledging an open amendment process for the energy bill, but timing is so far unclear.

Booming Wind, Solar to Erode Gas Demand in Americas, IEA Says

Posted July 13, 2017, 8:03 A.M. ET

By Patrick Martin

A surge in power from wind, solar and other renewable sources will begin chipping away at natural gas demand growth in the Americas over the next five years, according to the International Energy Agency.

The region's gas consumption will climb just 0.9 percent per year from 2016 through 2022, compared with 2.2 percent annually over the previous six-year period, the agency said in a report released July 13. Rising gas prices and a slowdown in coal plant retirements will also limit demand for the fuel, the IEA said.

A boom in cheaper energy from wind farms and solar arrays is creating competition for gas-fired generators, pummeling electricity prices. While gas has grabbed a bigger share of the power market in the Americas as coal-fired plants shut, the demand surge won't last, according to the IEA.

"There will be weak growth in electricity demand," the agency said in the report. "The level of gas consumed in the power sector is expected to be at broadly the same level throughout the forecast period."

Though U.S. gas futures averaged about $2.55 per million British thermal units last year, the IEA predicts prices will be "significantly higher" through 2022, rising above $3. That'll make gas-fired electricity generation more expensive than power from coal—especially coal supplies from the Powder River Basin in the western U.S., the agency said.

Industrial consumers may represent a bright spot for gas demand, however. Consumption in the sector may rise 1.7 percent a year as new chemical plants using gas as a feedstock are built on the U.S. Gulf Coast, the IEA said.

Meanwhile, gas output from U.S. shale basins will continue to flood the global market, the IEA said. The U.S. will boost production more than any other country over the next five years, accounting for almost 40 percent of global supply growth and more than one-fifth of the world's output by 2022.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 6/1/2017 12:08:47 AM
Subject: POLITICO REPORTS: How Steve Bannon and Scott Pruitt boxed in Donald Trump on the climate deal.

The president's chief strategist and EPA administrator have sought to outsmart the administration's pro-Paris group of advisers, including Trump's daughter Ivanka, who were hoping the president could be swayed by a global swell of support for the deal from major corporations, U.S. allies, Al Gore and even the pope. But some of that pro-Paris sentiment wound up being surprisingly tepid, according to White House aides who had expected that European leaders would make a stronger case during Trump's trip abroad earlier this month.

See http://www.politico.com/story/2017/05/31/trump-paris-climate-agreement-239008 for the complete story.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/9/2017 7:46:59 PM
Subject: EPA reschdules science meeting to add industry voices after Smith cries foul

By Alex Guillén

06/09/2017 03:43 PM EDT

EPA has postponed an upcoming meeting hosted by the agency's scientific integrity official and invited more industry officials and state representatives, following complaints from a senior Republican lawmaker.

The meeting is an annual event at which the scientific integrity official, Francesca Grifo, discusses her work and the agency's scientific integrity policy. House Science Chairman Lamar Smith last month flagged the meeting after discovering the guest list primarily consisted of environmentalists, science organizations, watchdog groups, certain media representatives and think tanks, but almost no one from regulated industries.

EPA "agrees that invitees to the EPA Scientific Integrity Stakeholder meeting should include a balanced representation of those organizations having an interest in scientific integrity at the EPA," Robert Kavlock, the acting assistant administrator for research and development, wrote this week to Smith.

Previous meetings included more industry attendees, and EPA "recently sent invitations to additional organizations representing the regulated community and state governments."

A separate email to invitees seen by POLITICO said the meeting would be rescheduled, but did not specify a timeline.

Grifo, a career official who was hired from the Union of Concerned Scientists in 2013, rose to prominence this spring when she was asked to investigate the Sierra Club's complaint that Administrator Scott Pruitt violated EPA's scientific integrity policy by saying on television that carbon dioxide is not a primary driver of climate change.

Earlier this week, the free-market group Cause of Action Institute filed a Freedom of Information request it says is meant to investigate alleged politicization in Grifo's office.

WHAT'S NEXT: EPA will invite more industry and state representatives and reschedule the meeting for a future date.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-reschdules-science-meeting-to-add-industry-voices-after-smith-cries-foul-088884

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Thur 9/14/2017 2:02:09 PM
Subject: POLITICO's Morning Score: Liberal groups team up for big Virginia digital buy — VA-10 Democrats consider convention — Dem poll has Flake trailing

By Kevin Robillard | 09/14/2017 10:00 AM EDT

With Zach Montellaro and Maggie Severns

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

OL' VIRGINNY - FIRST IN SCORE - "Liberal groups team up for $2M digital buy in Virginia," by Campaign Pro's Kevin Robillard: "A slew of liberal groups are teaming up for a $2 million digital ad buy aiming to drive Virginia voters to the polls in November and back Democratic Lt. Gov. Ralph Northam for governor. Planned Parenthood Votes and the Planned Parenthood Virginia PAC, the Tom Steyer-backed Next Gen America, Priorities USA, Progress Virginia and the Virginia League of Conservation Voters PAC are all contributing hundreds of thousands of dollars to the effort, which will begin this week and run until Election Day. The ads will aim to reach and turn out more than 1.2 million voters. ... The groups are touting the buy as an unprecedented effort from liberal groups to coordinate their digital spending. The groups are sharing data and working together to develop messaging, voter contact timelines and dividing targeted audiences. Democrats have often worked together to coordinate their television and mail efforts, but digital efforts have sometimes been more scattershot. Priorities, which was the main super PAC backing Democratic presidential nominee Hillary Clinton in 2016, hopes to replicate the effort in other states with competitive races in 2018." **Full story.**

PRIMARY CONCERNS - "Democrats weigh convention instead of primary in top House battleground," by Robillard: "Democratic officials in one of the nation's most contested House districts are considering picking their nominee through a convention rather than a primary, a step opposed by all but one of the leading candidates: Virginia state Sen. Jennifer Wexton, the only Democratic elected official in the race against GOP Rep. Barbara Comstock. The Democratic committee in Virginia's 10th District met on Sunday to discuss how to pick their nominee to challenge Comstock in 2018. POLITICO obtained an audio recording of a lengthy debate between committee members over whether to hold a regular state-run primary, a more limited 'firehouse primary,' a caucus or a convention. ... Now, nine Democrats have lined up to take on Comstock in 2016. The DCCC touted Wexton's entrance when she declared her candidacy in April, but her fundraising has trailed three main rivals: Obama administration alumni Lindsey Davis Stover and Alison Friedman and Rhodes Scholar and Army veteran Daniel Helmer. Some Democrats in the district think Wexton, the only candidate with experience running elections in the 10th District, may prefer a more insular convention to a more expensive primary." **Full story.**

EARLY POLLING DATA - "Democratic poll: Flake trails Ward in primary, Sinema in

general," by Robillard: "A new poll paid for by Senate Majority PAC shows Arizona Sen. Jeff Flake in deep trouble in both the primary and general election phases of his Senate bid. The poll, conducted by the Democratic firm GBA Strategies, has the incumbent Republican trailing former state Sen. Kelli Ward by substantial margins in the GOP primary. Flake is also behind Democratic Rep. Kyrsten Sinema in the poll's general election matchup. Flake, a staunch fiscal conservative, has faced intra-party attacks for his repeated criticisms of President Donald Trump's behavior and demeanor. Ward leads Flake in the primary test by a wide margin, 58 percent to 31 percent. Only 25 percent of GOP primary voters have a favorable opinion of Flake, while 56 percent have an unfavorable opinion. Just 34 percent approve of Flake's job performance, and 59 percent disapprove. Sinema leads Flake, 47 percent to 40 percent, in the general election matchup. Flake's job approval is at 38 percent among the general election electorate, with 50 percent disapproval. Just 23 percent have a favorable opinion of him, and 48 percent have an unfavorable opinion." **Full story.**

CORRECTION - A story in yesterday's Score incorrectly stated the American Academy of Dermatology's position on repeal of Obamacare. It opposed repeal of the tanning taxes included in the legislation.

Days until the 2017 election: 55.

Days until the 2018 election: 419.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

DAILY ROLL TIDE - Senate Leadership Fund set to spend $1.6M down the stretch in Alabama: Senate Leadership Fund has increased its ad buy by about $200,000 in Alabama. It's now set to spend $1.6 million over the final two weeks of the GOP primary race, as it tries to boost Sen. Luther Strange past former state Supreme Court Justice Roy Moore. The group is set to spend about $3 million during the run-off between the two men.

READY FOR ROUND TWO - "Heitkamp announces re-election bid for 2018," by the Bismarck Tribune's Amy Dalrymple: "Democratic U.S. Sen. Heidi Heitkamp announced Wednesday she is running for re-election in 2018, a decision she says was cemented the night before while attending a dinner with President Donald Trump. 'I really felt last night that there's an opportunity to do some good bipartisan work,' Heitkamp said in an interview with The Bismarck Tribune. 'If I didn't think I was getting things done, I don't know that I'd want to stay here.' ... She cited her efforts to support lifting the oil export ban, responding to concerns about the opioid crisis and fighting to improve lives for Native American children as some of her accomplishments." **Full story.**

TAX TIME - "GOP shudders as Trump courts Democrats on taxes," by Rachael Bade and

Burgess Everett: "President Donald Trump's courtship of Democrats on tax reform is dividing congressional Republicans on the merits of a bipartisan bill - and could upend the party-line strategy that White House and GOP leaders have been pursuing for months. Trump talked tax reform with two bipartisan groups of senators and House members over the past 24 hours, dining with swing-state Democrats and hobnobbing with centrists in the lower chamber. He told them he wants their votes on a tax bill, even entertaining a Democratic request to raise taxes on wealthier individuals. ... Tax decision-makers in the "Big Six" - Speaker Paul Ryan , Majority leader Mitch McConnell, Treasury Secretary Steve Mnuchin, White House economic adviser Gary Cohn and the GOP chairmen of the House and Senate tax-writing committees - opted months ago to pursue a partisan tax bill, all but writing off Democrats. They aim to pursue tax reform via budget 'reconciliation,' a procedural tool that allows them to evade a 60-vote threshold in the Senate, where the GOP controls just 52 seats. Now, GOP leaders and conservative lawmakers are warning that a Trump alliance with Democrats could upend all those plans." **Full story.**

WEB WARS - NRSC digital ad attacks McCaskill over plane: The NRSC is out with a digital ad attacking Democratic Sen. Claire McCaskill for saying "normal people" can afford a private plane. **Watch it here.**

GETTING THE NOD - "Trump nominates James Trainor III to FEC," by Campaign Pro's Maggie Severns: "President Donald Trump plans to nominate Texas-based lawyer James "Trey" Trainor III to the FEC, the White House said Tuesday night. Trainor is a partner at the law firm Ackerman, where his practice involves campaign finance and elections. According to his website bio at the firm, he has experience working with Trump, both in the general counsel's office for Secretary of Defense James Mattis and as counsel for Trump's presidential campaign. He has also worked in the Texas Secretary of State's office and the Texas state legislature." Full story.

HAPPENING TODAY -- FEC to discuss Russian Facebook ads: The Federal Election Commission will meet this morning and is poised to discuss Russia's reported purchasing of Facebook ads during the 2016 election. The commission posted a letter written last week by Democratic Commissioner Ellen Weintraub to its agenda in which Weintraub asks to discuss the ads and whether the FEC should undertake rulemaking for disclaimers on digital advertisements. "The need for us to act grows more compelling every day," Weintraub wrote in the letter. Weintraub also made clear she plans to ask the commission to restart the rulemaking process--though other commissioners have in recent months have shown almost no interest in doing so.

FAMILY TIES - "Chuck Grassley will back Pat Grassley for Iowa Secretary of Agriculture," by the Des Moines Register's Jason Noble: "U.S. Sen. Chuck Grassley left no doubt on Wednesday whether he's backing his grandson, state Rep. Pat Grassley, for the soon-to-be vacant office of Iowa secretary of agriculture. 'I know darn well you expect me to support my grandson, and I am. I hope he'll be appointed,' Grassley, a Republican, said in a conference call with Iowa reporters Wednesday. The statewide elected office is expected to come open later this year or early next following incumbent Republican Secretary Bill Northey's nomination to an undersecretary post at the U.S. Department of Agriculture." **Full story.**

QUOTE OF THE DAY: "Because when I didn't have an alert, I would be in the middle of an interview with someone like you, and they would ask me about something he tweeted, and I would be caught flat-footed." - Ohio Sen. Rob Portman to BuzzFeed News.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/09/14/liberal-groups-team-up-for-big-virginia-digital-buy-222288

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 10/5/2017 6:26:16 PM
Subject: BREAKING NEWS: NRA calls for federal review of whether bump fire stocks comply with current law

The National Rifle Association on Thursday called on the Bureau of Alcohol, Tobacco, Firearms and Explosives to review whether bump fire stocks - like the device used in this week's Las Vegas shooting massacre - comply with current federal law.

"The NRA believes that devices designed to allow semi-automatic rifles to function like fully-automatic rifles should be subject to additional regulations," NRA CEO Wayne LaPierre and Executive Director Chris Cox added in a joint statement.

Read more: http://www.politico.com/story/2017/10/05/nra-calls-for-federal-review-of-whether-bump-fire-stocks-comply-with-current-law-243500

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/9/2017 5:07:31 PM
Subject: POLITICO INVESTIGATION: In Trump country, a university confronts its skeptics

The University of Michigan, like many flagship public universities, was founded to help low-income students. But today, a full 10 percent of its student body comes from families in the top 1 percent of earners, with just 16 percent from the bottom 60 percent combined. High tuition is a major culprit. So, too, is an elite reputation that drives away applicants in the state that sealed Donald Trump's victory. The university is trying to change that - but is facing some surprisingly intractable barriers.

Read more: http://politi.co/2AnE5JJ

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/28/2017 7:48:08 PM
Subject: House energy committee approves slate of brownfield, ozone and pipeline bills

By Darius Dixon

06/28/2017 03:43 PM EDT

The House Energy and Commerce Committee today signed off on legislation that would reauthorize a brownfields cleanup program, delay ozone standards and give FERC power to approve cross-border oil pipelines.

The most contentious bill was the Ozone Standards Implementation Act, H.R. 806, which would delay implementation of the 2015 ozone standard through 2025 and stretch the regular air quality standard review period from five years to 10. It advanced on a 29-24 vote, mostly along party lines, after the committee voted down two Democratic amendments.

E&C also approved legislation to speed up decisions on energy projects crossing into Canada and Mexico on a partisan 31-20 vote. The bill, H.R. 2883, Promoting Cross-Border Energy Infrastructure Act, would scrap the presidential permitting process for electric, natural gas and oil projects, which became contentious by former President Barack Obama's decision to reject TransCanada's Keystone XL pipeline. Instead of the State Department, FERC would be authorized to review cross-border oil pipelines. A handful of Democratic amendments were voted down.

A separate bill aimed at streamlining approvals for interstate natural gas pipelines, H.R. 2910, was approved on a 30-23 vote.

On a bipartisan note, the committee approved a bill, H.R. 3017, to reauthorize a brownfields cleanup program with a voice vote amendment-free.

WHAT'S NEXT: The bills are expected to get votes in the full House before the August recess, but GOP leaders have not yet scheduled floor time.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/house-energy-committee-approves-slate-of-brownfield-ozone-and-pipeline-bills-089855

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Wed 11/15/2017 2:11:40 PM
Subject: The Morning Headlines from InsideEPA.com -- November 15, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

November 15, 2017

Latest News

Oklahoma Official Seeks Greater State Role In EPA's Superfund Reforms

States are pressing EPA to boost their role in the Superfund cleanup process and to generally increase communications between state and federal agencies, according to Oklahoma environment chief Scott Thompson, who leads a national states' workgroup focused on EPA's Superfund reforms.

EPA Regional Heads Downplay Superfund Sites' Damage From Hurricanes

The heads of three EPA regions are downplaying reports of contamination from Superfund sites and facility leaks in the aftermath of this year's disastrous hurricane season, saying any contaminated sites have been contained and did not pollute drinking water in damaged areas despite early reports to the contrary.

Pending EPA Nominees To Face At Least Two-Week Wait For Senate Votes

Several nominees for top political slots at EPA that have been long awaiting Senate confirmation likely must wait at least an additional two weeks, with the chamber not planning to take up any additional agency candidates until the week of Nov. 27 at the earliest, Capitol Hill sources say.

GOP Senators Tout Bills To Ease EPA Air Rules But Democrats Push Back

Republican senators at a Nov. 14 environment panel hearing touted several bills they said would help to ease compliance with Obama EPA air rules for manufacturers of bricks and wood stoves, though Democrats on the panel pushed back by warning that the legislation ultimately would undermine Clean Air Act protections.

EPA Launches Two-Year Pilot Aimed At Streamlining Superfund ARARs

EPA's Superfund office is launching a two-year pilot project to field a "best practices" process developed jointly by EPA and states aimed at discussing and identifying state cleanup standards earlier in the remedial process in order to avert disputes and bottlenecks over applying the standards.

New EPA Advisory Committees' Chairmen Have History Of Agency Criticism

The new chairmen of two influential EPA science advisory committees have a history of criticizing the agency's scientific analyses in ways fundamental to how EPA evaluates and seeks to support regulations to manage environmental risks, ranging from risk assessment approaches generally to specific air pollutants and chemicals.

Daily Feed

Democrats, environmentalists vow ongoing climate push

Sen. Sheldon Whitehouse (D-RI) said Democrats' message at the United Nations climate talks was that "the administration is not only isolated in the world . . . it is isolated from the rest of America."

North Carolina newspaper opposes EPA toxics office nominee

The newspaper is urging its readers to lobby the state's senators to oppose the Trump administration's nomination of Michael Dourson to be EPA toxics chief.

NRDC urges EPA to hold more hearings on CPP repeal

"The agency [must] give the public real opportunities to speak at hearings in the nation's capital and across the nation when proposing to repeal the" Clean Power Plan, the environmental group says.

CATF cites oil & gas emission equity harms to fight EPA rule repeal

Environmentalists hope new findings about harms African-American fence-line communities face from oil and gas emissions will help block EPA from scrapping methane limits for the sector.

CEI files suit to compel Paris Agreement documents

The free-market group, which argues that the Paris Agreement is a treaty requiring Senate ratification, is seeking State Department documents that it hopes will bolster that claim.

Ewire: Trump's pro-fossil event at U.N. climate talks prompt outcry

In today's news roundup: Climate change advocates are faulting the Trump administration's pro-fossil side event at the United Nations climate talks. But is the message getting to career U.S. diplomats?

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 5/23/2017 8:25:14 PM
Subject: [SPAM] May 23 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Greenhouse Gas Reporting Budget Slashed in Trump Proposal

Posted May 23, 2017, 03:29 P.M. ET

By Dean Scott and Andrew Childers

An EPA program to track greenhouse gas emissions nationally faces an 85 percent budget cut as President Donald Trump looks to slash the agency's funding and sideline climate change efforts.

Trump and Environmental Protection Agency Administrator Scott Pruitt have vowed to downplay the agency's climate change work, instead focusing on priorities such as cleaning up Superfund sites.

The EPA in the fiscal year 2018 budget proposal released May 23 faces $336 million in cuts to its climate work compared to estimated funding levels for 2017. The Office of Management and Budget compared its fiscal 2018 proposal to estimated funding based on the continuing resolution for 2017 rather than the recently passed omnibus funding levels for that year. International climate programs are also on the chopping block as Trump follows through on a pledge to end funding for international climate aid.

The $336 million in cuts to the EPA's air pollution and climate work include:

• $161 million reduction—a 34 percent cut from 2017 levels—to environmental programs and management,

• $114 million less for science and technology programs, a 46 percent reduction, and

• $60 million in cuts to aid to states and tribes—a nearly 18 percent cut from 2017 levels.

Within the environmental programs funding, the EPA's greenhouse gas reporting program is slated to receive only $13.6 million, down from an estimated $95.3 million in 2017. The estimated savings would come from eliminating a variety of voluntary programs such as Energy Star, voluntary methane reduction efforts for the oil and gas sector, and the Green Power Partnership, which encourages the use of renewable energy.

Reducing those programs is part of what the Trump administration calls its "commitment to return EPA to its core work."

The greenhouse gas reporting program collects annual emissions data from nearly 8,000 industrial facilities across 41 sectors of the economy.

International Climate Aid Eliminated

Trump's fiscal year 2018 budget plan also maintains his pledge to zero out billions in international climate aid.

The proposal would eliminate a total of $1.59 billion for the United Nations Green Climate Fund, the Global Climate Change Initiative, and other international climate programs.

Zeroing out the Green Climate Fund would mean the U.S. would fall well short of the amount President Barack Obama pledged in 2014 toward the fund—$3 billion over four years—which helps developing nations adapt to climate impacts and pursue low-carbon development. Obama used the Global Climate Change Initiative to make sure climate issues were being addressed in assistance funneled through multiple foreign assistance agencies.

Hanford Nuclear Cleanup Budget Slashed in Energy Proposal

Posted May 23, 2017, 04:08 P.M. ET

By Chuck McCutcheon

Washington state's Hanford Nuclear Reservation, scene of a recent collapse of a tunnel containing nuclear waste, would see its funding slashed under President Donald Trump's new budget proposal.

The May 23 release of the fiscal year 2018 budget for the Department of Energy, which follows Trump's earlier "skinny budget," drew praise from conservative Republicans for being fiscally responsible and criticism from those who want more funding for energy research and development and other programs. Given that many of the department's programs are located in numerous areas of the country and enjoy bipartisan support, Congress is expected to restore many of the proposed cuts.

The Energy Department would sustain an overall 5.4 percent cut, or $1.7 billion—minor compared to most other Cabinet agencies—from the estimated funding levels Congress provided in fiscal 2017, according to White House Office of Management and Budget documents. The agency's clean energy programs would bear the brunt of the cuts, with new funds funneled into the arm of the agency dealing with developing and safeguarding nuclear weapons.

"This budget delivers on the promise to reprioritize spending in order to carry out DOE's core functions effectively and efficiently while also being fiscally responsible and respectful to the American taxpayer," Energy Secretary Rick Perry said in a statement.

But Ernest Moniz, Perry's predecessor under former President Barack Obama, called the budget proposal "a retreat of American leadership on energy innovation, environmental protection and energy security."

Trump's budget blueprint calls for reducing cleanup at Hanford from $921 million to $716 million, a 22 percent reduction. That comes as the budget proposes to boost overall departmental defense-related environmental cleanup of materials from $5.28 billion to $5.54 billion.

Hanford Cleanup Needed

Washington state's congressional delegation, including Democratic Sens. Patty Murray and Maria Cantwell, long have pressed various administrations to commit to cleaning up Hanford. The site in eastern Washington has milllons of gallons of highly radioactive wastes stored in 177 aging underground tanks, some of which have leaked.

"Previous administrations and Congress have repeatedly supported the legal and moral obligation of the federal government to clean up the Hanford site, and we urge you to continue this important work to protect health and safety," the two senators and Rep. Dan Newhouse (R-Wash.) said in a May 19 letter to Perry.

The Hanford tunnel, containing radioactive wastes that were byproducts of producing plutonium for nuclear weapons, partially collapsed on May 9, prompting nearby workers to evacuate. A worker's clothing also was exposed to radioactive contamination in what Washington Gov. Jay Inslee (D) called an "alarming incident."

Trump's budget also calls for steep cuts to numerous other Energy programs:

• Basic energy sciences, which supports research to advance new energy technologies, would see a proposed cut from $1.84 billion to $1.55 billion.

• Biological and environmental research, which studies biological, earth and environmental systems for energy and infrastructure resilience and sustainability, would see a proposed cut from $608 million to $349 million.

• Energy effiency and renewable energy programs would receive a proposed $636 million, a decline of $1.4 billion. Subprograms dealing with weatherization of homes and state energy are proposed for elimination "to reduce federal intervention in state-level energy policy and implementation," according to the department.

• Sustainable transportation programs, which conduct early-stage research and development on vehicle technologies, fuel cells and other energy innovations, would see a proposed cut from $659 million to $336 million. Within that, solar energy would be cut from $324 million to $134 million; wind energy from $145 million to $66 million; water power from $97 million to $44 million. Geothermal technologies would be sliced in half to $38 million.

• Fossil energy research, which supports research into coal, oil and other energy types that Trump has emphasized, would see a proposed cut from $631 million to $280 million. The budget seeks to consolidate the work for the National Energy Technology Laboratory, which does work in several states, into a single operational site.

• Cybersecurity for energy-delivery systems, which supports research on cutting-edge solutions to defend against cyber attacks, would see a proposed cut from $62 million to $42 million. The proposed budget adds $43 million for cybersecurity within the defense environmental cleanup program.

ARPA-E Cut Maintained

The proposed budget maintains the administration's earlier call for cutting the Advanced Projects Research Agency-Energy (ARPA-E) office, which invests in early-stage, high-risk energy technologies that have potential to transform the nation's energy system.

In addition, it maintains the "skinny budget" promise to eliminate the Advanced Technology Vehicles Manufacturing Loan Program, which provides loans to automakers to help produce advanced-

technology vehicles. The program's loan office will wind down operations in fiscal 2018 with the expectation it will shut down the following fiscal year, according to an Office of Management and Budget document.

Similarly, it continues the call for eliminating the Title 17 Innovative Technology Loan Guarantee Program, which funds high-risk technology that aims to avoid, reduce or sequester air pollutants or greenhouse gases.

Trump's blueprint also underscores the administration's interest in reconsidering waste storage at Nevada's Yucca Mountain site despite widespread objections from Nevada lawmakers. It proposes restarting the Nuclear Waste Fund Fee in 2020, an indication the administration is planning to have a permanent storage site for high-level spent fuel from commercial nuclear power plants up and running by that time. The budget also separately includes a $30 million request for the Nuclear Regulatory Commission to restart work on the site northeast of Las Vegas, which the Obama administration had mothballed.

Perry, in recent visits to several of the department's national laboratories, has pledged to support much of their work. The proposed budget includes a boost from $620 million to $722 million for the Advanced Scientific Computing Research program, which supports research in applied mathematics and computer science at such labs as Oak Ridge in Tennessee, Argonne in Illinois and Lawrence Berkeley in California.

Two Energy Professionals Chosen for Nuclear Commission

Posted May 22, 2017, 09:17 P.M. ET

By Rebecca Kern

A former utility commission chairman and a Senate energy staffer were named by the Trump administration to fill two vacant Republican seats on the Nuclear Regulatory Commission.

David Wright, a former South Carolina Public Service Commission chairman, and Annie Caputo, a senior policy adviser for the Senate Environment and Public Works Committee, will be nominated to serve terms as Republican commissioners on the nuclear regulatory body, the administration announced May 22.

The administration also said it plans to renominate Kristine Svinicki, the current chairman, to serve another five-year term as chairman. Svinicki's current term was set to expire July 1.

The NRC has been down to three commissioners—Svinicki, a Republican; Stephen Burns, an independent; and a former chairman, Jeff Baran, a Democrat. If the nominees are confirmed, the agency would return to a full five-person panel.

Wright has been the owner of Wright Directions LLC, a strategic consulting and communications business based in South Carolina, since 2013. He served on the South Carolina Public Service Commission from March 2004 to June 2013.

From 2011-2012, he was president of National Association of Regulatory Utility Commissioners, which represents state public service commissioners. He also was national chairman of the Nuclear Waste Strategy Coalition from 2006 to 2013, a group of state utility regulators, local governments, and tribes on nuclear waste policy issues. He has a political science degree from Clemson University.

Marc Spitzer, a former commissioner at the Federal Energy Regulatory Commission from 2006-2011 and currently a partner at Steptoe & Johnson LLC, told Bloomberg BNA he worked with Wright on a jurisdictional issues between FERC and the South Carolina commission.

Two of the four nuclear reactors being built in the U.S. are being built by SCANA Corp. in South Carolina, which likely factored into the administration's choice to nominate Wright.

Caputo's Bipartisan Reach

Caputo has more than a decade of experience working as a staffer on both Senate and House energy committees. She has worked as a policy adviser on the Senate Environment and Public Works Committee since January 2015, and was a staffer from 2007-2012, specializing in nuclear energy issues. From 2012 to 2015 she worked as a staffer on the House Energy and Commerce Committee.

She was a congressional affairs manager at Exelon Corp. from 1998 to 2005. Caputo has a chemical engineering degree from Michigan Technological University and a degree in nuclear engineering from the University of Wisconsin-Madison.

"On the Hill, both Democrats and Republicans see her as a leading expert on NRC issues," Ryan Fitzpatrick, deputy director of the Clean Energy Program at Third Way, a group that advocates for clean energy and nuclear energy, told Bloomberg BNA.

Fitzpatrick said he worked with Caputo on the Nuclear Energy Information and Modernizaton Act (S. 512), which the Environment and Public Works Committee reported out favorably in March. The bill directs the NRC to create a regulatory framework for advanced nuclear reactor technologies, which aren't cooled by water as existing nuclear reactors are.

Trump Proposes Selling Off Half the U.S. Strategic Oil Reserve

Posted May 23, 2017, 8:19 A.M. ET

By Catherine Traywick and Jennifer A. Dlouhy

The White House plan to trim the national debt includes selling off half of the nation's emergency oil stockpile, part of a broad series of changes proposed by President Donald Trump to the federal government's role in energy markets.

Trump's first complete budget proposal, released in part May 22, would raise $500 million in fiscal year 2018 by draining the Strategic Petroleum Reserve, and as much $16.6 billion in oil sales over the next decade.

The proposal also seeks to boost government revenues by allowing oil drilling in the Alaska National Wildlife Refuge, ending the practice of sharing oil royalties with states along the Gulf of Mexico and selling off electricity transmission lines in the West. Like much of the budget, those moves are likely to face opposition in Congress.

Presidential budget proposals typically undergo significant changes in Congress, but provide insight into White House priorities.

The Strategic Petroleum Reserve currently holds 687.7 million barrels of oil in salt caverns and tanks at designated locations in Texas and Louisiana. That allows for quick distribution when natural disasters or unplanned accidents occur, according to the Energy Department website.

Measures passed in 2015 and 2016 call for the sale of nearly 190 million barrels of oil from the reserve between 2017 and 2025, to raise money for unrelated government programs. Those sales would cut the reserve by about 27 percent. Slashing the stockpile by half would require further sales, and would risk breaching the legally required inventory threshold. The reserve must contain a minimum of 450 million barrels.

The budget summary document doesn't indicate the scope or timing of potential oil reserve sales, or whether a $2 billion program to modernize the stockpile's infrastructure would be affected.

Oil, Gas Proposals

Trump is also seeking to raise money with two other proposed changes—one that would be cheered by the oil industry and another that would draw its ire.

For instance, he projects raising $1.8 billion over the next decade by opening up the 19-million-acre Arctic National Wildlife Refuge to oil and gas development. The idea of allowing drilling in the refuge for its estimated 12 billion barrels of crude has long been championed by Alaska Republicans, including Sen. Lisa Murkowski, who heads the appropriations subcommittee in charge of Interior spending.

But it's anathema to environmentalists, who have successfully blocked ANWR drilling plans from advancing on Capitol Hill by stoking concerns about threats to the polar bears, caribou, wolves and other animals that live in the territory.

Trump's budget request suggests ANWR leasing could begin to pay off in fiscal 2022, with $100 billion in projected revenue that year. In addition to environmentalists' opposition, it's unclear how much appetite energy companies would have for the reserve. Monster discoveries there could yield decades of oil production, but the cost of operations in northern Alaska could discourage the activity amid modest crude prices and the domestic shale boom.

Offshore Royalties

Trump's budget request also revives an Obama-era proposal to cut the payments Gulf Coast states collect from offshore drilling near their coastlines, a change that would translate to an extra $3.56 billion in federal revenue over the next decade. Under a 2006 law, four Gulf states—Alabama, Louisiana, Mississippi and Texas—now claim 37.5 percent of the royalties that oil and gas companies send the federal government in exchange for drilling rights and production on some Gulf of Mexico leases.

Trump's move echoes Obama's attempt to divert some of those royalty payments. And his bid to quash state revenue sharing is likely to meet the same fierce resistance that Obama's plans did. Just as they did under Obama, Gulf Coast lawmakers also will vigorously fight to defend those payments, which help support restoration programs.

The budget also proposes restarting the Nuclear Waste Fund Fee in 2020, a sign that the administration is planning to have a permanent storage site for that waste up and running by that time—presumably at a site in Nevada known as Yucca Mountain. That fee would raise nearly $3.1 billion over 10 years, it estimates.

The White House foresees $2.4 billion in additional revenue in 2019 from the sale of federally-owned transmission lines in the West. Those power lines mostly carry electricity from government-owned dams to metro areas.

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Trillions on Yearly Infrastructure Spending Would Help Climate Goals: OECD

Posted May 23, 2017, 03:45 P.M. ET

By Rick Mitchell

The world's biggest economies have to spend about $6.9 trillion a year on "smart" infrastructure through 2030 to be on track to keep global warming to safe levels, a new OECD report said.

Because most major economies have skimped on infrastructure since the 2008 financial crisis, an average $6.3 trillion of yearly investment is required in the next 14 years just to meet development needs globally. And for an extra $600 billion, the $6.9 trillion in total annual outlays could buy infrastructure that is "modern, smart and clean infrastructure" and not "carbon-intensive," according to the report the Organization for Economic Cooperation and Development released May 23.

Because smart infrastructure is more energy-efficient, it would cut fossil fuel spending by $1.7 trillion annually, more than offsetting the extra cost, the OECD said.

Low-emissions infrastructure investment figures at the heart of the report's recommendations for policy makers to combine strong fiscal and structural reform with coherent climate measures, rather than treat climate as a separate issue. Such an approach would significantly reduce climate change risks, while also providing near-term economic, employment and health benefits, it said.

The 314-page report forecasts "a climate-compatible policy package" that could increase economic output by up to an average 2.8 percent across the Group of 20 countries by midcentury, and that gain rises to almost 5 percent compared with a business-as-usual scenario, if positive impacts of avoiding climate damage are taken into account.

Today's Investment, Tomorrow's Goals

The Paris-based economic policy body released the report at the eighth annual Petersberg Climate Dialogue, which Germany hosted in Berlin as part of its presidency of the G-20 countries, which account for about 85 percent of global economic output and about 80 percent of carbon dioxide emissions.

Infrastructure investments made to 2030 will determine whether the 2015 Paris Agreement's goal to hold global warming to 2 degrees Celsius in this century, compared with pre-industrial levels, can be achieved, the report said. Smart infrastructure includes renewable energy generation and storage, electric vehicles, advanced building insulation techniques and negative emissions technologies, and restoring degraded grasslands, among others.

Public and private financing are crucial to infrastructure investment, the OECD said in the report. Today's low-interest rates give many countries "fiscal space" to borrow, while others can optimize their tax-and-spending mix to pay for projects. Meanwhile, well-aligned climate, fiscal, and

investment policies will spur increased private investment.

The OECD said the "financial system" has to do more to correctly value and incorporate climate-related risks for infrastructure investments. And development banks and finance institutions should boost available resources, while helping to develop "green finance" in partner countries.

The organization's 35 member countries, which are mainly wealthy economies, include Group of 20 members Australia, Canada, France, Germany, Italy, Japan, Mexico, South Korea, Turkey, the U.K. and the U.S. Argentina, Brazil, China, India, Indonesia, Russia, Saudi Arabia, and South Africa are G-20 members but not in the OECD. The European Union also is a G-20 member.

Merkel to Confront Climate-Change 'Doubters' Among G-20 Peers

Posted May 23, 2017, 10:07 A.M. ET

By Brian Parkin

German Chancellor Angela Merkel said she won't give up trying to persuade doubters among her global peers that climate change is real, signaling her message for a Group of Seven summit starting May 26.

Merkel called on countries to uphold the Paris Agreement to combat climate change and limit the rise of global temperatures, which was brokered by nearly 200 nations in 2015 and entered into force in November. U.S. President Donald Trump, who has called global warming a hoax, may be on the verge of saying whether he'll stick to the pact.

"Today, we need to capture the same spirit that marked the completion of the climate pact in Paris, in terms of implementation in Europe, among G-7 and G-20 countries, and the United Nations," Merkel said May 23 in a speech to a conference in Berlin. "I am trying to persuade the doubters."

Merkel, a former environment minister, has consistently championed the Paris agreement, which pledged emerging countries such as China to combat global warming for the first time. The potentially divisive topic is likely to be on the agenda as well when Merkel hosts fellow Group of 20 leaders for a summit in Hamburg in July.

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Toyota, Nissan, Honda to Lead Japan's Hydrogen Station Coalition

Posted May 23, 2017, 12:10 P.M. ET

By Toshio Aritake

Eleven leading Japanese companies including Toyota, Nissan and Honda said they will collaborate to build more hydrogen stations to accommodate fuel cell motor vehicles in Japan.

While the government has a target of 160 hydrogen stations serving 40,000 fuel cell vehicles by 2020, just 90 hydrogen stations are currently in operation—and slightly more than 1,000 fuel cell vehicles on Japanese roads, according to government statistics and the Japan Automobile Manufacturers Association.

The companies are Toyota Motor Corp. , Nissan Motor Co., Honda Motor Co., JXTG Nippon Oil & Energy Corp., Idemitsu Kosan Co. Ltd., Iwatani Corp., Tokyo Gas Co., Toho Gas Co. Ltd., Air Liquide Japan Ltd., Toyota Tsusho Corp., and the Development Bank of Japan Inc., they said in a May 19 announcement.

The cost of building a hydrogen filling station is more than twice the cost of building a gas station, the Japan Automobile Manufacturers Association said.

Clean Car Rules Lead to Jobs From Technology, Equipment

Posted May 23, 2017, 02:22 P.M. ET

By Ryan Beene

More than a quarter million U.S. jobs are tied to the use of technology and production of materials used to improve vehicle fuel economy, according to a report released May 23 by environmental groups.

The report by the Natural Resources Defense Council and the BlueGreen Alliance seeks to draw attention to jobs supported by auto efficiency regulations under review by the Trump administration. That review was initiated by President Donald Trump in March and directs the Environmental Protection Agency to decide by next April whether to change greenhouse gas standards for 2022-2025 that require annual increases in vehicle efficiency.

The report found that about 1,200 U.S. factories and engineering centers in 48 states produce components such as advanced transmissions or electric motors, or advanced materials such as carbon fiber or aluminum used in vehicles. Those locations employ some 288,000 workers, more than double the number recorded in a 2011 version of the report, the groups said.

“There has been a huge amount of clean vehicle innovation over the last five years,” said Luke Tonachel, director of the clean vehicles and fuels project at the Natural Resources Defense Council, a New York-based environmental group. “Clean vehicle innovations are key to both protecting the environment while also keeping the the U.S. manufacturers in a globally competitive position on technology.“

Current U.S. auto efficiency rules aim to boost average new vehicle fuel economy to more than 50 miles per gallon by 2025. An automaker-funded study released in March found that the standards would lead to higher vehicle prices and reduce auto-sector employment in the short term. The U.S. could see a net gain of about 150,000 jobs by 2031 as fuel savings at the pump outweigh higher vehicle costs, one of the report’s authors said at the time.

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Renewable Energy Powers Jobs for Almost 10 Million People

Posted May 23, 2017, 04:12 P.M. ET

By Mahmoud Habboush

Renewable energy employed 9.8 million people last year, up 1.1 percent from 2015, led by solar photovoltaic at 3.09 million jobs, according to the International Renewable Energy Agency’s annual

report on the industry.

Growth has slowed in the past two years while solar photovoltaic and wind categories more than doubled their number of jobs since 2012, the first year assessed, Irena said in the report.

Global renewables employment has climbed every year since 2012, with solar photovoltaic becoming the largest segment by total jobs in 2016, according to the report..

Solar photovoltaic employed 3.09 million people, followed by liquid biofuels at 1.7 million. The wind industry had 1.2 million employees, a 7 percent increase from 2015.

Employment in renewables, excluding large hydro power, increased 2.8 percent last year to 8.3 million people, with China, Brazil, the U.S., India, Japan and Germany the leading job markets. Asian countries accounted for 62 percent of total jobs in 2016 compared with 50 percent in 2013.

Renewables jobs could total 24 million in 2030, as more countries take steps to combat climate change, the agency said in the report.

—With assistance from Jessica Shankleman.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 7/11/2017 4:13:32 PM
Subject: Industry backs EPA legal push on methane rule

By Alex Guillén

07/11/2017 12:10 PM EDT

A coalition of industry groups today backed EPA's request for a federal court to lift its July 3 order striking down Administrator Scott Pruitt's 90-day stay of the 2016 methane rule for new oil and gas wells.

The industry groups echoed EPA's arguments that the court should have waited longer to formally order EPA to resume enforcing the rule. Courts typically wait 45 days or longer for that step to allow for appeals, but the 90-day stay would have expired around that time.

The groups also pointed to EPA's forthcoming plan to issue a two-year stay of the methane rule's requirements, on which EPA is taking comment now. That could mean regulatory whiplash for oil and gas drillers, they argued.

"It is unreasonable to require immediate compliance with the 2016 Rule when the requirements may again be stayed shortly after being implemented," they wrote, adding that there would be little environmental benefit but "very significant" costs to industry.

Meanwhile, coalitions of environmentalists and states supportive of the rule urged the court not to reinstate Pruitt's stay. The rule had been in effect since August, and if the court had not acted immediately, the stay would have remained effectively unchanged despite being ruled unlawful, they argued.

Any risk faced by industry "is due to the Administrator's own dilatory and irregular approach to suspending these protections, as well as some companies' failure to take advantage of the extensive lead time" for compliance, the green groups added.

WHAT'S NEXT: EPA's response is due by Wednesday at 10 a.m. The court could decide shortly after whether to reverse its order. EPA's separate two-year stay of the rule is expected to take weeks or months to finalize.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/industry-backs-epa-legal-push-on-methane-rule-090273

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/6/2017 10:47:03 AM
Subject: POLITICO Playbook, presented by Postmates: TRUMP on Russian meddling: It was Russia, and others, but nobody really knows for sure – EXCERPTS from Trump's big Europe speech -- TRUMP aides building little 'empires in the West Wing' – B'DAY: George W. Bush

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Today's POLITICO Playbook presented by Postmates
07/06/2017 06:42 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

BREAKING LATE LAST NIGHT -- STATEMENT FROM REP. STEVE SCALISE'S (R-LA.) OFFICE: "Congressman Steve Scalise has been readmitted to the Intensive Care Unit at MedStar Washington Hospital Center due to new concerns for infection. His condition is listed as serious. We will provide another update tomorrow, July 6."

Good Thursday morning. PRESIDENT DONALD TRUMP IS IN POLAND ... WHAT HE SAID AT HIS NEWS CONFERENCE WITH ANDRZEJ DUDA -- TRUMP said Polish Americans came "out in droves" in the 2016 election and he noted he was "very happy" with the result ... He said the U.S. was working with Poland to counter Russia's "destabilizing behavior" in the region ... Trump vowed to confront North Korea "very strongly" and said "there are consequences for their very, very bad behavior."

TRUMP CALLED ON The Daily Mail's David Martosko and NBC's Hallie Jackson at his press conference.

-- ON CNN: "I think what CNN did was unfortunate for them. ... They have been fake news for a long time ... They have been covering me in a very dishonest way ... NBC is equally as bad despite the fact that I made them a fortunate with 'The Apprentice,' but they forgot that."

-- ON NORTH KOREA: "We'll see what happens. ... I have some pretty severe things that we are thinking about."

-- ON RUSSIAN INTERFERENCE IN THE 2016 ELECTIONS: "I think it was Russia, and I think it could've been other people. ... I agree, I think it was Russia, but I think it

was probably other people or countries ... Nobody really knows for sure."

TRUMP likened his uncertainty about who meddled in the election to the false intelligence about weapons of mass destruction in Iraq.

Other items: Trump said the U.S. would "continue to work with Poland" militarily to counter Russia's influence in the region, but the two presidents did not discuss guarantees. There are up to 5,000 U.S. troops in Poland, Trump said.

STANDING WITH the presidents of Poland and Croatia, Trump said: "This is a beautiful room, I must say. I love beautiful rooms," according to print pooler Abby Phillip of the Washington Post.

-- AND ... TRUMP SPOKE ABOUT THE U.S. ECONOMY: "We picked up in market value almost $4 trillion dollars ... Personally, I've picked up nothing. Everybody else is getting very rich. That's ok."

NOTE -- @GlennThrush: ".@realDonaldTrump slams fake news, then stands by as Duda describes why he's restricting Polish media outlets from covering parliament."

THE PRESIDENT is speaking at Krasinski Square around 7:15 a.m. D.C. time. He'll then leave for Hamburg for the G20 Summit. He meets with German Chancellor Angela Merkel at noon. At 1:30 p.m., Trump will attend the Northeast Asia Security Dinner with South Korean President Moon Jae-In and Japanese President Shinzo Abe.

SPOTTED ON THE TRIP: U.S. Ambassador to Poland Paul Jones, Commerce Secretary Wilbur Ross, Jared Kushner, national security adviser HR McMaster, National Economic Council Director Gary Cohn, Dina Powell, Sean Spicer, Dan Scavino, Hope Hicks, Rob Porter, Wendy Teramoto, Eli Miller and Stephen Miller, per the pool.

-- **@juliehdavis**: "Spotted at Trump's Krasinski Square speech in Warsaw: fmr WH national security advisers Gen. Jim Jones (Obama) & Steve Hadley (Bush 43)"

-- WHAT TRUMP WILL SAY IN HIS BIG SPEECH ... Excerpts, per the pool: "The triumph of the Polish spirit over centuries of hardship gives us all hope for a future in which good conquers evil, and peace achieves victory over war. ... I am here today not just to visit an old ally, but to hold it up as an example for others who seek freedom and who wish to summon the courage and the will to defend our civilization ... We must stand united against these shared enemies to strip them of their territory, their funding, their networks, and any form of ideological support. While we will always welcome new citizens who share our values and love our people, our borders will always be closed to terrorism and extremism. ...

"Finally, on both sides of the Atlantic , our citizens are confronted by yet another danger -- one firmly within our control. This danger is invisible to some but familiar to the Poles. The steady creep of government bureaucracy that drains the vitality and wealth

of the people The West became great not because of paperwork and regulations but because people were allowed to chase their dreams and pursue their destinies. Americans, Poles, and the nations of Europe value individual freedom and sovereignty. We must work together to counter forces, whether they come from inside or out, from the South or the East, that threaten over time to undermine these values and to erase the bonds of culture, faith and tradition that make us who we are. ...

"The people have been that foundation here in Poland -- they were right here in Warsaw -- and they were the foundation from the very beginning in America. ... Because as the Polish experience reminds us -- the defense of the West ultimately rests not only on means but also on the will of its people to prevail. The fundamental question of our time is whether the West has the will to survive. ... Our own fight for the West does not begin on the battlefield -- it begins with our minds, our wills, and our souls."

THE STAKES -- NYT A1, "Talks With Putin Pose Main Risks Of Trump's Trip," by Julie Hirschfeld Davis and Glenn Thrush (online headline: **"Trump Aides' Biggest Worry About Europe Trip: Meeting With Putin"):** "Even his top aides do not know precisely what Mr. Trump will decide to say or do when he and Mr. Putin meet face to face on Friday on the sidelines of the Group of 20 economic summit gathering in Hamburg, Germany. And that is what most worries those advisers as well as officials across his administration as Mr. Trump begins his second foreign trip as president, stopping first in Warsaw to give an address on Thursday and then heading to Hamburg.

"**The highly anticipated conversation** with Mr. Putin is in many ways a necessity, given the critical disputes separating the United States and Russia. But it also poses risks for Mr. Trump, who faces a web of investigations into his campaign's possible links to Russia, as well as questions about his willingness to take on Moscow for its military aggression and election meddling on his behalf. The air of uncertainty about the meeting is only heightened by the president's propensity for unpredictable utterances and awkward optics." http://nyti.ms/2tPli9Z

OTHER MEETING TO WATCH: Trump is slated to meet with Chinese President Xi Jinping just as he has ratcheted up his rhetoric over North Korea.

--"The Flashpoints for World Leaders at the Hamburg G-20," by Bloomberg's Alan Crawford and Sam Dodge: "Sparks could really ???y over the policy agenda of free trade, climate change and migration put forward by the German host." https://bloom.bg/2uN5nX9

HAPPENING TONIGHT -- Leaders from Canada, Argentina, Norway and Belgium are gathering with Coldplay, Shakira, Pharrell Williams and Ellie Goulding for the Global Citizen Festival in Hamburg ahead of the G20. Their aim is to raise commitments of up to $661 million from governments to support global health, gender equality and education. Trump was not invited. A source in the organization organizing the festival told us they do not believe he has made a meaningful commitment to the world's poor. ***Livestream at 1 p.m. Eastern*** http://bit.ly/2sPmXIQ

****** **A message from Postmates:** Operating in over 200 cities across the United States - Postmates is an innovative, on-demand logistics platform, transforming the way goods move around towns by enabling anyone to have anything delivered to their door step within minutes, and driving over $1B in goods and merchandise across its platform in 2017. https://postmates.com ******

FOR YOUR RADAR -- "S. Korea fires missiles in drills amid standoff with North," by AP's Hyung-Jin Kim in Seoul, South Korea: "South Korean jets and navy ships fired a barrage of guided-missiles into the ocean during drills Thursday, a display of military power two days after North Korea test-launched its first intercontinental ballistic missile. ... The live-fire drills off South Korea's east coast were previously scheduled. In a show of force, South Korea and the United States also staged 'deep strike' precision missile firing drills on Wednesday as a warning to the North." http://bit.ly/2uNhpzE

-- "U.S. missile shield not yet ready for North Korean nukes: The Pentagon and its contractors still haven't figured out how to reliably shoot down an intercontinental ballistic missile like the one recently tested by North Korea," by Jacqueline Klimas and Connor O'Brien: "Tens of billions of dollars spent over three decades have still left the Pentagon with no reliable way to shoot down nuclear-tipped missiles approaching the U.S. homeland - a vulnerability that has taken on sharp new urgency after North Korea's Independence Day test of its first ICBM. Instead, the missile defense system designed to shield the United States from an intercontinental ballistic missile - a diverse network of sensors, radars, and interceptor missiles based in Alaska and California - has failed three of its five tests, military leaders acknowledge.

"Even the two successful ones were heavily scripted. 'If the North Koreans fired everything they had at us, and we fired at all of the missiles, we'd probably get most of them,' said Jeffrey Lewis, the director of the East Asia nonproliferation program at the James Martin Center for Nonproliferation Studies. 'But is 'probably get most' a good day or a bad day?'" http://politi.co/2tL6ny6

-- "U.S. diplomat blasts China and Russia for 'holding the hands' of North Korean leader," by WaPo's David Nakamura and Emily Rauhala: "The top U.S. diplomat at the United Nations blasted Russia and China on Wednesday for 'holding the hands' of North Korean leader Kim Jong Un, as the Trump administration struggled to respond to Pyongyang's latest ballistic missile test. U.N. Ambassador Nikki Haley chided Moscow and Beijing over their opposition to a Security Council resolution condemning North Korea and imposing greater economic sanctions for what she called its 'sharp military escalation.'" http://wapo.st/2usY2Nb

TARA PALMERI -- FIEFDOM ALERT -- "Trump's aides build their own empires in the West Wing": "President Donald Trump won office on promises to shake up how Washington works, and so far that's been most apparent in his own West Wing, where his top advisers have built up personal staffs to support their own agendas instead of using a traditional White House policy and messaging operation. ...

"Chief strategist Steve Bannon has two special assistants , a deputy assistant, an executive assistant and a body man working in his 'war room' -- plus his external press hand, something his predecessors under President Barack Obama, David Axelrod and David Plouffe, never had while working in the White House. Senior adviser Jared Kushner has seven staffers below him, including his own communications adviser, a former Hollywood PR exec who previously repped Kushner's real estate work. ...

"Senior counselor Kellyanne Conway ... has a chief of staff, Renee Hudson, who manages one person below her ... Ivanka Trump also has a chief of staff, Julie Radford, who holds the title of special assistant to the president and only manages a single person below her. ... Most noticeable is the proliferation of spokespeople operating parallel to the White House press office. That includes spokesman Josh Raffel, a commissioned officer with a senior title and salary who handles White House-related queries concerning Jared Kushner and Ivanka Trump's initiatives. He's also worked to promote initiatives from the Office of American Innovation like a tech CEO event in addition to Kushner's work on Israel and Ivanka Trump's paid leave initiatives. Raffel previously represented Kushner Companies when he worked at Hiltzik Strategies, a New York firm." http://politi.co/2sPjARW

MITCH MCCONNELL'S LATEST HEADACHE -- "Right threatens McConnell's Obamacare repeal," by Burgess Everett: "Conservative groups are aggressively backing Mike Lee and Ted Cruz in their bid to move the Senate Republicans' Obamacare repeal bill further to the right, setting up a major confrontation between the party's warring factions next week.

"On Wednesday afternoon both FreedomWorks and the Club for Growth urged Senate Majority Leader Mitch McConnell (R-Ky.) to adopt an amendment from Sens. Cruz of Texas and Lee of Utah that would largely gut Obamacare's regulatory regime. The move is significant: Without at least a neutral stance from conservative groups, it could be impossible for McConnell to find the 50 votes needed to pass a repeal this month. But what the right is asking for may not be able to pass the Senate either.

"Cruz and Lee's Consumer Freedom Act would allow the sale of non-compliant healthcare plans as long as insurers offered plans that also covered pre-existing conditions and other terms mandated by the Affordable Care Act. Lee and Cruz, who were part of the Senate's health care working group, have been pushing their colleagues privately to adopt the language, arguing they should at least allow consumers to buy cheap plans if they can't repeal the law entirely." http://politi.co/2sr0jXD

-- "GOP Scrambles to Recruit Senate Candidates," by WSJ's Natalie Andrews: http://on.wsj.com/2ssKK1R

THE OPPOSITION -- "Dems' new pitch to voters: A 'Better Deal'," by Elana Schor and Heather Caygle: "Democratic leaders are zeroing in on a new mantra for their long-

promised economic agenda: the 'Better Deal.' The re-branding attempt comes as Democrats acknowledge that simply running against President Donald Trump wasn't a winning strategy in 2016 and probably won't work in 2018 either. The slogan, which is still being polled in battleground House districts, aims to convince voters that Democrats have more to offer than the GOP and the self-proclaimed deal-maker in the White House. But even as Senate Minority Leader Chuck Schumer and House Minority Leader Nancy Pelosi prepare a jobs package centered on infrastructure, trade and the minimum wage, some of their most vulnerable members are already making other plans.

"Several moderate Democrats facing reelection next year told POLITICO that no matter what leadership does, they're preparing to craft their own pitch to voters. The ideological and political divides that gripped the party during the Hillary Clinton-Bernie Sanders primary wars are far from healed, and leadership may not find universal support for the left-leaning platform, particularly from those trying to defend seats in Trump-friendly states." http://politi.co/2trdcT4

IN FOGGY BOTTOM -- "Tillerson's new deputy quietly wins over State Department staffers," by Nahal Toosi: "John Sullivan, the new deputy secretary of state, is quickly winning over State Department employees by taking otherwise ordinary steps in what seem like extraordinary times. The 57-year-old has repeatedly stated his admiration for the foreign service, even as President Donald Trump has proposed gutting it. He talks to career officers - and says he wants to meet all of them, even as Secretary of State Rex Tillerson grows increasingly isolated from his staff. Sullivan has also pushed the boundaries of the Trump administration's ethos by reaching out to Democrats as well as Republicans to help him prepare for his new job. ...

"On Wednesday, Tillerson announced that Sullivan would oversee a steering team focused on ways to restructure the State Department and the U.S. Agency for International Development, the most contentious issue facing the agency as Trump pushes to shrink its budget and 75,000-person workforce. Although he's been a Supreme Court law clerk, held a top legal position at the Pentagon, and served as the deputy secretary of commerce, Sullivan had no direct State Department experience when nominated to be deputy to Tillerson, who is widely viewed within his department as isolated from and dismissive of career staff." http://politi.co/2ts9oRp

-- "Tillerson urges Russia to cooperate on Syria ahead of Trump-Putin meeting," by Nahal Toosi: "Secretary of State Rex Tillerson on Wednesday called on Russia to do more to bring peace to Syria, and suggested that Moscow and Washington could cooperate on establishing no-fly zones in the war-torn Arab country. In the unusual statement, Tillerson also insisted that America's top priority in Syria remains defeating the Islamic State terrorist network and that the future of the Syrian regime of Bashar Assad, who is engaged in a civil war with rebel factions, must be decided through a political settlement." http://politi.co/2ut3fEK

THE JUICE ...

-- **FIRST IN PLAYBOOK: SHANNON DIBARI**, chief operating officer and executive vice president at the U.S. Chamber of Commerce, is retiring at the end of the year after 38 years with the trade group. Statement from the Chamber: "Her generous advance notification gives us ample time to plan a smooth transition of her duties and appropriately celebrate her success."

-- PLAYBOOK SCOOP: Senate Homeland Security and Governmental Affairs Committee Chairman Ron Johnson (R-Wis.) is releasing a report and sending a letter to Attorney General Jeff Sessions detailing what he believes are national security risks posed by leaks. The report from the majority staff says: "Under President Trump, leaks are flowing at the rate of one a day, an examination of open-source material by the majority staff of the Committee on Homeland Security and Governmental Affairs shows. Articles published by a range of national news organizations between January 20 and May 25, 2017 included at least 125 stories with leaked information potentially damaging to national security ... To ensure the security of our country's most sensitive information, federal law enforcement officials ought to thoroughly investigate leaks of potentially sensitive information flowing at an alarming rate." ***The report*** http://politi.co/2tjVIJG

FOR YOUR SITUATIONAL AWARENESS -- BLUE BOTTLE COFFEE OPENING IN GEORGETOWN THIS WEEK! -- FRIENDS AND FAMILY FRIDAY, OPENING SUNDAY http://bit.ly/2ti7JiG

Playbook Reads

PHOTO DU JOUR: President Donald Trump shakes hands with Poland's President Andrzej Duda after arriving at the Royal Castle on July 6 in Warsaw. | Evan Vucci/AP Photo

AN ADAPTATION from Josh Green's new book on Steve Bannon, which just posted on Bloomberg Businessweek's site at 6 a.m. -- **"The Evolution of Donald Trump":** "History could have been different. While Trump always displayed populist instincts, his opinions on national affairs tended to reflect the views of a New York Democrat, which was, after all, the world he inhabited. It's almost impossible to imagine now, but in the period just before he entered politics, Trump's appeal to blacks and Hispanics was powerful enough to make him the darling of corporate America. Although he was not a politician, Trump's multicultural appeal was an achievement that a sclerotic Republican Party was increasingly desperate to match. One reason this story has never been told is because Trump decided he'd be better served politically by destroying this legacy. He wasn't exactly wrong: His 'birther' attack on President Obama in 2011, when Trump was eyeing a 2012 run, marked a sharp pivot on race and then immigration that enabled his remarkable rise to the presidency." https://bloom.bg/2tjXIlm ... ***$21.80 on Amazon*** http://amzn.to/2utkR30

BUZZY READ -- NYT BUSINESS DAY COVER -- "A Network vs. the President," by Mike Grynbaum (online headline: "The Network Against the Leader of the Free World): "Jeffrey A. Zucker hasn't been getting a lot of sleep lately. But he says that's nothing new. 'I don't sleep that much anyway,' Mr. Zucker, the president of CNN, said on Wednesday in his fifth-floor office, just off the network's glassy Midtown Manhattan newsroom. A television executive with a reputation for pugilism - a plaque above his desk reads 'Punch Today in the Face' -- Mr. Zucker, 52, has weathered decades of battles in his industry. But he and CNN are in the middle of their most intense bout yet: an unlikely public fight with the leader of the free world.

"It is rare that a single news organization attracts the level of ire mustered by President Trump, who over the weekend posted on Twitter a video that portrayed him wrestling a figure with the logo of CNN for a head. ... The onslaught has contributed to a foxhole-like mentality inside CNN's offices, where security measures have been tightened and some hosts have considered abandoning their social media accounts because of abuse. ...

"White House advisers have discussed a potential point of leverage over their adversary, a senior administration official said: a pending merger between CNN's parent company, Time Warner, and AT&T. Mr. Trump's Justice Department will decide whether to approve the merger, and while analysts say there is little to stop the deal from moving forward, the president's animus toward CNN remains a wild card." http://nyti.ms/2tsO91W

****** **A message from Postmates:** Operating in over 200 cities across the United States - Postmates is an innovative, on-demand logistics platform, transforming the way goods move around towns by enabling anyone to have anything delivered to their door step within minutes, and driving over $1B in goods and merchandise across its platform in 2017. https://postmates.com ******

TRUMP INC. -- "Trump Organization renews rights to TrumpTowerMoscow.com," by Madeline Conway and Tyler Fisher: "The Trump Organization has renewed its claim on more than 1,000 of the web domains registered by its general counsel, including some politically sensitive websites such as TrumpRussia.com and TrumpTowerMoscow.com. The company, which President Donald Trump's two adult sons are managing while he serves in the White House but from which he has not divested, has reserved thousands of web domains associated with the Trump name and its various properties. POLITICO recently published a searchable database of hundreds of those URLs, based on publicly available internet directory records on the domain registration database website WhoIs.com." http://politi.co/2sPcwF7

MEDIAWATCH - "An inside look at One America News, the insurgent TV network taking 'pro-Trump' to new heights," by WaPo's Marc Fisher: "One America News is an obscure TV channel struggling to emerge from the cellar of the cable ratings, but it is nonetheless one of President Trump's favorite media outlets. It's not hard to see why: On One America newscasts, the Trump administration is a juggernaut of progress, a

shining success with a daily drumbeat of achievements. ... [S]ince its inception in 2013, and especially since Trump began his march to the White House, One America's owner, Robert Herring Sr., a millionaire who made his money printing circuit boards, has directed his channel to push Trump's candidacy, scuttle stories about police shootings, encourage anti-abortion stories, minimize coverage of Russian aggression, and steer away from the new president's troubles, according to more than a dozen current and former producers, writers and anchors, as well as internal emails from Herring and his top news executives." http://wapo.st/2tP7aO3

--"The New York Times will fly you around the world for $135,000. Is that a problem?" by WaPo's Paul Farhi: "It's the trip of a lifetime - around the world in 26 days, with stops in nine countries. Just 50 people will travel on this guided tour next year via a private Boeing 757 to places like Marrakesh, Easter Island and Reykjavik, Iceland.

"The price: $135,000 per person. And that's not all. Those who make the journey will be accompanied on various legs by journalists from the New York Times. ... Among those scheduled to join the traveling party are Washington bureau chief Elisabeth Bumiller, op-ed columnist Nicholas Kristof and Publisher Arthur O. Sulzberger Jr. The super-luxe journey and other Times-sponsored travel packages are a lucrative source of income for the paper at a time when news organizations are under increasing financial pressure. The round-the-world trip ... could gross as much as $6.7 million." http://wapo.st/2ut6YSP ... ***See the trip*** http://nyti.ms/2sIPtAJ

Playbookers

SPOTTED: Former FBI director James Comey at National Airport assisting his daughter as she applied for TSA PreCheck ... Cambridge Analytica CEO Alexander Nix and Matthew Swift at dinner last night at Milos in NYC.

DAN BARTLETT, Jay Carney, and Geoff Morrell were all named to PR Week's U.S. Power List 2017: http://bit.ly/2tLo28U

TRANSITIONS -- Ben Harris, former chief economist and economic adviser to Joe Biden, will be joining Results for America as chief economist and senior adviser starting this September. **Abeba Taddese**, formerly program director of Results for All, has been named executive director of the organization. ... The Retail Cyber Intelligence Sharing Center has named **Suzie Squier** as its new executive director as the organization prepares to expands its information sharing capabilities. http://bit.ly/2sqi2yq

WEEKEND WEDDING - OBAMA ALUMNI: Jim Gilio, a former Obama White House spokesman now an attorney at Sloane, Offer, Weber and Dern in Beverly Hills, got married in Santa Barbara to **Ashley Lewis** , the head of wellness at Goop.com, Gwyneth Paltrow's company. They met when "she was looking at my apartment 3 weeks before I moved to Chicago to work on Obama for America in 2008! After fits and

starts in different cities (me in Chicago and DC, her in LA then Palo Alto for biz school), we finally settled down!" ***Pics*** http://bit.ly/2sJ8u60 ... http://bit.ly/2tsyNu4

ENGAGED -- NYT ALUMNI: Will Storey, research manager at NBC's "Late Night with Seth Meyers," proposed over the weekend to **Isabella Moschen,** MFA candidate at Brooklyn College in creative writing, working on her first novel. "Maureen Dowd and Frank Bruni set us up when we were working as the NYT as columnist assistants back in 2011. Will worked for Maureen in DC, and I worked for Frank and Gail Collins in New York. Will proposed last weekend at the site of our first date, on 31st and 7th Ave. in Manhattan, the most romantic corner in all of New York City." ***Engagement pic*** http://bit.ly/2uN8375 ... ***Pic by Lloyd Bishop*** http://bit.ly/2tLHCC9

BIRTHDAY OF THE DAY: Ron Fournier, publisher and editor of Crain's Detroit Business, is 54. How he's celebrating: "After work, I'm taking my grandson to dinner and the park. He is a big reason why we moved back to Detroit." Read his Playbook Plus Q&A: http://politi.co/2tsIs3X

BIRTHDAYS: President George W. Bush is 71 ... Apple's Nick Ammann (hat tip: Joel Johnson) ... John Dickerson is 49 (h/t Caitlin Conant, filing from Utah) ... Josh Elliott is 46 ... 50 Cent is 42 ... former first daughter Susan Ford Bales is 6-0 ... Christyn Lansing of the DHS comms shop ... Jill Zuckman, managing director at SKDKnickerbocker (h/t Hilary Rosen) ... CNN's Athena Jones ... Eleanor Clift ... Jennifer Duffy, senior editor at The Cook Political Report ... Richard Benedetto ... Anita Kumar, White House correspondent at McClatchy Newspapers ... Austin Lavin ... Kimberly Dozier, a Daily Beast and CNN contributor ... Chris Paulitz ... Mark Tomb ... Cloe Axelson ... Virginia state Senator Jill Holtzman Vogel ... Tyler Pager (h/t Annie Linskey) ...

... Zachary Karabell, Envestnet head of global strategies, is 5-0 ... Cynthia Keyser, chief of staff at NYC Department of Small Business Services (h/t Jon Haber) ... Charlie Sherwood ... ACLU's Gabriela Meléndez Olivera ... WashPost's Glenn Kessler ... Danny Sepulveda ... Henry Oliver ... Judah Ginsberg is 75 ... Sean Maroney ... Caitlin Helfrich ... Bryan Goettel ... Stephen Carter, senior comms. manager at Microsoft ... Petra Collins ... Thomas Mucha ... Kaylan Lehotsky Schreffler, who worked on the WH website during part of Bush 43 (h/t David Almacy) ... Hilary Bombard ... former Amb. Danny Sepulveda ... Patrick Hanley ... Randall K. Benjamin II ... Ken Opin ... Michelle Riesterer ... Jeff Gaumer (h/ts Teresa Vilmain) ... The 14th Dalai Lama, Tenzin Gyatso, is 82 ... Sylvester Stallone is 71 (h/ts AP)

****** **A message from Postmates:** With its fleet of Postmates earning taxable incomes, the capital generated through the mobile application is being reinvested in the economy to do everything from pay down debt, to start a small business, or even enroll in college classes. As On Demand platforms shape the future of work, Postmates applauds legislation aimed at experimenting with portable benefits models, and calls for new federal and local skill-based investments to account for the impact of automation on the workforce. https://postmates.com ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/16/2017 4:43:17 PM
Subject: BREAKING NEWS: McConnell calls for Ethics Committee probe of Franken

Senate Majority Leader Mitch McConnell called for an Ethics Committee investigation of Sen. Al Franken after allegations that he groped a woman in 2006.

"As with all credible allegations of sexual harassment or assault, I believe the Ethics Committee should review the matter. I hope the Democratic Leader will join me on this," he said. "Regardless of party, harassment and assault are completely unacceptable-in the workplace or anywhere else."

Read more here: https://www.politico.com/story/2017/11/16/franken-apologizes-after-woman-alleges-he-groped-her-244976

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Fri 7/14/2017 5:04:45 PM
Subject: Playbook Power Briefing, presented by Better Medicare Alliance: Russian-American lobbyist was in meeting with Donald Jr. -- Company part-owned by Kushner family featured at White House tech event -- SPOTTED at ELISE STEFANIK's bridal shower

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Today's Playbook Power Briefing presented by Better Medicare Alliance

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Friday afternoon. TO: SUN VALLEY, ATTN: JARED -- "Startup That Got a Seat at White House Roundtable Is Part-Owned by Kushner Family: Venture-capital firm run by Kushner's brother partly owns OpenGov, whose CEO last month attended summit with Donald Trump, leaders of Apple, Amazon, Microsoft," by WSJ's Jean Eaglesham and Lisa Schwartz: "Prominent technology-industry leaders and venture capitalists gathered in the White House's state dining room last month to discuss tech policy with President Donald Trump in an event that Jared Kushner, the president's son-in-law and senior adviser, helped organize.

"Seated at the rectangular table alongside the corporate luminaries , university presidents and senior White House officials was a less-prominent figure: Zachary Bookman, the 37-year-old CEO of a small startup called OpenGov. Mr. Kushner's brother, through a venture-capital firm, is a part owner of OpenGov, according to government disclosures and data from Dow Jones VentureSource. Until earlier this year, Mr. Kushner owned stakes in the venture-capital firm that he sold to his brother, according to a person familiar with the matter. Mr. Kushner's connection to OpenGov isn't widely known. ...

"OpenGov's Mr. Bookman was the only chief executive of a small firm among the 18 tech leaders to get a seat at the table with the president. At least one other startup CEO had a second-row seat. OpenGov's valuation was estimated at $180 million after an October 2015 funding round, according to Dow Jones VentureSource, while the average market capitalization of the 14 publicly traded companies represented at the table-including Amazon.com Inc., Apple Inc., Microsoft Corp. and Alphabet Inc. -- is about $250 billion, according to FactSet. ...

"Mr. Kushner recently filed an amended disclosure form, which is expected to be released publicly soon, according to people close to him. It will disclose assets that Mr. Kushner didn't report in his original filing in March, including up to $250,000 of Israeli government bonds he sold earlier this year and an art collection he jointly owns with his wife, Ivanka Trump, the people said." http://on.wsj.com/2urc9FL

DRIP, DRIP, DRIP -- "Russian-American lobbyist says he was in Trump son's meeting" by NBC News' Ken Dilanian, Natasha Lebedeva and Hallie Jackson: "A Russian-American lobbyist says he attended a June 2016 meeting with President Donald Trump's son, marking another shift in the account of a discussion that was billed as part of a Russian government effort to help the Republican's White House campaign. Rinat Akhmetshin confirmed his participation to The Associated Press on Friday. Akhmetshin has been reported to have ties to Russian intelligence agencies, though he denies those links. ...

"While Trump Jr. has confirmed that Russian attorney Natalia Veselnitskaya was in the meeting, he did not disclose Akhmetshin's presence. The president's son has tried to discount the meeting, saying that he did not receive the information he was promised. Akhmetshin said Trump Jr. asked the attorney for evidence of illicit money flowing to the Democratic National Committee, but Veselnitskaya said she didn't have that information. She said the Trump campaign would need to research it more, and after that Trump Jr. lost interest, according to Akhmetshin." http://bit.ly/2umEJY0 ... ***NBC's report, which did not initially name the lobbyist*** http://nbcnews.to/2vkHt5v

-- "U.S. officials probing Russian lobbyist who met Trump team," by Ali Watkins: "U.S. officials are examining what role a Washington-based lobbyist who they consider a Russian intelligence operative may have played in a controversial June 2016 meeting he attended between Donald Trump Jr. and a Russian lawyer [Rinat Akhmetshin] ... U.S. officials became aware of Akhmetshin's potential involvement in the meeting earlier this week. Three officials expressed their concern about his role to POLITICO and said they were probing it further as part of their larger investigation into ties between Trump associates and the Kremlin." http://politi.co/2vlkV4A

-- BRAD PARSCALE SPEAKS: @parscale on Twitter: "I am unaware of any Russian involvement in the digital and data operations of the 2016 Trump presidential campaign. The Trump digital campaign used the exact same digital marketing strategies that are used every day by corporate America. ... I have accepted a request from the House Intelligence Committee to meet with them for a voluntary interview, and I look forward to sharing with them everything I know." ***Full statement:*** http://bit.ly/2ummwtO

LAWYERING UP -- "Trump to Hire Lawyer Ty Cobb to Respond to Russia Probes," by Bloomberg's Jennifer Jacobs: "President Donald Trump plans to put a veteran Washington lawyer, Ty Cobb, in charge of overseeing the White House's legal and media response to investigations into Russian meddling in the 2016 campaign. Top administration officials want someone to enforce discipline in the White House regarding Russia matters -- and that includes the president, who frequently vents his frustrations about the investigations on Twitter, two people familiar with the decision said. They requested anonymity because Cobb's hiring hasn't been announced. ...

"Cobb will be the central in-house figure on matters related to the investigations into Russian interference in the election and the Trump campaign's possible involvement,

working closely with Trump's outside legal team led by Marc Kasowitz. Cobb is a relative of the legendary American Baseball League home run champion and outfielder of the same name. He has a reputation for managing crises and dealing with corruption allegations, and he's familiar with the workings of the Justice Department and FBI. He represented figures involved in government investigations during former President Bill Clinton's administration, according to Reuters, which reported on July 3 that Trump had met with him." https://bloom.bg/2umN8uS

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

ON THE HILL -- "House Republicans weigh massive partisan spending bill," by Rachael Bade, Sarah Ferris and Jennifer Scholtes: "House GOP leaders will decide next week whether to brave an ugly floor fight over a massive GOP spending bill -- a proposal applauded by some rank-and-file Republicans but that risks embarrassment if it fails. In a closed-door GOP conference meeting Friday morning, House Majority Leader Kevin McCarthy said all 12 appropriations bills will be finished in committee by the end of next week. Starting Monday, leadership will begin a tentative whip count on whether lawmakers would vote for a package before the August recess that combines all of those bills into one $1 trillion government funding bill.

"The idea, first proposed by Rep. Tom Graves, a senior appropriator, is to give House Republicans a chance to pass a red-meat spending bill that will lay out GOP priorities. Though the bill would never pass the Senate in the face of Democratic opposition, the process would allow House Republicans to offer potentially hundreds of amendments, an exercise that excites members who are frustrated that they've had no input on how to fund the government. ... The strategy could open something of a Pandora's box, however. Lawmakers would be required to vote on controversial amendments that could be used against them in their districts, from provisions on the Confederate flag to gay rights proposals that put them in bind. Democratic amendments chiding the administration for the Russia controversy are almost assured.Perhaps more worrisome: The bill might fail on the floor, which would provoke another flood of damaging headlines about the GOP's deep divisions and inability govern." http://politi.co/2vla3nz

-- "House passes budget-busting defense policy bill," by Connor O'Brien: http://politi.co/2vlciHr

THE DOUGH -- SEN. JOHN CORNYN (R-TEXAS) got $247,700 from Paul L. Foster, the chairman of Western Refining.

TODAY'S BONUS BRIEFING -- In our last bonus audio briefing, Jake and Anna preview the year ahead for the Playbook community http://bit.ly/2vkWTqs

-- TODAY is the last day to enter our #PlaybookLoyal contest. Tweet or post a Facebook post with the hashtag #PlaybookLoyal by close of business today for the chance to win a signed Matt Wuerker cartoon.

TRUMP INC. -- "Ivanka Inc.: The first daughter talks about improving the lives of working women. Her father urges companies to 'buy American.' But her fashion line's practices collide with those principles - and are out of step with industry trends," by WaPo's Matea Gold, Drew Harwell, Maher Sattar and Simon Denyer: "While President Trump has chastised companies for outsourcing jobs overseas, an examination by The Washington Post has revealed the extent to which Ivanka Trump's company relies exclusively on foreign factories in countries such as Bangladesh, Indonesia and China, where low-wage laborers have limited ability to advocate for themselves.

"And while Ivanka Trump published a book this spring declaring that improving the lives of working women is 'my life's mission,' The Post found that her company lags behind many in the apparel industry when it comes to monitoring the treatment of the largely female workforce employed in factories around the world. From big brands such as Adidas and Kenneth Cole to smaller, newer players like California-based Everlane, many U.S. clothing companies have in recent years made protecting factory workers abroad a priority - hiring independent auditors to monitor labor conditions, pressing factory owners to make improvements and providing consumers with details about the overseas facilities where their goods are produced.

"But the Trump brand has taken a more hands-off approach. Although executives say they have a code of conduct that prohibits physical abuse and child labor, the company relies on its suppliers to abide by the policy. The clothing line declined to disclose the language of the code." http://wapo.st/2vkF8rn

WHITE HOUSE STATEMENTS -- @realDonaldTrump at 9:47 a.m.: "Great conversations with President @EmmanuelMacron and his representatives on trade, military and security." ... **at 10:16 a.m.:** "Left Paris for U.S.A. Will be heading to New Jersey and attending the #USWomensOpen, their most important tournament, this afternoon." ***The U.S. Women's Open is at Trump's club in Bedminster.***

BEN SCHRECKINGER in POLITICO Magazine, "The Putin Obsession That Led to Trump Jr.'s Meeting: Russia has been trying to roll back human rights sanctions for years. And Moscow's strategy is getting more sophisticated": "The Russian lawyer whose June meeting at Trump Tower is rocking American politics was just the tip of the spear of a massive, years-long effort by the Kremlin against human rights laws named for Sergei Magnitsky, a Russian lawyer who died under mysterious circumstances while a prisoner of the Russian government. The sweeping Kremlin campaign has included lobbying Congress, the creation and promotion of several slick documentaries, the opening of murder investigations in Russia against the laws' top advocate, the use of social media bots to promote criticism of the laws and the posting of a suspiciously popular petition calling for repeal on WhiteHouse.gov. And it's been a personal fixation

of Russian President Vladimir Putin, who has railed against the 2012 Magnitsky Act and its various incarnations for years." http://politi.co/2tlwK9A

HOT ON THE LEFT -- "The Wasted Mind of Ben Sasse," by Slate's Ben Mathis-Lilley: "Many politicians are hypocrites, of course. But most of them are also phonies and bulls****ters. Ben Sasse isn't. He stands out by educating himself earnestly and speaking honestly about complicated matters of history and policy. (He's got to be the only serving Senate Republican to have written a book that approvingly cites 1960s leftist cultural critic Paul Goodman.) Unfortunately, he is also beginning to stand out by doing nothing of substance as the things he says he believes in are thrown in a garbage can by his own party." http://slate.me/2vkIpqx

TOP VID -- French army band medleys Daft Punk following Bastille Day parade for Trump and Macron -- *3 min. video* http://bit.ly/2vkE0nL

TONIGHT ON TV -- Washington Week's Bob Costa will be joined by The New York Times' Mark Mazzetti, The Washington Post's Ashley Parker, The Cook Political Report's Amy Walter, and TIME's Michael Scherer.

HOT JOB -- POLICY ANALYST -- EXECUTIVE OFFICE OF THE PRESIDENT: Open & closing dates 2017-07-13 to 2017-07-27. Salary $66,510 to $123,234 / per year http://bit.ly/2tlYbQB

HMM... -- "This Congressman Doesn't Think Climate Science Is Real. He Just Went On A Secret Tour Of The Melting Arctic," by BuzzFeed News' Zaha Hirji: "Lamar Smith, one of the most vocal critics of climate science in Congress, led a secret trip to the Arctic in May, BuzzFeed News has learned. He and at least eight other U.S. representatives, mostly members of the House Committee on Science, Space, and Technology, met with scientists working on the front lines of climate change. ... Billed as an oversight visit for the science committee, the May 8-14 trip included a series of closed-door sessions for the politicians to inspect facilities and learn about federally funded science conducted at research hot spots in the Arctic Circle, as well as social events for the lawmakers and their families. No one publicized the visit, and some scientists told BuzzFeed News they were instructed not to talk about it." http://bzfd.it/2umLDg5

AFTERNOON READ -- "The Ayatollah's Billion-Dollar Alaskan Bag Man," by Zach Dorfman in POLITICO Magazine: "In August 2012, a silver Rolls-Royce pulled up to the majestic Broadmoor Hotel in Colorado Springs, Colorado. Out stepped a newly married couple, freshly arrived from their wedding ceremony. ... The bride wore a dazzling sapphire pendant around her neck, matching sapphire earrings and a weighty diamond ring around her finger. At the wedding dinner, a man toasted the groom, Mitchell Zong, as the kind of person who 'really bends over backwards to help friends and family.'

"Less than two years later, when FBI agents, executing a search warrant, entered the Zong family's Southern California home, they took that same sapphire wedding set,

valued at more than $40,000, as well as $24,000 in cash. Federal prosecutors had initiated a huge civil forfeiture case over property owned by the Zong family, including Mitchell Zong. Prosecutors claim that what the FBI seized that day represents a fraction of the ill-gotten funds that tie Mitchell Zong to a spectacular transnational sanctions-evasion scheme, one that laundered more than $1 billion in Iranian government funds over a mere six-month period in 2011.

"And the unlikely figure at the center of this story-which encompasses shadowy Iranian businessmen based in the Middle East and Caucasus; high-ranking South Korean state banking officials; an Iranian-American airline magnate whose planes have been linked to covert work for the U.S. government, including the CIA; the difficult politics of multilateral sanctions; the abstruse world of illicit finance; and laundered property and goods spread across three U.S. states-is a septuagenarian Alaskan ex-salmon exporter and restaurateur, Mitchell's father, Kenneth Keun Zong." http://politi.co/2umMWeX

TODAY'S BEYOND THE BELTWAY -- Sheldon Silver's conviction vacated in New York -- Jerry Brown presses hard for cap-and-trade http://politi.co/2vlnyU2

POWER SHOWER -- Reps. Diane Black (R-Tenn.), Susan Brooks (R-Ind.) and Cathy McMorris (R-Wash.) co-hosted a bridal shower for New York Republican Rep. Elise Stefanik, who's engaged to Matt Manda. Attendees brought a cooking utensil or gadget and recipe at the all-women fete last night at Rep. Black's home. Each lawmaker also gave marriage advice to Stefanik, starting with the longest-married member North Carolina Rep. Virginia Foxx, who has been married for 53 years. One attendee said that there was lots of laughs throughout the evening and that the lawmakers even remembered to collect the bows and make a bouquet.

SPOTTED: Sen. Shelley Moore Capito (R-W.Va.), Reps. Ann Wagner (R-Mo.), Kyrsten Sinema (R-Ariz.), Mimi Walters (R-Calif.), Ileana Ros-Lehtinen (R-Fla.), Kathleen Rice (D-N.Y.), Barbara Comstock (R-Va.), Marsha Blackburn (R-Tenn.), Debbie Dingell (D-Mich.) and Suzanne Bonamici (D-Ore.).

TRANSITIONS -- Sam Ori has been named executive director of the Becker Friedman Institute for Research in Economics at UChicago; he was most recently executive director of the university's Energy Policy Institute. ... **Ryan Erickson** has started as a policy advisor to Rhode Island Gov. Gina Raimondo. He was previously associate director of economic campaigns at the Center for American Progress. ...

... **Sam Hananel** has been hired as the Center for American Progress' associate director of media relations. He was previously an AP reporter covering the Supreme Court. Additionally, **Kyle Epstein** is now a senior media coordinator at CAP. He previously worked on the CAP project Generation Progress.

SPOTTED boarding a morning American flight out of DCA to Martha's Vineyard: Heather Podesta, Steve Kessler, Tammy Haddad, Ken Feinberg, former Sen. John

Breaux (D-La.), and former Rep. Jane Harman (D-Calif.). It is the DSCC's annual weekend on the island.

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are required.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/31/2017 11:31:40 PM
Subject: May 31 -- Energy and Climate Report

Energy and Climate Report

May 31, 2017 - Number 104

News

Climate Change

EU, China to Reaffirm Paris Agreement Commitment, as U.S. Wavers

The European Union and China will reaffirm their commitment to the United Nations Paris Agreement on climate change during a June 1–2 summit in Brussels, despite uncertainty about continued U.S. participation in the deal.

Climate Policy

Exxon Investors to Company: Make Climate Curb Fallout Public

Exxon Mobil Corp. investors, in a split with the company, urged the explorer to publish a detailed analysis next year on how carbon curbs could affect the value of its oil fields, refineries and pipelines.

Climate Policy

Swiss Pickles Set to Benefit from First Carbon Capture Plant

Climeworks AG, the Swiss company that captures carbon from the air, opened its first commercial facility at a farm outside of Zurich.

Coal Mining

Environmentalists Revive Lawsuit Against Federal Coal Leasing Program

One of the litigants in an on-hold lawsuit over the Interior Department's coal leasing program said it's necessary to restart the case in light of the department's decision to begin processing coal lease applications again.

Energy

Exelon: Still Time for Pennsylvania to Help Three Mile Island

Pennsylvania's legislature still has time to help keep Exelon Corp.'s financially struggling Three Mile Island nuclear plant operating, Exelon's Joseph Dominguez told Bloomberg BNA.

Energy

Is Three Mile Island the Canary in Nuclear's Coal Mine?

In 1979, Three Mile Island managed to survive the worst nuclear accident in U.S. history. Almost four decades later, the Pennsylvania power plant can't seem to withstand cheap natural gas. And the Nuclear Energy Institute, which represents commercial nuclear operators in the U.S., is warning that lots of other U.S. reactors are equally imperiled.

International Climate

Musk Leads CEOs' Full-Court Press on Paris as Trump Weighs Exit

As Donald Trump nears a final decision on the Paris climate agreement, top corporate

executives are mounting a last-minute push aimed at persuading the president that the U.S. has more to lose from abandoning the accord.

International Climate

Scoring Business Climate Action a Dilemma as Paris Exit Looms

The prospect of President Donald Trump pulling the U.S. out of the Paris climate pact has spurred states and U.S. companies to pledge to fill any gap in climate action. But the real gap may be in finding the right yardstick to measure companies' often-voluntary efforts as well as uniting a loose coalition of states that have cut carbon emissions.

International Climate

Solar Stocks Fall on Reports That U.S. May Exit Paris Agreement

Solar manufacturers fell sharply on reports May 31 that President Donald Trump is leaning toward withdrawing the U.S. from the landmark 2015 Paris climate accord.

Motor Vehicles

EU Proposes Truck Monitoring as Preparation for Emissions Standard

Manufacturers of trucks and other heavy-duty vehicles sold in the European Union would be required to monitor and report their vehicles' carbon dioxide emissions and fuel economy performance, under a long-delayed proposal published by the European Commission May 31.

Natural Gas

Could West Virginia Royalty Reversal Spark Suits?

The West Virginia Supreme Court's reversal of a decision on oil and gas leases is likely to spark more court cases unless the Legislature steps in, attorneys say.

Oil & Gas

EPA Methane Regulations Officially on Hold

An Obama-era EPA rule designed to limit methane leaks from oil and gas wells is officially on hold, as the agency's new leadership begins the formal process of weighing whether to repeal it altogether.

Oil & Gas

Zinke Orders Plan for More Oil Development in Alaska

The Interior Department will develop a revised plan for development in the National Petroleum Reserve-Alaska under an order issued May 31 by Interior Secretary Ryan Zinke.

Renewable Energy

Businesses See Dollar Signs in Massachusetts Wind Farms

Massachusetts' future, multi-billion dollar offshore wind industry has dozens of businesses lining up to cash in.

Renewable Energy

Firm Offering 'Peer-To-Peer' Power Network in New York Rollout

A Seattle-based energy startup is offering consumers and businesses a way to power their homes with energy from their neighbors' rooftop solar systems, nearby wind farms and other sources of clean electricity.

Renewable Energy

Sun-Blessed Chile May Target 100% Renewable as Prices Slump

Chile may speed up its switch to clean power amid falling prices and expected improvements in storage, helping to squeeze out fossil-fuel generation more quickly than

forecast, according to the country's National Energy Commission.

Renewable Energy

Vietnam Steps into the Sun With Policy Fixing Solar Power Price

People in Vietnam will soon have the power to convert sun rays into not just electricity—but also cash—with the arrival of solar policies that are being welcomed by big energy users such as Intel and Coca-Cola.

Sustainability

U.S. Colleges, With $500 Billion to Invest, Seek Green Deals

If you guessed that the University of California system would champion "sustainable" investing, you'd be correct. The catch is, the shelves in the sustainable investing aisle aren't especially well-stocked with opportunities.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 6/9/2017 7:45:54 PM
Subject: June 9 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Expect GOP Plaudits for Pruitt But Not EPA Budget at Hearing

Posted June 09, 2017, 6:00 A.M. ET

By Brian Dabbs

EPA chief Scott Pruitt will likely get a warm welcome from Republican appropriators next week despite bipartisan opposition to the agency's fiscal year 2018 budget, a GOP lawmaker told Bloomberg BNA.

Republicans are applauding the agency's regulatory rollbacks, and that praise will likely set the tone for Pruitt's maiden testimony on Capitol Hill as administrator, said Rep. Tom Cole (R-Okla.), a member of the House Appropriations Subcommittee on Interior, Environment and Related Agencies, which oversees the Environmental Protection Agency's budget.

Members on both sides of the aisle, however, are poised to raise concerns about the wide-ranging cuts in the agency's budget, lawmakers said. Pruitt will defend the request, which was crafted and released by the White House, before the subcommittee on June 15.

'A Very Friendly Reception'

"He'll get, obviously from the Republican side, a very friendly reception because of the regulatory things, but I think there'll be some pretty serious discussions about the size of the cuts," Cole told Bloomberg BNA. "I think at the end of the day, EPA takes a haircut. It's certainly taken several haircuts with a Republican Congress, but it's hard for me to see cuts of the size that were proposed in the president's budget."

The EPA is reviewing rules defining which bodies of water are subject to federal regulation and limiting methane emissions in oil and gas operations, as well as those setting ozone and fuel economy standards. The agency is also reviewing the Clean Power Plan, President Barack Obama's signature rule to combat climate change by limiting power plant emissions.

But the FY18 budget cuts, which total $2.6 billion, hit immediate Republican opposition on Capitol Hill. That reduction amounts to nearly one-third of the agency's current budget.

"Just trying to substitute agency cuts for policy disagreement is a tool, but it's probably not the longest-lasting, most effective one," Rep. Mark Amodei (R-Nev.), another member of the

subcommittee told Bloomberg BNA. "I don't think that any of those people on that committee are going to vote for cuts just because that's the administration's recommendation."

The budget would slash enforcement and zero out funding for programs to restore the Great Lakes, Chesapeake Bay and other bodies of water, while chopping an array of other bedrock programs. The White House is requesting a roughly 80 percent reduction in funding for the Diesel Emissions Reduction Act, which funds clean diesel projects. That program is a favorite of subcommittee Chairman Ken Calvert (R-Calif.).

'The King's Man'

The White House budget also makes deep cuts in Superfund and state grant accounts, both of which Pruitt has singled out as important functions. But the administrator is prepared to vouch for the budget before lawmakers.

"Administrator Pruitt will be testifying in support of the president's proposed budget, which seeks to return EPA to its statutory mission, and reduce redundancies and inefficiencies," EPA spokeswoman Liz Bowman told Bloomberg BNA. "We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups of [Superfund sites]. It is also worth noting that we believe there is a significant amount of money being wasted in administrative costs in this program."

Agency chiefs regularly disagree with some aspects of a budget they're tasked to defend.

"He works for the president. You take the king's shilling, you become the king's man. That's just the way it works," Cole said. "At the end of the day, if you're going to be part of the administration, you have to defend the president's budget."

Carbon Prices Continue to Drop in Northeast

Posted June 09, 2017, 01:34 P.M. ET

By Gerald B. Silverman

The cost for electricity generators to comply with the Regional Greenhouse Gas Initiative sank to a four-and-a-half-year low in RGGI's latest auction, driven by an oversupplied market and uncertainty over a longstanding program review by the nine states in the initiative.

RGGI carbon allowances sold for $2.53 in the auction, a decline of 15.6 percent from the previous auction and 44 percent from June 2016, RGGI announced June 9.

The trend in RGGI carbon prices has been downward for a couple of years, as a result of an over-supply of allowances, regulatory uncertainty on the federal and state levels and the prices for natural gas and renewables.

Mike Taylor, president of Emission Advisors Inc., told Bloomberg BNA that the decline was not a surprise, given a large bank of unused allowances, declining emissions, and an "underwhelming" program review.

Taylor said "a case can be made for prices to trend up through the remainder of the decade," as the bank of allowances is depleted and the nine RGGI states complete their review of the program.

RGGI states -- Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island and Vermont -- started a program review in 2015 that will determine if the existing emissions cap will be tightened after 2020, when the current cap expires.

EPA's Pruitt Could Face Tough Crowd at G-7 Environment Meeting

Posted June 09, 2017, 6:30 A.M. ET

By Eric J. Lyman

Climate-related issues are just one part of the agenda for this weekend's meeting in Italy of environment ministers from the leading industrial nations, but EPA Administrator Scott Pruitt can expect an earful on the decision of the U.S. to withdraw from the Paris climate change agreement, environmental groups said.

"The ministerial in Bologna is first and foremost an opportunity for the G-7 countries to send a clear signal to Scott Pruitt that these actions are not tolerated, that backsliding doesn't come without consequences," Climate Action Network International Executive Director Wael Hmaidan told Bloomberg BNA.

Environmental officials from the Group of Seven nations—Canada, France, Germany, Italy, Japan, the U.K. and the U.S.—meet in Bologna, Italy, June 11-12.

An outline of the meeting goals released June 8 said they would focus on the "state of implementation of the goals set by the Paris Agreement to fight climate change," sustainable development goals that are part of the United Nations' 2030 agenda, environmental tax reform, and sustainable finance.

Italian ministry officials declined to comment on the priorities at the talks.

'Trump's Crazy Decision'

Trump announced June 1 that the U.S. would withdraw from the Paris Agreement, which has the support of virtually every other nation. The Environmental Protection Agency's Pruitt was among the strongest voices in the Trump administration calling for withdrawal from the Paris accord, agreeing with Trump that the pact would cost U.S. workers jobs, especially in industries like coal mining.

"Despite Trump's crazy decision, the G-7 should strongly afford the need to implement the Paris accord and push countries to put more effort into filling the void left by the United States," Luca Iacoboni, the head of the energy and climate program for Greenpeace-Italy, told Bloomberg BNA.

Angelo Paletta, a business professor at the University of Bologna who is following the talks, said: "It will be important to understand what this means about other countries commitments over the next five years, as well as concerns about finance as the world tries to raise $100 billion per year starting in 2020."

Paletta was referring to the United Nations' Green Climate Fund, which aims to help developing countries adapt to the impacts of climate change.

President Barack Obama had pledged that the U.S. would commit $3 billion over four years to the

fund, but Trump has vowed to halt U.S. contributions to the fund.

EPA's Reconsideration of Power Plant Carbon Rule at White House

Posted June 09, 2017, 10:12 A.M. ET

By Andrew Childers

The White House is reviewing the EPA's plan to roll back carbon dioxide standards on the fleet of existing power plants.

Environmental Protection Agency Administrator Scott Pruitt opposed the Obama-era regulation, known as the Clean Power Plan, while he was Oklahoma attorney general. He has repeatedly said the EPA overstepped its Clean Air Act authority issuing the rule and Congress needs to speak directly to the agency's power to regulate greenhouse gases.

The Clean Power Plan faces a host of legal challenges from states and utility groups. The EPA asked a federal appellate court to indefinitely pause those challenges while it reconsiders the power plant rule.

Paris Pullout Pits Chamber Against Some of Its Biggest Members

Posted June 09, 2017, 8:30 A.M. ET

By Ari Natter

As President Donald Trump mulled whether to exit the Paris climate accord, companies as varied as Dow Chemical Corp., Exxon Mobil Corp., and Citigroup Inc. prodded him to stay in.

But when Trump announced his decision, he cited research from one business behemoth that's issued a steady stream of criticism to the Paris deal, the U.S. Chamber of Commerce that counts all three companies as members.

That disconnect between corporate executives and the nation's top corporate lobbying force is reviving pressure on the Chamber—and on the companies that remain members despite their differences over climate policy.

"For decades, the U.S. Chamber of Commerce has been big polluters' partisan enforcer in Washington," Democratic Sen. Sheldon Whitehouse, who co-authored a congressional report last year about this corporate disconnect over climate change, said in an emailed statement.

"It's time for member companies to ask themselves whether they want to side with a relentless climate foe, or protect the health and safety of the American people and the reputation of our country," he added.

Public Citizen and other groups said they are starting a petition drive to prod three companies—Walt Disney Co., Gap Inc., and PepsiCo Inc.—to drop their connection to the U.S. Chamber. That organized pressure is reminiscent of 2009, when companies such as Apple Inc. and Exelon Corp that advocated for federal action to address climate change quit the Washington group as it lobbied to derail cap-and-trade legislation.

"You've got a lot of companies that are really talking out of both sides of their mouth," said Dan Dudis, who heads the Chamber Watch project at Public Citizen.

The U.S. Chamber of Commerce spent nearly $104 million on lobbying last year making it the top lobbying spender among 3,734 groups tracked by the Center for Responsive Politics. Among the issues it has championed are reworking the Affordable Care Act, business tax cuts, and opposition to a minimum wage hike. The group, which has its headquarters across Lafayette Square from the White House, said it was officially neutral on the Paris accord despite its long list of criticisms.

The chamber said in a statement that the business community "stands ready to fashion solutions to keep America prosperous, clean and secure. America should choose a path for an energy future that is achievable, affordable, and most importantly meaningful."

From coal producer Cloud Peak Energy Inc. to electric-automaker Tesla Inc., corporate America has broadly supported the Paris accord, a 2015 agreement of nearly 200 nations to address the threat of climate change. The deal is the first to include pledges from developing nations such as India and China to curtail their emissions, as well as developed nations in North America and Europe.

Among the companies that signed onto an open letter to publicly support the Paris climate agreement were Microsoft Corp. and Google's Alphabet Inc. Ivanka Trump appealed to Dow Chemical's CEO Andrew Liveris to spearhead a late lobbying push to try to save U.S. involvement in the pact. And executives' response to Trump's decision was quick and overwhelmingly negative. Robert Iger, chief executive of Disney, resigned from a White House advisory council. Ford Motor Co. and Microsoft weighed in with their dismay, too.

In response to questions from Bloomberg, companies said they agree with the chamber on some issues, but not all. Others said they are putting pressure on it to change course.

"We have been outspoken in our support for the Paris Agreement and have had a dialogue with the chamber about how its views and advocacy on climate policy are inconsistent with Citi's position," Citigroup spokeswoman Elizabeth Kelly said in an email. "Citi does not expect to be in agreement with every position our trade associations take."

Time to Time

Dow, which gave the chamber $1.8 million for lobbying in 2016, "participates in many trade and business associations," the chemical-maker's spokeswoman Rachelle Schikorra, said in an email. "From time to time, we find ourselves in disagreement with the prevailing views of the majority of the U.S. Chamber's membership, including issues such as climate change."

"PepsiCo's long-standing commitment to addressing climate change will not change," the company said in a statement that didn't address questions about its ties to the chamber.

"No organization speaks for Ford on every issue," said Christin Baker, a Ford spokeswoman. "The chamber has been actively supportive of tax reform, but takes a different view on climate. We will continue to work with the chamber on issues where we are aligned."

Companies may differ with the chamber on climate change, but agree on taxes or labor issues, said Lee Drutman, a senior fellow in the program on political reform at New America, a Washington research organization. Still, they face the risk of customer blowback.

"Any company with a consumer-facing brand has to worry about its reputation," Drutman said in a

phone interview. "If it's on the wrong side of a political issue that its customer base is passionate about, it could find itself losing a lot of customers."

Oil giant Exxon, which disclosed giving the U.S. Chamber of Commerce Foundation $1 million in 2015, advocated for staying in the Paris accord, as its chief executive Darren Woods argued that oil demand will continue to grow in the coming decades even with the agreement in place.

"We believe that the United States is well positioned to compete within the framework of the Paris Agreement, with abundant low-carbon resources such as natural gas, and innovative private industries," spokesman Alan Jeffers, said in an email. He declined to comment on the chamber's report on Paris.

While the chamber said it hadn't made a recommendation on whether the U.S. should remain in Paris, it issued a series of criticisms of the pact since even before it was completed.

In congressional testimony, it said the U.S. pledge to cut greenhouse gas emissions by 26 percent would hike U.S. energy costs and diminish job creation—and that the pact would not do much to actually curtail greenhouse gas emissions. The chamber jointly funded a study in March that determined the deal could slice $3 trillion off U.S. gross domestic product by 2040.

Trump made specific reference to that study, and each of the group's earlier arguments, in announcing his decision to pull the U.S. out of the pact.

"The cost to the economy at this time would be close to $3 trillion in lost GDP and 6.5 million industrial jobs, while households would have 7,000 less income, and in many cases, much worse than that," Trump said in the Rose Garden ceremony June 1.

Kevin Steinberger, a policy analyst with the Natural Resources Defense Council's climate and clean air program, said the chamber's claim that it was neutral on the accord was "disingenuous."

"The report was clearly aimed at attacking the Paris agreement and used an unrealistic scenario to do so," he said.

—With assistance from Hugh Son and Keith Naughton.

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Trump Climate Critics Wrong on Pulling Out of Paris, Perry Says

Posted June 09, 2017, 02:23 P.M. ET

By Feifei Shen and Tom Mackenzie

Critics of President Donald Trump's move to withdraw the U.S. from the Paris climate change agreement are acting more for political reasons than for the reality of what the accord may achieve, U.S. Energy Secretary Rick Perry said June 9 in an interview where he defended the president's move.

Goldman Sachs Group Inc. Chief Executive Officer Lloyd Blankfein, JPMorgan Chase & Co. Chairman Jamie Dimon and others ranging from General Motors Co. and Ford Motor Co. to Exxon Mobil Corp. are wrong about wanting the U.S. to remain a part of the Paris climate deal, Perry said

in a Bloomberg Television interview with Tom Mackenzie.

"When you looked at the cost versus the benefit of what you're going to get from being in the Paris agreement, it wasn't worth it," Perry said in Beijing. "I think they are wrong, because they're coming at it from the political side of it rather than the reality."

Perry was in Beijing June 7 and 8 attending a ministerial-level meeting on clean energy where he made a broad appeal to cooperate on natural gas, nuclear energy and technologies such as carbon capture and storage.

"The reality is we are going to continue to be leaders on clean energy," Perry said, adding that the U.S. will continue to contribute to mitigating climate change. "There's a real story to be told here about the U.S.; it's about what we are doing to reduce emissions."

China Meetings

Earlier in the week, Perry met with Chinese Vice Premier Zhang Gaoli where he emphasized areas where the two countries can cooperate. One area is liquefied natural gas. The U.S. is the world's largest producer of natural gas and within a few years will be the third-largest exporter of the super-chilled version of the fuel.

Companies are proposing dozens of new export plants in the U.S. and need foreign buyers to underpin financing for the multi-billion-dollar projects. China, which is trying to increase gas use instead of coal to help clear smog-choked air, should be interested in U.S. supplies because the projects have the benefit of political stability, Perry said.

Perry also said President Trump is right to look at selling some oil from the Strategic Petroleum Reserve. The Trump administration proposed a budget last month that included selling off 270 million barrels on top of a 190 million-barrel drawdown already planned. The reserve currently has a little less than 700 million barrels of oil.

Strategic Reserves

On the strategic reserve, "the debate is what's the right level," Perry said. "The president is right to have the conversation. How much of this do we really need to keep on hand, how much of it can we put into the market, and how do you manage all that. That is classic Donald Trump negotiating a better deal for the people of the U.S."

When in Tokyo earlier in the week, Perry sounded a combative tone, challenging China to take up the mantle of leadership on climate change while dodging questions about whether President Trump believes in global warming.

"Those of you that focus on that are chasing a rabbit down a hole," Perry told reporters in Tokyo.

China has transformed itself into one of the world's leaders in renewables in recent years with ambitious bets on wind and solar. The country, which is home to about one out of every three wind turbines in the world, has led in clean-energy spending since 2012. In the first quarter of this year, China outspent the U.S. and Japan combined on clean-energy projects.

—With assistance from Dan Murtaugh and Stephen Engle.

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Macron Said to Push for Franco-German Carbon Emissions Price Floor

Posted June 09, 2017, 12:09 P.M. ET

By Francois de Beaupuy and Helene Fouquet

Emmanuel Macron reached out to Germany to establish a common price floor for carbon dioxide emitted by power utilities as the French president seeks to strengthen his alliance with Angela Merkel after the U.S. decided to exit the Paris climate accord, according to people familiar with the matter.

Macron wants to revive a plan to set up a minimum price of 30 euros ($33.55) per ton of CO2 emissions, about six times the current European level, a French official said, asking not to be named as the matter isn't yet public. France is seeking to convince Germany and other European countries to adopt a similar plan, the person said. It would also make sense for countries such as Belgium, the Netherlands and Luxembourg, said another person who has heard about Macron's initiative.

Merkel and Macron have been leading the international opposition to the disruptive presidency of Donald Trump in the U.S. rallying support for trade and climate action. Macron this week launched an appeal to U.S. environmentalists to come work in France, while Merkel is in Latin America preparing for another meeting with Trump at the Group of 20 summit in Hamburg.

The U.S. decision to exit the Paris climate accord comes after the price of European carbon permits plunged from their 2008 peak, eroding the penalty for burning coal, the most polluting fuel. Companies from Electricite de France SA to Engie SA have lobbied for a minimum price of at least 30 euros, arguing it would boost the use of cleaner natural gas-fired power stations.

Hard Sell

Spokesmen at Germany's Environment Ministry weren't immediately available for comment. Messages seeking comment from the French president's office weren't immediately replied to.

The proposal may be a hard sell in the short term for German Chancellor Merkel, who faces general elections in September. A floor price for carbon emissions might hurt German utilities RWE AG and Uniper SE, which have said it would lead to job losses because they rely heavily on lignite and coal to produce electricity.

France unsuccessfully tried to convince Germany to adopt a common carbon floor price last year in a bid to supplement the EU's Emissions Trading System, which has failed to provide an efficient incentive to reduce greenhouse gases. A glut of pollution rights pushed prices in the $48 billion market down more than 80 percent since 2008.

France then considered introducing a floor price unilaterally last year before dropping the plan a few months before this year's presidential elections amid labor union protests that it would prompt coal-fired plant closures.

The French and German leaders plan to hold a joint cabinet meeting over the summer.

Generating Revenue

A tax on carbon would generate government receipts, which could be used to mitigate the "social impacts" of the energy transition on the coal industry, EDF Chief Executive Officer Jean-Bernard Levy said June 8 at a conference in Paris organized by the Toulouse School of Economics. By introducing a levy of 18 pounds ($22.88) per ton of CO2 emissions, the U.K. has cut the share of coal in electricity production to 10 percent from 30 percent in two years, he said.

"The time is the right one today for an initiative that maybe could be generated in France, with quick support of Germany, obviously after the September elections," Levy said. "It can be done gradually, and it can be done in such a way that it leads to no massive phasing out of production means in the short term."

—With assistance from Brian Parkin, Mathew Carr and Tino Andresen.

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India Power Plants Stranded as 50 Million Homes Left in the Dark

Posted June 09, 2017, 10:56 A.M. ET

By Anindya Upadhyay

India is scaling back expectations for power demand growth as it struggles to electrify millions of homes despite a glut in generation capacity.

The world's second-most populous nation is building more power plants than it can utilize as state-level distributors struggle to connect 50 million households, according to Ravindra Kumar Verma, head of the Central Electricity Authority, the power ministry's planning arm. As a result, about 25 gigawatts of coal-fired power-generating capacity is "stranded" and unused, he said. That's equivalent to the entire installed capacity of neighboring Pakistan.

Demand growth for power is slowing as state distribution companies, known as discoms, struggle to purchase enough electricity for the populations they serve. Most discoms lose money selling below cost to poor and agricultural customers and through power theft. The CEA defines demand as the amount of electricity that distributors buy, not necessarily how much would be needed for the whole country, helping explain why millions still lack power and several cities face regular blackouts despite the under-utilized capacity.

"We were thinking that the entire demand will come on the system, but it has not happened that way," Verma said in an interview in New Delhi June 6. "When discoms turn around is the point when we will get close to 24/7 power. That's where all the constraint lies."

Electricity use is estimated to grow 6.2 percent a year over the six years ending March 2022. Consumption over the previous six years expanded 5.3 percent, missing a 7.6 percent forecast, the CEA said in its latest power survey report published this year. The lower-than-expected growth rate led the agency to temper its outlook, Verma said.

"Projections are estimated growth rates worked out on the basis of certain assumptions. If the assumptions slip, then projections are hit," he said.

India is on track to add 102 gigawatts of conventional power projects in the five years ended March

2017, compared with a target of 88.5 gigawatts, according to country's Draft Electricity Plan published in December. At the same time, the country's gas-fired plants, which can generate nearly 25 gigawatts of power, are running at less than a quarter of their capacity, according to the plan. The country's capacity totaled 329 gigawatts, with more than half of that coming from coal-fired plants, according to CEA data.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 10/4/2017 5:41:09 PM
Subject: Wehrum says degree of human role in climate change an 'open question'

By Alex Guillén

10/04/2017 01:38 PM EDT

William Wehrum, the nominee to run EPA's air office, said today that the degree of human contribution to climate change is an "open question."

In response to questions from Sen. Jeff Merkley, Wehrum said human activity contributes in some manner to climate change, but declined to say whether human activity is the primary driver.

"These are very complex issues and very important issues and I understand they're important to you," Wehrum added at a Senate Environment and Public Works Committee hearing before Merkley cut him off. Wehrum declined several times to answer follow-up questions, drawing the ire of Merkley, who expressed incredulity that Wehrum was not familiar enough with those issues to comment despite his lengthy history working on environmental legal issues in the private sector and at EPA.

"No one can look at what is happening on the planet and see that there is nothing happening unless you're deliberately determined to ignore that information," Merkley said. "And that makes you really quite frankly unacceptable to serve in this capacity."

WHAT'S NEXT: The Senate Environment and Public Works Committee has not yet set a date to vote on Wehrum's nomination.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/10/wehrum-says-degree-of-human-role-in-climate-change-an-open-question-093917

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Thur 10/5/2017 5:56:49 PM
Subject: Senators send letter opposing EPA cuts to RFS volumes

By Eric Wolff

10/05/2017 01:48 PM EDT

A bipartisan group of 38 senators are calling on EPA Administrator Scott Pruitt to reverse the proposed cuts to biodiesel and cellulosic ethanol volumes in the Renewable Fuel Standard.

A letter led by Sens. Chuck Grassley (R-Iowa) and Amy Klobuchar (D-Minn.) praises Pruitt for setting conventional biofuel volumes at the maximum allowed by law, but says the agency's proposed rule setting biofuels volumes for 2018 and 2019 "unjustifiably flatlines biomass-based diesel, reduces advanced biofuels, and reduces the cellulosic biofuel blending target by about 25 percent."

The senators attack EPA's methodology for using historical measures and not forward projections. They also criticize EPA for proposing to reduce biodiesel volumes in a notice released last week, and for considering allowing credits for exported biofuel.

"If done right, this rule is an opportunity to continue our nation's path to be not only the world leader in first generation ethanol production, but also in cellulosic ethanol and advanced biofuel production by spurring investment and manufacturing here in the United States rather than overseas," the letter says.

WHAT'S NEXT: Grassley and Sens. Joni Ernst (R-Iowa) and Deb Fischer (R-Neb.) are scheduled to meet with Pruitt next week.

To view online:
https://www.politicopro.com/agriculture/whiteboard/2017/10/senators-send-letter-opposing-epa-cuts-to-rfs-volumes-093993

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 11/9/2017 5:06:00 PM
Subject: Senate approves Wehrum for EPA air post

By Alex Guillén

11/09/2017 12:03 PM EDT

The Senate today approved William Wehrum to be assistant administrator for air and radiation at EPA, filling a top vacancy in Administrator Scott Pruitt staff.

Wehrum was approved on a vote of 49-47.

Most recently an attorney at Hunton & Williams, Wehrum had previously served as the acting top air official under George W. Bush, although that appointment had been stalled by Democrats.

Five other EPA nominees are currently awaiting Senate approval, including deputy nominee Andrew Wheeler, who had his confirmation hearing on Wednesday, as well as nominees to run the enforcement, water, chemicals and general counsel's offices.

WHAT'S NEXT: Wehrum will be sworm into his new position as early as this afternoon.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/senate-approves-wehrum-for-epa-air-post-095469

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 6/28/2017 7:46:20 PM
Subject: BREAKING NEWS: U.S. to expand laptop ban to all flights that flunk safeguards

The Trump administration is threatening to expand its laptop ban to all U.S.-bound flights from anywhere in the world for airlines that fail to take additional security measures against concealed explosives, DHS plans to announce Wednesday.

The restrictions would also apply to checked luggage - not just to the carry-on bags targeted by a more limited ban the U.S. imposed for some Middle Eastern airports in March. That additional provision would make the ban considerably more onerous for business travelers, but would also avoid the dangers of stacking laptops and their flammable lithium batteries inside planes' cargo holds.

But the new measures could also allow several foreign-owned airlines to escape the existing laptop ban that the U.S. imposed in March for carry-on luggage from 10 airports in the Middle East and North Africa, if they adopt the additional screening procedures.

The U.S. hasn't announced when the new restrictions would take effect but said some airlines could adopt the enhanced security procedures as early as this summer.

Like the initial ban, the expanded restrictions would apply to electronic devices larger than a cellphone, including laptops, tablets and e-readers.

Read more: http://www.politico.com/story/2017/06/28/trump-laptop-ban-airlines-worldwide-240056

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 7/10/2017 12:31:59 PM
Subject: July 10 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 10, 2017 - Number 130

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

California Regions

AIR
Health Risk Assessment Methodology
California Regions AIR

Notice of the Mojave Desert Air Quality Management District announces an interim policy concerning health risk assessments and the calculation of maximum individual cancer risk under Rules 1320 and 1520, which address toxic air contaminants. The district is decreasing the exposure duration used for estimating cancer risk at the maximum exposed individual resident from 70 years to 30 years and the off-site worker exposure duration from 46 to 25 years. The interim policy aligns the district's calculation methodology with the California Air Resources Board and California Air Pollution Control Officers Association risk management guidance for stationary sources of air toxics and the Office of Environmental Health Hazard Assessment's 2015 health risk assessment methodology. The district intends to amend Rules 1320 and 1520 at a later date. Contact: Mojave Desert AQMD, Engineering/Permitting Department; 760-245-1661; engineering@mdaqmd.ca.gov

—California RegionsRegulations (07/06/2017)

Regulatory Update

WATER
Municipal Wastewater Dischargers
California Regions WATER

Notice of the Central Valley Regional Water Quality Control Board announces a tentative general order regarding water discharge requirements for municipal waste dischargers that meet specified objectives and criteria at the point of discharge to surface water. The order permits discharges of secondary and tertiary treated wastewater under specified conditions; includes site-specific limitations; and sets forth additional requirements for low volume, existing, new or increased, and ultraviolet light disinfection dischargers. Coverage under the order serves as a national pollutant discharge elimination system permit. The order is proposed to be effective Dec. 1, 2017, and expire Nov. 30, 2022. A hearing is scheduled for Aug. 10-11, 2017, in Rancho

Cordova. Comments are due Aug. 4, 2017. Contact: David Kirn; Central Valley RWQCB; 916-464-4761; david.kirn@waterboards.ca.gov

—California RegionsRegulations (07/05/2017)

Regulatory Update

Delaware

AIR

New Source Performance Standards/Municipal Solid Waste Landfills
Delaware AIR

Final rule of the Department of Natural Resources and Environmental Control, Division of Air Quality, amends regulations under 7 DEAC 1120 regarding new source performance standards. The rule incorporates by reference federal requirements concerning volatile organic compound and methane emissions from municipal solid waste landfills (40 CFR 60, Subparts Cf and XXX). The rule also expands the applicability of new source performance standards to both existing and new municipal solid waste landfills and revises the state plan for such facilities. The state plan will be submitted to the EPA for approval. The rule is effective July 11, 2017. Contact: Jim Snead; DNREC; 302-323-4542; jsnead@state.de.us

—Delaware Register of Regulations (07/01/2017)

Regulatory Update

WATER

Licensing Operators of Wastewater Facilities
Delaware WATER

Proposed rule of the Department of Natural Resources and Environmental Control, Division of Water, amends regulations under 7 DEAC 7204 regarding licensing operators of wastewater facilities. The rule updates the treatment plant classification process, modifies licensing requirements, and adds a temporary level I operator-in-training license. The rule also specifies that results for the licensing examination are valid for three years, reorganizes provisions and renumbers provisions, and reflects the reorganization of the Board of Certification. A hearing is scheduled for Aug. 10, 2017, in Dover. Comments are due July 31, 2017. Contact: Bryan Ashby; DNREC; 302-739-9946; Bryan.Ashby@state.de.us

—Delaware Register of Regulations (07/01/2017)

Regulatory Update

WATER

Nutrient Management Certification Regulations
Delaware WATER

Proposed rule of the Department of Agriculture amends regulations under 3 DEAC 1201

regarding nutrient management certification standards. The rule incorporates by reference state technical standards for nutrient applications, development, and implementation of nutrient management and animal waste management plans, concentrated animal feeding operations (CAFOs), and siting new CAFO facilities. Comments are due July 31, 2017. Contact: Chris Brosch; DDA, Nutrient Management Program; 302-698-4555; chris.brosch@state.de.us

—Delaware Register of Regulations (07/01/2017)

Regulatory Update

Kansas

WATER
Surface Water Quality Standards
Kansas WATER

Proposed rule of the Department of Health and Environment amends regulations under KAR 28-16-28b, -28d, -28e, and -28f and adopts regulations under KAR 28-16-28h regarding surface water quality standards. The rule incorporates the March 2, 2017, version of the Kansas Surface Water Quality Standards: Tables of Numeric Criteria, which include a new reference for the ammonia aquatic life criteria, add a total ammonia acute criterion, and provide new total ammonia chronic criterion, among other changes. The rule also revises the process for variances allowing for individual and multiple discharger variances. In addition, the rule adds the Kansas Surface Water Quality Standards Variance Register to document surface water quality standard variances that have been approved by the agency and made available to the public. Finally, the rule adds definitions, including for the terms discharger, highest attainable condition, interim criterion, interim designated use, multiple-discharger variance, pollutant minimization plan, and reconfiguration activities, and revises numerous other definitions. A hearing is scheduled for Oct. 3, 2017, in Topeka. Comments are due Oct. 3, 2017. Contact: Julia Young; DHE, Bureau of Water; 785-296-5508

—Kansas Register (07/06/2017)

Regulatory Update

Mississippi

OCCUPATIONAL SAFETY AND HEALTH
Safety Conveyance Act
Mississippi OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Insurance Department amends regulations under Title 19, Part 8, Chapter 1, regarding the Safety Conveyance Act. The rule updates provisions to prevent the retroactive application of the 2011 National Safety Code for Existing Elevators and Escalators (American Society of Mechanical Engineers A.17.3). The rule also requires that certain hydraulic elevators have the hydraulic jacks pressure tested annually and specifies that those with jacks determined

to be leaking underground must be immediately shut off until the jack unit is replaced. Comments are due July 30, 2017. Contact: Daniel Bradshaw; Insurance Department; 601-359-1074; daniel.bradshaw@mid.ms.gov

—Mississippi Regulations (07/05/2017)

Regulatory Update

Montana

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carrier Safety/Farm Vehicles
Montana HAZARDOUS MATERIALS TRANSPORTATION

Proposed rule of the Department of Transportation amends regulations under ARM 18.8.1501 and .1502 regarding motor carrier safety requirements. The rule clarifies the incorporated federal definitions of "farm vehicle," "covered farm vehicle," and "farmer" under 49 CFR 390.5. Comments and hearing requests are due Aug. 4, 2017. Contact: Dennis Hult; DOT, Motor Carrier Services Division; 406-444-9237; dhult@mt.gov

—Montana Administrative Register (07/07/2017)

Regulatory Update

New York

GENERAL ENVIRONMENT AND SAFETY
Floodplain Management Regulations Development Permits
New York GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Conservation amends regulations under 6 NYCRR 371.1 through 703.6 (nonconsecutive) and repeals regulations under 6 NYCRR 500 to delete obsolete provisions and references concerning floodplain management regulations development permits. The rule also updates references to 6 NYCRR 750 relating to the state pollutant discharge elimination system program for wastewater and stormwater discharges. Comments are due Aug. 19, 2017. Contact: Michelle Tompkins; DEC, Division of Water; 518-402-8221; Michelle.Tompkins@dec.ny.gov

—New York State Register (07/05/2017)

Regulatory Update

Virginia

WATER
Chesterfield/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Dupont Teijin Films LP for alleged State Water Control Law violations concerning effluent discharges into the James River from the company wastewater treatment system in Chesterfield and for failure to comply with permit conditions. The consent order requires the settling party to pay a civil penalty of $28,000. Comments are due Aug. 12, 2017. Contact: Frank Lupini; DEQ; 804-698-4000; frank.lupini@deq.virginia.gov

—Virginia Register (07/10/2017)

Regulatory Update

WATER
Lawrenceville/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with the town of Lawrenceville for alleged State Water Control Law violations concerning discharges of treated sewage and municipal waste into Roses Creek from the Lawrenceville Wastewater Treatment Plant and for failure to comply with permit conditions. The consent order requires the settling party to pay a civil penalty of $5,600. Comments are due Aug. 12, 2017. Contact: Frank Lupini; DEQ; 804-698-4000; frank.lupini@deq.virginia.gov

—Virginia Register (07/10/2017)

Regulatory Update

WATER
Richmond/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Verizon Virginia LLC for alleged State Water Control Law violations associated with the unauthorized discharge of approximately 4,000 gallons of diesel fuel into building basements in Richmond. The consent order requires the settling party to pay a civil penalty of $13,330. Comments are due Aug. 9, 2017. Contact: Lee Crowell; DEQ; 804-698-4450; lee.crowell@deq.virginia.gov

—Virginia Register (07/10/2017)

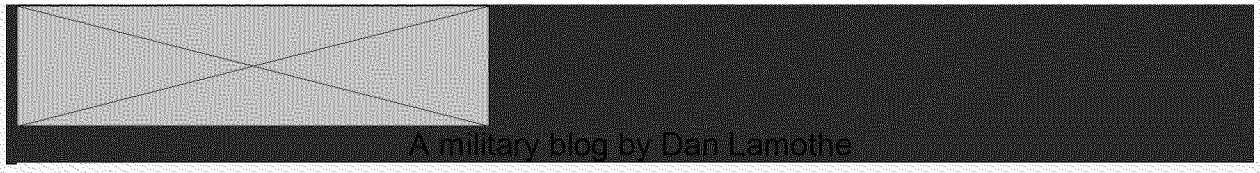
Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 6/23/2017 4:00:22 PM
Subject: [SPAM] Checkpoint: Canadian Special Operations sniper hit target from more than 2 miles away, military says

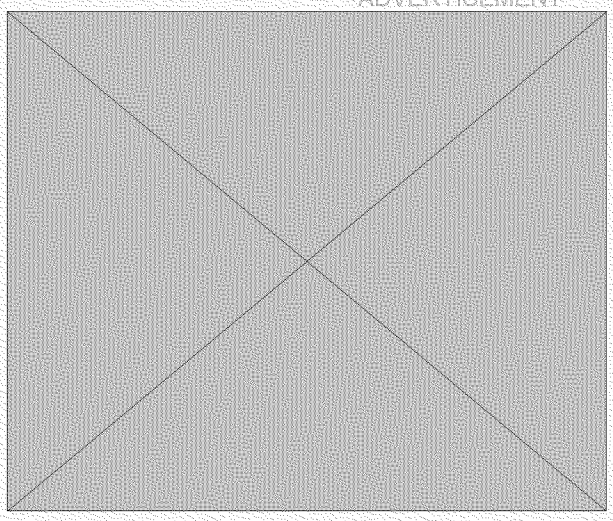


Canadian Special Operations sniper hit target from more than 2 miles away, military says

The 3,871-yard shot, if true, would go down in history as the longest confirmed sniper kill.

By Thomas Gibbons-Neff • Read more »

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Navy sailors made tough call to seal flooding ship compartments, unclear if survivors were inside

The Navy will consider valor awards for some USS Fitzgerald sailors who responded to the crisis.

By Thomas Gibbons-Neff and Dan Lamothe • Read more »

Afghan military's uniform choice has unnecessarily cost U.S. taxpayers $28 million, report says

The report argues a more basic uniform would save millions of dollars.

By Thomas Gibbons-Neff • Read more »

Trump's pick for the No. 2 Pentagon job faces tough questions during confirmation hearing

'That's not good enough, Mr. Shanahan,' Sen. John McCain chided Patrick Shanahan at one point.

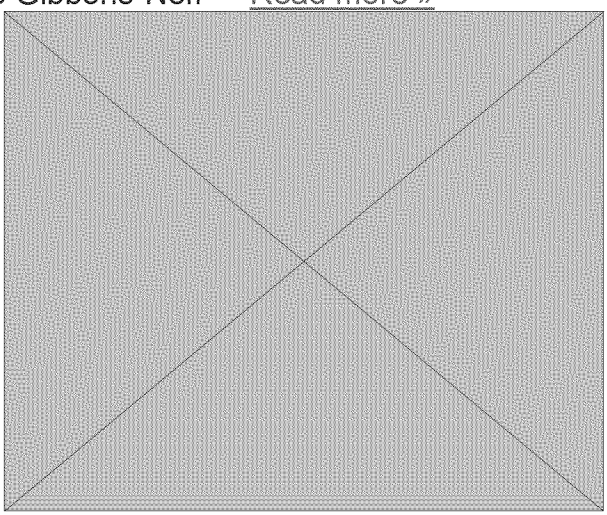
By Dan Lamothe • Read more »

In third shoot-down in a month, U.S. jet destroys another Iranian drone over Syria

It comes two days after a U.S. jet shot down a Syrian fighter aircraft.

By Thomas Gibbons-Neff • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Sat 5/27/2017 2:46:31 PM
Subject: POLITICO Playbook, presented by the Coalition for Affordable Prescription Drugs (CAPD): BIG PICTURE: Chaos, drama as Trump returns -- G7 communique: U.S. is lone climate abstainer -- Trump: decision on Paris next week -- REMEMBERING ZBIGNIEW BRZEZINSKI

View online version | Add politicoplaybook@politico.com to your address book.

Today's PLAYBOOK presented by the Coalition for Affordable Prescription Drugs (CAPD)
05/27/2017 10:38 AM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc) and JAKE SHERMAN (sherman@politico.com; @JakeSherman) with DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

Good Saturday morning. THE BIG NEWS FROM SICILY -- U.S. ON ITS OWN ON CLIMATE -- "U.S. is the lone G7 holdout on supporting Paris climate deal," by David Herszenhorn and Tara Palmeri in Taormina, Italy: "President Donald Trump refused to join his counterparts in the G7 Saturday in a pledge to uphold the 195-nation Paris accord on climate change, breaking the unified front of the world's most exclusive geopolitical club. ...

"While the declaration included remarkable language, highlighting that the U.S. stood apart, the other allies expressed some relief that Trump had not outright rejected the accord and said they remained hopeful he would come around to supporting the Paris agreement in the coming days. But Trump's refusal to take a position while in Sicily has shaken the unity among the G7, the world's most exclusive geopolitical club. The U.S. has also raised doubts about the G7's longstanding language opposing protectionism in all forms. The Trump administration blocked similar language in a G20 communique earlier this year." http://politi.co/2qmj1Tb

-- FROM THE G7 COMMUNIQUE: "The United States of America is in the process of reviewing its policies on climate change and on the Paris Agreement and thus is not in a position to join the consensus on these topics. Understanding this process, the Heads of State and of Government of Canada, France, Germany, Italy, Japan, and the United Kingdom and the Presidents of the European Council and of the European Commission reaffirm their strong commitment to swiftly implement the Paris Agreement, as previously stated at the Ise-Shima Summit." ***See the full document*** http://bit.ly/2rJ6NEj

FROM SICILY -- @JenniferJJacobs: "It's an unprecedented step for final G7

statement to give the U.S. its own section. U.S. not in unison with other 6 on Paris climate deal."

TWEETS FROM @realDonaldTrump, with the geotag Taormina, Sicily, Italy -- at **5:58 a.m.** : "Big G7 meetings today. Lots of very important matters under discussion. First on the list, of course, is terrorism. #G7Taormina." ... at **6:03 a.m.**: "Many NATO countries have agreed to step up payments considerably, as they should. Money is beginning to pour in- NATO will be much stronger." ... at **8:17 a.m.:** "I will make my final decision on the Paris Accord next week!"

-- NEXT WEEK is typically a slow week in Washington, due to the Memorial Day holiday. Trump's decision should spice things up.

QUITE THE HEADLINE! -- AP: **"What if US quits climate deal? Doesn't look good for Earth,"** by Seth Borenstein http://apne.ws/2qpJviW

THE PORTRAIT: DRAMA. LOTS OF IT -- IN THE NEWS THIS MORNING: Donald Trump's campaign has been asked to turn over all Russia-related documents. Jared Kushner had undisclosed contacts with the Russian ambassador. And the Russian ambassador discussed with Kushner a secret communication channel to Trump world. **THE PRESIDENT** is scheduled to return to the White House around 10:45 p.m.

A DRUMBEAT OF SCOOPS ...

--WAPO: "Russian ambassador told Moscow that Kushner wanted secret communications channel with Kremlin," by Ellen Nakashima, Adam Entous and Greg Miller: "Jared Kushner and Russia's ambassador to Washington discussed the possibility of setting up a secret and secure communications channel between Trump's transition team and the Kremlin, using Russian diplomatic facilities in an apparent move to shield their pre-inauguration discussions from monitoring, according to U.S. officials briefed on intelligence reports.

"Ambassador Sergey Kislyak reported to his superiors in Moscow that Kushner, son-in-law and confidant to then-President-elect Trump, made the proposal during a meeting on Dec. 1 or 2 at Trump Tower, according to intercepts of Russian communications that were reviewed by U.S. officials. Kislyak said Kushner suggested using Russian diplomatic facilities in the United States for the communications. The meeting also was attended by Michael Flynn, Trump's first national security adviser.

"The White House disclosed the meeting only in March, playing down its significance. But people familiar with the matter say the FBI now considers the encounter, as well as another meeting Kushner had with a Russian banker, to be of investigative interest. Kislyak reportedly was taken aback by the suggestion of allowing an American to use Russian communications gear at its embassy or consulate - a proposal that would have carried security risks for Moscow as well as the Trump team." http://wapo.st/2rrNteO

-- BEHIND THE SCENES: "The Post was first alerted in mid-December to the meeting by an anonymous letter, which said, among other things, that Kushner had talked to Kislyak about setting up the communications channel. This week, officials who reviewed the letter ... said the portion about the secret channel was consistent with their understanding of events."

--@nycsouthpaw: "Greg Miller says on MSNBC the anonymous letter came to Ellen Nakashima and appeared to have come from someone inside the transition."

--NYT's Maggie Haberman, Mark Mazzetti and Matt Apuzzo: "It is unclear who first proposed the communications channel, but the people familiar with the meeting said the idea was to have Mr. Flynn speak directly with a senior military official in Moscow to discuss Syria and other security issues. The communications channel was never set up, the people said." http://nyti.ms/2qtJute

-- REUTERS: "Exclusive: Trump son-in-law had undisclosed contacts with Russian envoy - sources," by Ned Parker and Jonathan Landay: "President Donald Trump's son-in-law and close adviser, Jared Kushner, had at least three previously undisclosed contacts with the Russian ambassador to the United States during and after the 2016 presidential campaign, seven current and former U.S. officials told Reuters. Those contacts included two phone calls between April and November last year, two of the sources said. By early this year, Kushner had become a focus of the FBI investigation into whether there was any collusion between the Trump campaign and the Kremlin, said two other sources - one current and one former law enforcement official.

"Kushner initially had come to the attention of FBI investigators last year as they began scrutinizing former national security adviser Michael Flynn's connections with Russian officials, the two sources said. ... After the Nov. 8 election, Kushner and Flynn also discussed with Kislyak the idea of creating a back channel between Trump and Russian President Vladimir Putin that could have bypassed diplomats and intelligence agencies." http://reut.rs/2rlxkS6

-- KUSHNER'S LAWYER RESPOND: "'Mr. Kushner participated in thousands of calls in this time period. He has no recollection of the calls as described,' Kushner's lawyer Jamie Gorelick [of WilmerHale] told POLITICO in a statement, responding to a Reuters report about Kushner's contacts with Russian ambassador to the U.S. Sergey Kislyak. 'We have asked (Reuters) for the dates of such alleged calls so we may look into it and respond, but we have not received such information.'" http://politi.co/2qtFR6K

-- THIS IS GETTING BAD FOR JARED. And there's no shortage of snickering from haters and detractors inside Trump's White House.

-- BOB COSTA IN ON THE ACTION: "Senate Intelligence Committee requests Trump campaign documents": "The Senate Intelligence Committee ... has asked President Trump's political organization to gather and produce all Russia-related

documents, emails and phone records going back to his campaign's launch in June 2015, according to two people briefed on the request.

"The letter from the Senate arrived at Trump's campaign committee last week and was addressed to the group's treasurer. Since then, some former staffers have been notified and asked to cooperate ... The demand follows a Senate request months earlier for the campaign committee to preserve documents. Dozens of former staffers are expected to be contacted in the coming days to make sure they are aware of what they are required to produce and how to submit those documents." http://wapo.st/2s1f2sG

-- NYT, TOO: "Russian Once Tied to Trump Aide Seeks Immunity to Cooperate With Congress," by Barry Meier and Jesse Drucker: "Oleg V. Deripaska, a Russian oligarch once close to President Trump's former campaign manager, has offered to cooperate with congressional committees investigating Russian meddling in the 2016 election, but lawmakers are unwilling to accept his conditions, according to congressional officials. Mr. Deripaska's offer comes amid increased attention to his ties to Paul Manafort, who is one of several Trump associates under F.B.I. scrutiny for possible collusion with Russia during the presidential campaign. ... Senate and House panels turned him down because of concerns that immunity agreements create complications for federal criminal investigators." http://nyti.ms/2rrDA0Q

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** One in two Americans rely on their employers for health care benefits including affordable access to prescription drugs. That's why employers are partnering with PBMs to provide access to effective medications at the most affordable price and improve health outcomes. Learn more at www.affordableprescriptiondrugs.org. ******

INSIDE THE WHITE HOUSE -- "Trump Pushing Big White House Changes as Russia Crisis Grows," by WSJ's Mike Bender and Peter Nicholas: "President Donald Trump is actively discussing major changes in the White House, including having lawyers vet his tweets and shaking up his top staff, as he grapples with the fallout from probes into his campaign's dealings with Russia, according to several senior administration officials and outside advisers. ... Meetings devoted to White House operations are scheduled for next week, after the president returns from his overseas trip, ... One major change under consideration would see the president's social media posts vetted by a team of lawyers, who would decide if any needed to be adjusted or curtailed. The idea, said one of Mr. Trump's advisers, is to create a system so that tweets 'don't go from the president's mind out to the universe.' ...

"Other changes under discussion include removing communications director Mike Dubke and installing Sarah Sanders as the main spokesman instead of Mr. Spicer. ... Mr. Trump's return to Washington will mark the end of a period which, White House staffers said, brought some relief from the hectic pace of the news surrounding the administration and the Russia investigation. Some noted that it gave them a rare time to eat dinner at home." http://on.wsj.com/2qpuzBo

ON THE HILL ... -- "Sources: Nunes still has say in issuing subpoenas in House Intel's Russia inquiry," by CNN's Manu Raju and Tom LoBianco: "In a private meeting this week, House intelligence committee members discussed their plans to move ahead with the Russia investigation into meddling in the US election. And the GOP members made clear that the current rules of the committee still apply: That Nunes can issue the subpoenas 'upon consultation with' ranking Democrat Adam Schiff or by a vote of the full committee, according to several sources familiar with the matter." http://cnn.it/2qZchcL

TRUMP'S SATURDAY -- THE PRESIDENT is giving remarks this morning to military personnel at Naval Air Station Sigonella. From pooler Mike Shear of the New York Times: "[S]picer said that the POTUS speech would [likely] include some trip wrap-up stuff and 'relationship' stuff relating to other countries. So not just a message to the troops."

THE WORLD STAGE -- "Trump brings his solo act to Europe : The president has seemed less at ease among his fellow world leaders in group settings than he is in one-on-one encounters," by Tara Palmeri and David Herszenhorn in Taormina, Sicily: "While he avoided any major gaffes or serious diplomatic breaches, Trump's lack of rapport with European leaders raises serious questions about his ability to effectively team up with critical U.S. allies. 'Like when there's a new strange kid in the class nobody likes,' said a senior EU official who was briefed on the closed NATO meetings in Brussels. 'You behave civilly when teachers [media] watch but don't spend time with him in private because he's so different.'" http://politi.co/2s10dpV

IF YOU READ ONE THING - N.Y. MAGAZINE COVER, "She's Okay. How About You?" by Rebecca Traister (online headline: "**Hillary Clinton Is Furious. And Resigned. And Funny. And Worried** . The surreal post-election life of the woman who would have been president): "Almost everywhere Clinton goes, it seems, someone starts crying. It's not just friends and staffers. And though it was more intense in the weeks immediately following the election, it hasn't entirely let up. At restaurants, in grocery stores, on planes, and in the woods, there are lines of people wanting selfies, hugs, comfort. ... This is the dynamic that is perhaps the most intense for Clinton. "Not so much anymore, but in the immediate aftermath, from after the election to probably the first of the year," she says, 'I had people literally seeking absolution.' ... '"I'm so sorry I didn't vote. I didn't think you needed me." ...

"In particular, Clinton recalls one night at the theater. 'It was intermission, and a woman came over holding the hand of a young woman. She literally dragged her daughter over to see me. And she said, "My daughter has something to tell you ... Tell her." And this girl says to me, "I am really sorry; I didn't think you needed my vote and I didn't vote." And her mother says [yelling], "Yes, she didn't vote! You didn't vote! You're part of the problem!" I said, "Okay, well, next time I hope you'll vote.""

-- A FASCINATING BITE: "I ask her if she's ever been in therapy, and she shakes her head. 'Unh-uh. No. I have not.' When I express surprise, she allows, 'Well, we had some

marital counseling in the late '90s, around our very difficult time, but that's all.' She shrugs. 'That's not how I roll. I'm all for it for anybody who's at all interested in it. It's just not how I deal with stuff.'" http://nym.ag/2qXeBRC ... ***The cover*** http://nym.ag/2qsmRFw

HMM -- "U.S. Quietly Lifts Limit on Number of Refugees Allowed In," by NYT's Gardiner Harris: "Despite repeated efforts by President Trump to curtail refugee resettlements, the State Department this week quietly lifted the department's restriction on the number of refugees allowed to enter the United States. The result could be a near doubling of refugees entering the country, from about 830 people a week in the first three weeks of this month to well over 1,500 people per week by next month, according to refugee advocates. Tens of thousands of refugees are waiting to come to the United States." http://nyti.ms/2qtEhSv

THE JUICE ...

-- NORM EISEN, former U.S. Ambassador to the Czech Republic and White House ethics czar for President Barack Obama, is writing "The Last Palace," a narrative book of historical non-fiction of the people who have lived in the U.S. ambassador's house in Prague over the last 100 years. Those people include the residence's Jewish builder, an aristocratic German general who occupied it during World War Two, and Shirley Temple Black, a child star who later was a diplomat. Eisen's book was sold at auction to Crown and has also been sold to publishers in the U.K., Germany, Italy, Holland, Israel, Brazil and of course the Czech Republic.

REMEMBERING ZBIG -- "Zbigniew Brzezinski, National Security Adviser to Jimmy Carter, Dies at 89," by NYT's Daniel Lewis: "Zbigniew Brzezinski, the hawkish strategic theorist who was national security adviser to President Jimmy Carter in the tumultuous years of the Iran hostage crisis and the Soviet invasion of Afghanistan in the late 1970s, died on Friday at a hospital in Virginia. He was 89. His death, at Inova Fairfax Hospital in Falls Church, was announced on Friday by his daughter, Mika Brzezinski, a co-host of the MSNBC program 'Morning Joe.'

"Like his predecessor Henry A. Kissinger, Mr. Brzezinski was a foreign-born scholar (he in Poland, Mr. Kissinger in Germany) with considerable influence in global affairs, both before and long after his official tour of duty in the White House. In essays, interviews and television appearances over the decades, he cast a sharp eye on six successive administrations, including that of Donald J. Trump, whose election he did not support and whose foreign policy, he found, lacked coherence. Mr. Brzezinski was nominally a Democrat, with views that led him to speak out, for example, against the 'greed,' as he put it, of an American system that compounded inequality. He was one of the few foreign policy experts to warn against the invasion of Iraq in 2003." http://nyti.ms/2r8oixc

--MIKA'S INSTAGRAM POST about her dad: "My father passed away peacefully tonight. He was known to his friends as Zbig, to his grandchildren as Chief and to his wife as the enduring love of her life. I just knew his as the most inspiring, loving and

devoted father any girl could ever have. I love you Dad #HailToTheChief." http://bit.ly/2rrPfN3 ... ***Another Mika Instagram post about her dad and mom*** http://bit.ly/2qZgY6x

-- BRZEZINSKI's LAST TWEET - May 4, (@zbig): "Sophisticated US leadership is the sine qua non of a stable world order. However, we lack the former while the latter is getting worse."

Playbook Reads

PHOTO DU JOUR: Leaders of the G7 nations watch the Frecce Tricolori Italian Air Force acrobatic squadron performing in Taormina, Italy, on May 26. | Luca Bruno/AP Photo

HEADS UP -- AP/LONDON: "British Airways cancels flights amid global computer outage": "British Airways canceled all flights from London's Heathrow and Gatwick airports Saturday as a global IT failure causes severe disruption for travelers. The airline said it was suffering a 'major IT systems failure' around the world. It didn't say what was causing the problem but said there is no evidence of a cyberattack."

FOR WHITE HOUSE AIDES -- "Trump aides facing perilous stage of Russia probe: Investigators are ramping up requests for documents, and any failure to preserve records exposes Trump aides to criminal charges down the line," by Darren Samuelsohn: "Trump's campaign, said a former senior aide, didn't do much in the way of establishing a backup plan to preserve those digital records. 'You'd be giving us too much credit,' said [a] former staffer. 'The idea of document retention did not come up.'" http://politi.co/2qpWSzn

IN FOGGY BOTTOM -- "Exclusive: Tillerson declines to host Ramadan event at State Department," by Reuters' Yeganeh Torbati: "Secretary of State Rex Tillerson has declined a request to host an event to mark Islam's holy month of Ramadan, two U.S. officials said, apparently breaking with a bipartisan tradition in place with few exceptions for nearly 20 years.

"Since 1999, Republican and Democratic secretaries of state have nearly always hosted either an iftar dinner to break the day's fast during Ramadan or a reception marking the Eid al-Fitr holiday at the end of the month, at the State Department. Tillerson turned down a request from the State Department's Office of Religion and Global Affairs to host an Eid al-Fitr reception as part of Ramadan celebrations, said two U.S. officials who declined to be identified because they were not authorized to speak publicly." http://reut.rs/2rlZ8ps

CLINTON WATCH -- "Suit against Hillary Clinton over Benghazi deaths and emails is dismissed," by Josh Gerstein: "A federal judge in Washington has dismissed a

lawsuit alleging that Hillary Clinton's lax security surrounding her emails led to the deaths of two of the Americans killed in the 2012 attack on the U.S. diplomatic compound in Benghazi, Libya. In a ruling Friday, U.S. District Court Judge Amy Berman Jackson tossed out the wrongful death claims as well as allegations that Clinton essentially slandered the parents of the deceased by contracting accounts the parents gave of their children's deaths." http://politi.co/2r6qYsY

DEPT. OF SWAMP DRAINING -- "White House Backs Down on Keeping Ethics Waivers Secret," by NYT's Eric Lipton: "The White House unexpectedly backed down Friday in a confrontation with the government's top ethics officer, announcing it will publicly disclose waivers that have been quietly handed out since January to let certain former lobbyists work in the administration." http://nyti.ms/2r6U6Au

MEDIAWATCH -- "As Trump's Problems Mount, Breitbart's Numbers Are Cratering: A media business based on attack has been much less successful when forced to defend," by Vanity Fair's Tina Nguyen: "'Breitbart News is the #45th most trafficked website in the United States, according to rankings from Amazon's analytics company, Alexa.com,' [Breitbart] wrote on January 9, 2017. ... Just a few months later, the numbers have a different story to tell. As of May 26, 2017, according to Alexa.com ... Breitbart is in 281st place. ... Measuring web traffic is an inexact art, but other web-analytics companies reflect a similar, unusually steep decline in Breitbart's traffic. ComScore estimated that Breitbart had nearly 23 million unique visitors during the month of November 2016, but only drew 10.7 million in April 2017, a 53 percent drop." http://bit.ly/2rHJevH

-- HOLLYWOOD REPORTER: "MSNBC Chief Phil Griffin Re-ups Amid Historic Ratings," by Marisa Guthrie. http://bit.ly/2r8OqIh

--"Homework? First I Need to Get to the Bottom of This Comey Story," by Stuart Emmrich on the cover of tomorrow's N.Y. Times Sunday Styles (print headline: "Waking Up With Gabe"): "It's 7:32 on a recent Wednesday morning, and Gabe Fleisher is racing to put the finishing touches on his daily newsletter, Wake Up to Politics. ... [M]ore than 2,000 subscribers who expect their Wake Up briefing to appear in their email inboxes just after 8 a.m. each weekday. ... Gabe Fleisher is not a Washington pundit or a producer for CNN, but a 15-year-old freshman at a St. Louis high school. The free newsletter, which he has been writing in some form since he was 8, is a surprisingly sophisticated, well-researched summary of the day's political news. It counts among its subscribers Gene B. Sperling ... Steve Kornacki ... Major Garrett ... Mark Halperin; and Jim VandeHei ... as well as reporters for The New York Times, The Washington Post and USA Today." http://nyti.ms/2rZlu3j

HOT NEW JOB -- @adamgoldmanNYT: "Major journalism job opening at the @AP -- Washington Bureau Chief" - ***The job listing*** http://bit.ly/2s0ZSUd

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** As list prices for brand drugs continue to rise, employers are partnering with PBMs to keep

drug costs under control. In fact, every dollar an employer invests in a PBM service returns six dollars in savings. Learn more at www.affordableprescriptiondrugs.org. ******

CLICKER - "The nation's cartoonists on the week in politics," edited by Matt Wuerker - ***14 keepers*** http://politi.co/2rpUBbD

GREAT WEEKEND READS, curated by Daniel Lippman:

--"Aleppo After the Fall," by NYT Magazine's Robert F. Worth: "As the Syrian civil war turns in favor of the regime, a nation adjusts to a new reality - and a complicated new picture of the conflict emerges." http://nyti.ms/2s4w88f

--"Raj Chetty on teachers, social mobility, and how to find answers to big questions" - Tyler Cowen on Medium: "'I think current trends suggest that segregation will continue to grow in the US. Take the case of driverless cars, for example. One way that could go is, if you have access to driverless cars, it makes it all the more easy to go live further away in a secluded place, further reduce interaction, right?'" http://bit.ly/2qXjASl

--"The Exquisitely English (and Amazingly Lucrative) World of London Clerks," by Simon Akam in Bloomberg Businessweek: "It's a Dickensian profession that can still pay upwards of $650,000 per year." https://bloom.bg/2qrLtP1

--"This is what it's like to be struck by lightning," by Charlotte Huff in Mosaic Science: "Of every ten people hit by lightning, nine will survive to tell the tale. But they could suffer a variety of short- and long-term effects. The list is lengthy and daunting: cardiac arrest, confusion, seizures, dizziness, distractibility, personality changes and chronic pain, among others. Lightning can also knock out the region of the brain that controls breathing. This doesn't have a built-in reset, meaning a person's oxygen supply can become dangerously depleted." http://bit.ly/2qrMerb

--"Iran's Support for Terrorist Groups," by Daniel Byman in Lawfare - per The Browser's description: "Iran has downgraded its post-1979 hopes of exporting Islamist revolution to the rest of the world. Instead, as a 'relatively weak state with hostile neighbors', it must be primarily concerned with its own stability and survival. But alliances with terrorist and militant groups remain an integral part of Iran's foreign policy, because they have proved to be a cost-effective way of intimidating and destabilising near and distant enemies." http://bit.ly/2rHnPSZ

--"Farming the World: China's Epic Race to Avoid a Food Crisis" -Bloomberg: "Ballooning populations in Asia, Africa and South America will add another 2 billion people within a generation. If China is to have enough affordable food for its population in the second half of this century, it will need to make sure the world grows food for 9 billion people." https://bloom.bg/2qXfkCr

--**"The Most Important Scientist You've Never Heard Of,"** by Lucas Reilly in Mental

Floss: "For 60 years, American drivers unknowingly poisoned themselves by pumping leaded gasoline into their tanks. Here is the lifelong saga of Clair Patterson-a scientist who helped build the atomic bomb and discovered the true age of the Earth-and how he took on a billion-dollar industry to save humanity from itself." http://bit.ly/2rpGPpE

--"Long Way Home: The Circumnavigations of Henk De Velde," by Ryan Bradley in VQR: "I learned that any human record is meaningless. I realised I was part of my boat, that I was talking, although not loud, to the whales around me. I saw the birds looking at me and, the word enjoying is not strong enough. This was it, this was my sea life. Already I knew that the sea would never let me go again, that I was in its eternal grip." http://bit.ly/2qo6cnw

--"Fire on the Mountain: A night of terror in Gatlinburg, Tennessee," by Justin Heckert in the June/July issue of Garden & Gun: "On the night of November 28, residents of Gatlinburg, Tennessee, found themselves in the midst of a nightmare. Within hours, a small blaze had exploded into the worst fire in the Smoky Mountains in a hundred years, forcing thousands to flee and leaving fourteen dead. Months later, the tourist town is bouncing back. But for some who survived that terrifying night, life will never be the same." http://bit.ly/2r6osVy (h/t Longreads.com)

--"Surfer John John Florence's Very Wavy World," by Zach Baron in GQ: "The best surfer on the planet is a 24-year-old from Hawaii named John John Florence. We visited the big-wave champ at his compound on Oahu's North Shore before he flew to Australia to defend his world title. So was the surf king nervous? Nah, competition's not really his thing." http://bit.ly/2qnLsvZ (h/t Longform.org)

--"How men continue to interrupt even the most powerful women," by Tonja Jacobi and Dylan Schweers in Aeon Magazine: "There are few more powerful positions than being a Supreme Court justice, yet the female justices are just like other women: talked over by their male colleagues. In the past 12 years, when women made up on average 24 per cent of the bench, 32 per cent of interruptions were of the female justices, only 4 per cent of interruptions were by the female justices. Male advocates account for approximately 10 per cent of all interruptions; female advocates for 0 per cent." http://bit.ly/2rYTDQC

--"Colombia's Guerrillas Come out of the Jungle," by The New Yorker's Jon Lee Anderson: "Carlos Antonio Lozada, a FARC commander, tries to guide his former fighters back into society." http://bit.ly/2rpJy25

Playbookers

SPOTTED: Eric Trump yesterday at a 7 a.m. Flywheel class at City Center using the name "ET USA" coming in last place on the Torqboard, per our tipster ... Susan Rice and Sen. Roy Blunt (R-Mo.) yesterday talking at Millie's in Spring Valley ... Speaker Paul

Ryan yesterday on Flight AA2192 from ORD to DFW in coach in an aisle seat with kids next to him. "Took pictures outside of the bathroom for a few minutes, with police escort." ***Pic*** http://bit.ly/2r6C97b ... HHS Secretary Tom Price in the first row on a flight from DCA to ATL. Someone stopped him in the aisle and told him, in wonderfully Georgian terms, "I hope you find some goodness in your heart, Mr. Secretary."

ENGAGED -- Tommy Schultz, national communications director at the American Federation for Children, recently got engaged to **Ashley Harvey** , an account executive at Go Big Media. He proposed outside the White House while on a tour. A friend of his who used to work for then-Gov. Terry Branstad (Tommy worked on his 2014 campaign) is now working at the White House and set up the West Wing tour. The couple met at a conference near Nashville in 2015; he was there on behalf of a congressional race he was campaign manager for (Grant Starrett), and she was there on behalf of a PR firm. ***Pics*** http://bit.ly/2s7diNy ... http://bit.ly/2s77TWX ... ***Flickr album*** http://bit.ly/2s0RkMV

BIRTHWEEK (was yesterday): Monica Almeida ... Margo Tercek, a staffer for Sen. Michael Bennet, turned 26 (h/t dad Mark) ... Ryan Graham ... Andrew Ciafardini ... Joe Cupka

BIRTHDAYS: David Plouffe, president of CZI Policy and Advocacy, is 5-0 ... Henry Kissinger is 94 ... Campbell Robertson, New Orleans-based correspondent for NYT, is 41 (gumbo tip: JMart) ... Noam Scheiber, NYT labor and workplace reporter, is 41 ... MPAA Chairman Christopher Dodd is 73 ... former FBI Director William Sessions is 87 ... Matt McKenna ... Marc Stanley is 6-0 (h/t Jon Haber) ... Rep. Alma Adams (D-NC) is 71 ... Rep. Peter DeFazio (D-Ore.) is 7-0 ... Rep. Scott Perry (R-Pa.) is 55 ... Politico's Devin Drewyer ... Independent Journal Review chief content officer Benny Johnson is 31 (h/t Katelyn) ... Rob Flynn is 59 ... WaPo alum Brigid Schulte, founding director of The Good Life Initiative at New America ... Thalia Assuras, former anchor at CBS and ABC, celebrating a "huge" milestone birthday - "She looks half her age. Must be the Greek heritage and Mediterranean diet" (hubby tip: Mike Johnson) ... Politico Europe's Marylise Mahé ... Elise Dietsch ... Sean Rapelyea ... Herman Wouk is 102 ... Sumner Redstone is 94 (h/ts Jewish Insider) ...

... NBC News' Cynthia McFadden ... Katya "Kat" Dimenstein, LD for Rep. David Schweikert ... "West Wing" alum Richard Schiff is 62 (h/ts Kurt Bardella) ... Jessica Borchert ... Adam Clayton Powell IV ... Kelsey Baron ... Jillian Busch ... Philadelphia Inquirer's Andrew Seidman ... Sue Tagliabue ... Lauren Paige ... Jenny Drucker ... Christy Harvey ... Benjamin Cole ... Erin Wallwork ... Russ Rosler ... Drew Cole, partner at Roberti Global: Irizarry Klein Roberti ... Bob Rayner is 57 ... Sherry Amatenstein ... Stefanie Prelesnik ... Devan Barber ... Andrew Keeney ... Whitney Gulick Reboulet ... Melissa Ludtke ... Karen Kirksey ... Cary O'Reilly, editor at large at Bloomberg ... AP photojournalist Andrew Harnik ... NPR Delhi bureau chief Julie McCarthy ... Andrew Powaleny ... former NY Gov. David Paterson is 63 ... Kris Martinsek ... Juanita Williams ... Jan Silvers ... Jill Wilkins ... Ned Sebelius (h/ts Teresa Vilmain) ... actor Jack McBrayer is 44 ... rapper Andre 3000 (Outkast) is 42 ... TV chef Jamie Oliver is 41 (h/ts AP)

THE SHOWS, by @MattMackowiak, filing from Fort Worth, Texas:

-- NBC's "Meet the Press": Homeland Security Secretary John Kelly ... Sen. Bob Corker (R-Tenn.) ... New Orleans Mayor Mitch Landrieu. Panel: Joy Reid, Kimberley Strassel, Charlie Sykes and Amy Walter

-- ABC's "This Week": Homeland Security Secretary John Kelly ... Rep. Adam Schiff (D-Calif.). Panel: Gwenda Blair, Tom Ilamas and Timothy O'Brien

-- CBS's "Face the Nation": Defense Secretary James Mattis ... Ken Burns ... Michael Morrell ... Benjamin Wittes. Panel: Jeffrey Goldberg, Susan Page and Margaret Brennan

-- "Fox News Sunday": Homeland Security Secretary John Kelly ... Senate Minority Whip Dick Durbin (D-Ill.) ... Sen. Bill Cassidy (R-La.). Panel: Michael Needham, Gerald Seib, Gillian Turner and Charles Lane ... "Power Player of the Week" segment with Blue Angels Commanding Officer Cmdr. Ryan Bernacchi

--CNN's "State of the Union" with substitute anchor Dana Bash: Sen. Lindsey Graham (R-S.C.) ... Sen. Cory Booker (D-N.J.) ... Chicago Mayor Rahm Emanuel. Panel: Rick Santorum (R-Pa.), Jennifer Granholm, Kevin Madden and former Ohio State Sen. Nina Turner

-- Fox News' "Sunday Morning Futures": Rep. Kevin Brady (R-Texas) ... Steve Hilton ... Rep. Chris Stewart (R-Utah). Panel: Ed Rollins and Brad Blakeman

-- Fox News' "MediaBuzz": Erin McPike ... Mollie Hemingway ... Joe Trippi ... James Rosen ... Liz Claman

-- CNN's "Inside Politics" with John King: Panel: Abby Phillip, Karoun Demirjian, Michael Warren and Jeff Zeleny

-- CNN's "Fareed Zakaria GPS": Panel: Ian Bremmer, Richard Haass, Matthew Kroenig and Anne-Marie Slaughter ... Jeffrey Gettleman, author of the new book "Love, Africa: A Memoir of Romance, War and Survival" ... author Brian Greene

--CNN's "Reliable Sources" with substitute anchor Frank Sesno: Panel: Michael Oreskes, Tara Palmeri, Erik Wemple, Indira Lakshmanan, Jane Hall and Kim Ghattas

-- C-SPAN: "The Communicators": Rep. Marsha Blackburn (R-Tenn.), questioned by Lydia Beyoud ... **"Newsmakers":** Sen. Patrick Leahy (D-Vt.), questioned by Susan Ferrechio and Lisa Mascaro ... **"Q&A":** Malcolm Nance

-- Washington Times' "Mack on Politics" weekly politics podcast with Matt Mackowiak (download on iTunes, Google Play, or Stitcher or listen at http://bit.ly/2r37J6h): Karen Elliott House

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** One in two Americans rely on their employers to provide health care benefits. So, employers partner with PBMs to provide access to effective medications at the most affordable price. PBMs drive savings in part by using clinical expertise to identify generic alternatives that achieve the same health outcomes for a lower price. With generics accounting for 89 percent of prescriptions filled in 2015, but only 27 percent of drug costs, that represents a savings of $227 billion across the U.S. health care system in just one year. Learn more at www.affordableprescriptiondrugs.org. ******

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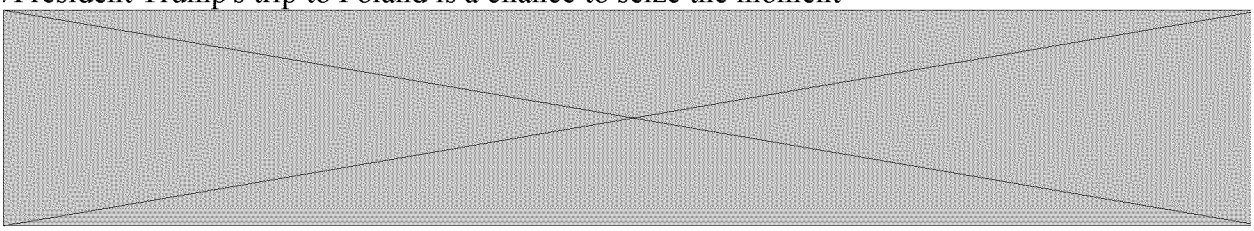
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Reuters

President Trump's trip to Poland is a chance to seize the moment

Gary J. Schmitt and James M. Cunningham | AEIdeas

President Trump's first visit to Poland has been called a softball — a chance to visit a friendly, right-leaning nation and receive a warm welcome. But that understates the visit's potential. More than just an easy stopover, it's a chance for the United States to strengthen military ties with central and eastern Europe. The Poles appear willing to support an even larger NATO presence. America should jump at the opportunity.

AEI

60-second take: Narco crime is a serious threat to the Americas

Roger F. Noriega | AEI video

Transnational organized crime presents a serious threat to the United States and the rest of the Western Hemisphere. In Mexico, drug cartels have latched onto globalization as a way to move their product across borders and launder their assets through the global financial system. AEI Visiting Fellow Roger Noriega details the threats the US faces to its border, its communities, and its financial system — and what can be done to combat them.

Reuters

What Xi Jinping's censorship says about the future of China

Weifeng Zhong | Foreign Affairs

In post-Mao China, censorship of the press has become a way to mask bad economic policies. Censorship has been less pervasive when leadership enacted reforms that led to economic prosperity, but when such progress stalls, the regime opts to control the media to curb public discontent. Censorship became even more widespread under current President Xi Jinping, who took over just as the economy began to slow.

Twenty20

Early childhood education and the US workforce problem

Katharine B. Stevens | AEIdeas

Americans increasingly recognize the importance of early childhood. A full 82 percent

of Republicans, 86 percent of independents, and 98 percent of Democrats said that "making early education and child care more affordable for working parents" is important for our country. Almost 80 percent of respondents said that public investment should be made equally or more heavily in early childhood than higher education.

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Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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Trump Tests Legal Limits by Delaying Dozens of Obama's Rules

Posted July 13, 2017, 8:15 A.M. ET

By Jennifer A. Dlouhy and Alan Levin

It typically takes years for presidents to kill federal regulations they dislike, but Donald Trump has found a shortcut: He's just putting them on long-term hold.

The Trump administration has stalled more than two dozen Obama-era rules, a legally questionable tactic that sidesteps the cumbersome rulemaking process.

Presidents from both parties routinely pause their predecessors' rules, but Trump's delays are lasting longer and reaching further—with targets including protections for student borrowers, standards for e-cigarettes, and an expansion of requirements that airlines report lost luggage. In one instance, a federal court found the approach illegal, providing fodder for future challenges.

"Obama did it to Bush. Bush did it to Clinton," said Stuart Shapiro, a Rutgers University professor who served as a White House regulatory analyst under presidents Bill Clinton and George W. Bush. "But the extent of the regulations that we're talking about, and the political importance and the impact, is greater in the Trump administration."

Federal agencies have wide latitude to rewrite and rescind rules, but they must follow the Administrative Procedure Act, a 71-year-old law that sets out a process designed to prevent regulatory whiplash. Agencies must first formally propose revisions, justify them and give the public a chance to weigh in. Relatively small tweaks, such as a delay, can advance more quickly—but generally still require a formal notice and comment period.

Trump has moved aggressively to fulfill his promise to repeal "job-killing rules." He issued an order requiring two rules be spiked for each one created and capped the cost of new regulations.

"We're working very hard to roll back the regulatory burden so that coal miners, factory workers, small business owners and so many others can grow their businesses and thrive," Trump said while

signing an executive order addressing the issue in February.

Supporters of Trump's approach say the president is just doing what he promised by taking on overzealous regulations. The goal of trying to align government with a president's own philosophy "is hardly uncommon," said Dan Goldbeck, a research analyst specializing in regulations at the conservative-leaning American Action Forum.

The effort isn't an attempted wholesale undoing of Obama-era rules, Goldbeck said. "I think the intention is to dive back into them and see if they can tweak them—and not necessarily chop them entirely," he said.

Trump's EPA is following the law in ensuring its "actions are consistent with our core mission and statutory authority granted by Congress," spokeswoman Amy Graham said. "Where regulations may be unjustified or overly burdensome, we will consider all legally available means to provide regulatory certainty," Graham said.

In some cases, the administration is buying time for possible rule rewrites, as with an Agriculture Department regulation governing the treatment of organically raised livestock. The department delayed the measure's effective date by eight months and announced it was launching a formal effort to rewrite the regulation.

The administration has gone further in some cases, indefinitely delaying all or parts of rules while contemplating revamping them. They include a Federal Highway Administration mandate that local governments monitor greenhouse gas emissions and a congressionally ordered update of penalties for automakers that fail to meet fuel economy standards.

"These agencies are saying they're not going to do the job they've previously said needs to be done, and they're hoping to get away with that by promising some future replacement regulation," said William Buzbee, a regulatory law professor at Georgetown University. "This being overtly declared on so many fronts is really quite unusual."

Earlier this month, a U.S. federal Court of Appeals panel rebuked the Environmental Protection Agency for suspending a regulation requiring oil and gas companies to pare emissions of methane. A two-justice majority said the EPA wrongly claimed discretion to halt the already finalized rule, and if the agency wanted to rescind the measure, it must cite specific statutory authority to do so or go through a formal rulemaking process.

Emily Hammond, a law professor at George Washington University, said the judges were putting agencies on notice that the court would carefully scrutinize their justifications for delaying rules. The message: "You must meet statutory criteria, and if you don't, we'll hold what you did unlawful," she said.

The ruling is especially notable because that Washington-based appeals court hears the bulk of regulatory cases, and is poised to be the arbiter in other delay-related challenges to come. State attorneys general, environmentalists and good government activists have filed lawsuits challenging at least five other regulatory delays.

Attorneys general in 18 states and the District of Columbia last week filed a lawsuit challenging a decision by Education Secretary Betsy DeVos to put on hold portions of a regulation designed to protect student borrowers who attended for-profit colleges. Just July 11, environmental groups filed a challenge to the EPA's one-year delay of ozone pollution requirements. And farm workers are fighting an EPA delay of requirements that people applying certain high-risk pesticides receive

training and be certified.

Challenges Filed

Some factors discourage legal action: Lawsuits move slowly and, in some cases, it may take so long to litigate over a delay that the argument becomes moot. Some delays were set for 60 or 90 days, others are for a year or are indefinite. The number of delays also forces would-be challengers with limited resources to pick their battles.

To be sure, Trump's predecessor, Barack Obama, was an active rulemaker. He finalized 90 major, economically significant regulations in his final year—some rushed through in the weeks before Trump was inaugurated.

The Trump administration cites an array of legal authorities to support delays.

When the Department of Transportation postponed a rule requiring more airlines report lost or damaged baggage and wheelchairs, regulators made no secret of their goal to protect airlines: "Industry is facing challenges with parts of this regulation and needs more time to implement it," the department said.

And when the EPA said it was giving farmers at least a year more to comply with the pesticide application rule, the agency blamed a staffing shortage: "EPA still has only one Senate-confirmed official," it said in June.

Reasons for Delays

The Trump administration cited a provision of the Administrative Procedure Act that gives agencies limited authority to forgo notice and comment periods if there is "good cause" to find that compliance would be impractical or contrary to the public interest. And the agencies turned to a section authorizing postponements if "justice so requires" because pending litigation against the regulation is likely to succeed.

The variance suggests agencies may be trying different approaches to see what sticks, said Georgetown Law professor Lisa Heinzerling, an EPA official in the Obama administration.

"Their legal reasoning in some of these cases is so bare bones that it just seems experimental," she said.

The administration may be trying to prevent companies from spending money to comply with requirements that are destined for the trash bin. After all, power plant owners howled when they were forced to buy equipment limiting mercury pollution under a 2012 mandate only to see later that the Supreme Court order the rule be reassessed.

Save Money

But the rapid regulatory pivots can carry costs, too. In February, Trump's Interior Department told companies they need not follow an Obama rule that changed how they report the value of oil and gas unearthed from public land—after it had gone into effect. Companies that had already changed their accounting systems to comply were given until August to revert back.

The U.S. regulatory framework is designed to protect against just those kinds of shifts, said James

Goodwin, a senior policy analyst with the liberal Center for Progressive Reform.

"So much of the broader fabric of administrative law is pointed toward finality," Goodwin said. "And once the rulemaking process has been finalized, the way you promote regulatory certainty is the process ends, and that's when enforcement and compliance begins."

—With assistance from Andrew Harris, Anna Edney and Ryan Beene.

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Russia Sanctions Bill Stalled by GOP Over Energy Provisions

Posted July 13, 2017, 02:49 P.M. ET

By Anna Edgerton, Terrence Dopp and Jennifer A. Dlouhy

House Republicans are throwing up new roadblocks to a Russia and Iran sanctions bill over concerns from the energy industry that a provision could block U.S. companies from lucrative foreign oil deals.

A section of the legislation would prevent U.S. companies from doing business anywhere in the world with Russian interests, causing consternation in the capital-intensive energy industry where foreign partnerships are common. That prompted Republicans to push for a fix to the version passed by the Senate before the bill moves forward in the House.

"You're empowering Russia more based upon the way they wrote it, that you can give Russia greater energy power over Europe and everywhere else," House Majority Leader Kevin McCarthy (R-Calif.), said in an interview July 12. "So yes, we do need to change that."

Republicans previously said the measure was stalled over complaints from Democrats that changes to the bill would weaken lawmakers' authority to block the Trump administration from lifting sanctions on Russia. The delay gave time for companies to scale up their lobbying on the energy provision, even as lawmakers from both parties are pushing hard for new constraints on President Donald Trump's ability to ease penalties on the Russian government.

This new fight comes amid controversy over the release of emails related to Donald Trump Jr. accepting a meeting last year with a Russian lawyer who he was told had information from the Russian government that could prove damaging to Democratic presidential candidate Hillary Clinton.

House leadership is considering whether the sanctions bill can be put to a vote as is, with the promise that the energy provisions could be changed administratively, or if the matter needs to be addressed before a vote, according to a GOP aide who was briefed on the issue. House leaders don't want to give the impression they're watering down the bill, the aide said.

98-2 Vote

The sanctions measure, S. 722, passed the Senate last month in an overwhelming 98-2 vote, in an effort to punish Iran and get tough on Russia for its efforts to interfere in the U.S. election.

As the measure stalled in the House, several House Republicans said they have been hearing from

energy companies with complaints about a provision that would allow the president to penalize someone who invests in or helps build Russian energy export pipelines.

Rep. Bill Flores (R-Texas), said he has been approached by "five or six of the majors" based in his state. The energy companies have told him they worry the bill as it stands is overly broad.

"You could restrict the sanctions of those activities within the borders of Russia, that might be a quick fix and also the national security carve out as well," Flores said when asked how the sanctions bill might be changed to address those concerns. "Most of us are fine with having sanctions on U.S. interests operating inside Russia, with Russian companies, but then going outside of Russia is too broad."

House Rules Chairman Pete Sessions said the Senate passed the bill before lawmakers understood its potential consequences and that whoever wrote the energy provisions wasn't familiar with the industry.

"I appreciate my friends in the Senate but this was rushed through," the Texas Republican said in an interview late July 12.

Broader Opposition

The possibility of the pipeline curbs sent a jolt through the traditional oil industry, as well as a broader group of related companies, including equipment providers, tubular piping manufacturers and oilfield services companies, that worry they wouldn't be able to supply projects in which sanctioned Russian companies are involved.

Current sanctions already block oil and gas companies from doing deals in Russia. But the Senate-passed bill would extend the reach of those prohibitions, barring U.S. companies from partnering with sanctioned Russian firms to develop energy projects anywhere around the world.

Richard Sawaya, who studies the impact of sanctions for the Washington-based National Foreign Trade Council, estimated the provision may mean U.S. oil and gas firms could be shut out of as much as $100 billion worth of projects over 10 years. Also at risk may be high-earning jobs and lost investment income, he said. His group advocates against unilateral U.S. sanctions in most cases.

'Loses Sight'

"In any place where Russian companies have a position—U.S. companies couldn't be there," Sawaya said. "It loses sight of the shape of the forest."

Democrats complain that Republicans are stalling, pointing to remarks from White House legislative affairs director Marc Short that the administration is opposed to the bill's provisions that would allow Congress to block some sanctions-related decisions by the president.

Three House Democrats, Minority leader Nancy Pelosi, Minority Whip Steny Hoyer of Maryland and Rep. Eliot Engel of New York, ranking member of the Foreign Affairs Committee, introduced their own measure, which is identical to the Senate version, in an effort to circumvent GOP procedural objections. Republican leaders said that certain revenue-related provisions in the bill meant that it had to originate in the House.

Global Disadvantage

The fight over the energy provision, however, threatens to delay the bill further. The oil industry is warning of potentially widespread consequences—some unintended—that could put U.S. companies at a disadvantage globally, even when they aren't actively collaborating with sanctioned Russian firms.

"This has far-reaching impacts to a variety of companies and industries," said Jack Gerard, president of the American Petroleum Institute. "It has the potential to penalize U.S. interests and advantage Russia."

That broader approach could imperil at least one of Exxon Mobil Corp.'s major exploration projects, a joint venture with Rosneft that's producing oil and gas in waters off Russia's eastern shore. Oil fields there are estimated to contain 2.3 billion barrels of oil and 17.1 trillion cubic feet of natural gas. The project, called Sakhalin 1, doesn't fall under current U.S. sanctions that bar U.S. companies from producing oil in Russian deep-water, Arctic or shale areas.

If the legislation passes without changes, Exxon Mobil would likely have to obtain a special waiver from the U.S. government to maintain production at the site, slated to stretch until 2050.

Neighboring Wells

Industry officials warn that the Senate-passed bill could also jeopardize oil and gas projects far from Russia that have only tangential ties to the country. For instance, they say it could preclude U.S. oil companies from proceeding with offshore projects where sanctioned Russian companies hold neighboring leases because there may be pooled collaboration on pipelines and other infrastructure to support the developments.

"We will continue to comply with all applicable laws, including trade controls and sanctions regulations," said Royal Dutch Shell spokesman Curtis Smith. "We believe that this bill, if endorsed, would be contrary to the objective of providing international markets with reliable access to energy at competitive prices."

The fear is that Russian companies may invest in leases located next to U.S. energy projects as a way to help edge out their American competitors.

Oil industry lobbyists are circulating alternative language on Capitol Hill aimed at addressing these concerns and others. Most of the changes aim to narrow the legislation's reach. They are also seeking a 180-day ramp-up period to ensure companies have adequate time to comply, a narrowed definition of affected pipelines to zero in on oil export pipelines and to change the timeline for prohibitions on dealings in new debt to avoid a jolt to oil and gas trading.

The Senate-passed legislation would also place new penalties on Iran over its ballistic missile program. The bill directs the president to impose sanctions on any entity that knowingly contributes to Iran's ballistic missile program or other programs to develop vehicles to deliver weapons of mass destruction. Those who are sanctioned would have their assets within U.S. jurisdiction frozen and would be barred from entering the country.

—With assistance from Catherine Traywick and Billy House.

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Trump Administration Conditionally Approves Eni's Arctic Oil Drilling Plan

Posted July 13, 2017, 12:13 P.M. ET

By Jennifer A. Dlouhy

The Trump administration has conditionally approved Eni SpA's plan to drill up to four oil exploration wells in Arctic waters, with the activity launched from a gravel island in the Beaufort Sea.

The government's letter of approval lays out 13 conditions that Rome-based energy company must first meet, including securing drilling permits from the U.S. Bureau of Safety and Environmental Enforcement and other state and federal authorizations. The safety bureau also must approve Eni's spill response plan.

According to the Bureau of Ocean Energy Management, a site-specific monitoring program is not necessary for the first year of operations, but Eni may have to monitor for bowhead whales during its second year of operations.

Environmentalists pounced on the White House decision, saying it gives short shrift to potential damage from an oil spill in the remote Arctic.

"An oil spill here would do incredible damage, and it'd be impossible to clean up. The Trump administration clearly cares only about appeasing oil companies, no matter its legal obligations or the threats to polar bears or our planet," Kristen Monsell, an attorney with the Center for Biological Diversity, said in an emailed statement.

Eni's leases are set to expire Dec. 3, but a recent Interior Department rule effectively allows extensions of offshore leases for one year from most recent drilling. The company is expected to begin in December and continue throughout the winter months.

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Water Infrastructure Bill Approved by House Subcommittee

Posted July 13, 2017, 01:52 P.M. ET

By Catherine Douglas Moran

Draft legislation to reauthorize a program that provides low-interest loans for drinking water infrastructure projects gained approval from a House environment subcommittee.

The bill would aim to improve drinking water systems—many from the mid-1900s—that are nearing the end of their expected lifespans of 75 to 100 years. It would reauthorize the drinking water state revolving fund, which provides financial support to water systems, and make some changes to how that program works.

Rep. John Shimkus (R-Ill.), chairman of the House Energy and Commerce Subcommittee on Environment, said at the July 13 markup that because the Safe Drinking Water Act was last reauthorized in 1996, "it is high time we revisit and update the provisions of this act." The EPA in 2013 estimated that $384.2 billion over 20 years would be needed to keep drinking water quality up.

The Drinking Water System Improvement Act also would amend the Safe Drinking Water Act to add contractual agreements for enforcement of correcting violations and improve the accuracy and availability of compliance data. The bill would also require the Environmental Protection Agency to update technical information and training materials on asset management every five years.

Several members from across the country and on both sides of the political aisle expressed support for the bill prior to the vote, including Reps. Greg Walden (R-Ore.), Frank Pallone (D-N.J.), and Buddy Carter (R-Ga.). The bill was approved by voice vote and moved to the full Energy and Commerce Committee for consideration.

The subcommittee did adopt an amendment, filed by Shimkus, that would:

• require states to reserve 6 percent of available funds for capitalization grants to disadvantaged communities,

• task the EPA administrator to create a grant program to aid local education agencies in replacing older water fountains,

• require the EPA to consider the cost of replacing lead service lines in its periodic review of drinking water infrastructure needs, and

• make the comptroller general submit a report to Congress on compliance demonstrations and enforcement of the act.

Rep. Paul Tonko (D-N.Y.) said before the vote that while he supports aid for disadvantaged communities, he did not agree with the 6 percent minimum. He also said the EPA needs "to provide a better template to give constituents the information they need." Tonko said additional testing is needed as contamination sites increase.

Rep. Joe Barton (R-Texas) said that while he supports the draft legislation, he has "one fly, though, I want to throw into the ointment" with the Shimkus amendment. He said he does not support prevailing wage requirements for projects funded through the state revolving fund.

"I don't think it's appropriate to make it a part of the organic statute," Barton said. "If we were to have a roll call vote, I would vote no for that reason."

Manchin Aims to Tack Appalachian Ethane Hub on Energy Bill

Posted July 13, 2017, 02:20 P.M. ET

By Brian Dabbs

West Virginia Sen. Joe Manchin (D) is ready to take a stab at creating an ethane storage hub in Appalachia that could break ground for more ethane use nationwide, while boosting manufacturing in the region.

Manchin told Bloomberg BNA July 12 he is aiming to propose an amendment on the Senate energy package to qualify a storage facility as a "critical infrastructure project," which would expedite Federal Energy Regulatory Commission licensing.

The facility's supporters, including the American Chemistry Council, argue it will pave the way for more nationwide use of ethane, a liquid derived from natural gas production that is used in

consumer products and chemicals.

Manchin, along with Sen. Shelley Moore Capito (R-W.Va.), introduced the measure as a stand-alone bill (S. 1337) in June.

"That just gives it so much certainty to move forward. It gives it a pathway," Manchin, who described the energy bill as a "perfect vehicle," told Bloomberg BNA.

The energy bill (S. 1460) already contains a provision to compel the Energy Department to study the benefits of a ethane storage facility in the Marcellus, Utica, and Rogersville shale regions, which span from New York to Tennessee, but a spokeswoman for Manchin said the licensing is now the bigger priority.

Both Sens. Lisa Murkowski (R-Alaska) and Maria Cantwell (D-Wash.) are pledging an open amendment process for the energy bill, but timing is so far unclear.

Ex-Newark Watershed Manager Sentenced for Kickback Scheme

Posted July 13, 2017, 02:20 P.M. ET

By David Voreacos

A former manager for a nonprofit that oversaw Newark, New Jersey's water supply was sentenced to eight years in prison for taking kickbacks uncovered by U.S. prosecutors investigating the bankrupt entity's activities.

Donald Bernard Sr. was a consultant and manager of special projects at the Newark Watershed Conservation and Development Corp. He admitted last year in federal court that he took $956,948 for himself and his boss in exchange for helping award work to contractors. He was sentenced July 13 in federal court in Newark U.S. v. Bernard, D.N.J., 14-cr-710, 7/13/17.

Bernard and Linda Watkins Brashear, the former executive director who also pleaded guilty, solicited payments from contractors. At least four people have pleaded guilty to their role in the scandal. Watkins Brashear is scheduled to be sentenced later this year .

In her guilty plea, Watkins Brashear admitted that she took kickbacks from 2007 to 2013 from more than a dozen people who offered printing, marketing, cleaning, media, political and interior design services. A 2015 report by the state comptroller's office said that from 2008 to 2011, the commission "recklessly and improperly spent millions of dollars of public funds with little or no oversight" by its board or the city.

The nonprofit, which got almost $10 million a year to manage the city's 35,000-acre watershed, reservoirs and water-treatment plant, filed for bankruptcy in January 2015.

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World's Top Weed Killer Can't Shake Lingering Cancer Questions

Posted July 13, 2017, 01:33 P.M. ET

By Peter Waldman, Lydia Mulvany, and Joel Rosenblatt (Bloomberg), and Tiffany Stecker (Bloomberg BNA)

Every year, farmers spray, on average, almost a pound of the herbicide glyphosate on every acre of cropland in the U.S., and nearly half a pound on every acre of cropland worldwide. Glyphosate is the active ingredient in Roundup, a huge source of income for its manufacturer, Monsanto Co., and the foundation for its epochal foray into genetically modified organisms. If you know nothing else about GMOs and Monsanto, know this: The St. Louis-based company re-engineered the DNA of corn, soybeans, and other crops for the primary purpose of making them resistant to Roundup.

Farmers spray the chemical on crops grown from Monsanto's Roundup Ready seeds. The weeds die; harvests expand; and expensive, laborious tillage is no longer necessary. Large-scale agriculture is built on this model, and not only in the U.S., which is why Bayer AG, the German drug and chemical company, agreed last September to buy Monsanto for $66 billion, pending regulatory approvals. Other than government antitrust objections, about the only thing that could mess up the purchase would be for the U.S. Environmental Protection Agency to reverse its position on the active ingredient of Roundup, glyphosate.

Last December, the EPA convened a panel of outside scientists to peer review the agency's long-standing conclusion that glyphosate is unlikely to cause cancer. The peer reviewers, a mix of academics, federal scientists, and chemical industry consultants, gathered at an EPA conference center in Arlington, Va. From the agency's point of view, this was something of a formality. Federal law requires an EPA health-effects review for every pesticide at least once every 15 years, and glyphosate has enjoyed a clean bill of health since 1991, when the agency cleared the way for Monsanto's GMO breakout by classifying the herbicide as noncarcinogenic to humans.

Its use in global agriculture has soared almost 15-fold since Monsanto introduced Roundup Ready seeds in 1996. As a result, traces of glyphosate have been detected in cookies, crackers, chips, breakfast cereals, and honey, as well as in human urine and breast milk. According to Monsanto, there's nothing to worry about. "Glyphosate is about half as toxic as table salt and more than 10 times less toxic than caffeine," the company said on one of its websites. More than 1,000 farmers and other agricultural workers stricken with non-Hodgkin lymphoma disagree. They're suing Monsanto in state and federal courts across the country, claiming that Roundup caused their cancer. Monsanto is vigorously contesting the claims. "There's never been a more studied herbicide in the history of farming," said Scott Partridge, Monsanto's vice president for strategy. "In more than 700 studies, not one has associated cancer with the use of glyphosate. And in the more than 160 countries that have registered glyphosate for use, not a single government agency has found glyphosate is a carcinogen."

December's Scientific Advisory Panel meeting followed the typical script for a federal peer review, with some twists. Officials from the EPA's Office of Pesticide Programs opened the public hearing by laying out 45 years of study data and describing why, in the agency's view, they indicate that glyphosate is an unlikely human carcinogen at current exposure levels. The agency's conclusion, elucidated in a 227-page issue paper released the previous September, reflects the "weight of evidence," Jack Housenger, then chief of the pesticide office (he retired this year), told the panel. "Now it's your turn to tell us what you think of our analysis," he said, "and hopefully put the subject to bed so we can move on."

Far from settling the matter, eight of the 15 experts expressed significant concerns about the EPA's benign view of glyphosate, and three more expressed concerns about the data. Their skepticism also again raised questions about the independence of the Office of Pesticide Programs, which has the final say on permitting pesticides. The office relies on pesticide manufacturers for the data it uses in making health decisions—and got almost 30 percent of its operating budget from the industry last year.

The EPA paper had a whack-a-mole quality to it. Throughout, the authors included data sets suggesting that glyphosate could cause cancer, only to knock them down. On epidemiology studies, for example, they said farmers' recollection of their own glyphosate exposure was biased and unreliable. On meta-analyses pooling human data from multiple studies to identify trends, the EPA assessors shaved decimal points from the results, which made it possible for them to shrug off data showing exposed farmers had an elevated risk of cancer.

Many of the reasons cited in the paper contradicted the agency's own carcinogenicity guidelines, multiple panelists pointed out. "Every time there's something positive there, you said there's something wrong with the study," Eric Johnson, an epidemiologist at the University of Arkansas for Medical Sciences, scolded EPA officials at the meeting. Lianne Sheppard, a biostatistician at the University of Washington at Seattle, said there was "consensus" on the panel that the EPA hadn't followed its own standards. "The available evidence did not fit with the conclusions drawn in the issue paper, particularly when put in the context of the guidelines," she said.

The EPA's report on the peer review, posted March 16, raises obfuscation to a high bureaucratic art. While spelling out the panel's criticisms, the report gives no indication which, or how many, reviewers felt strongly about which particular problems. Instead, it uses the phrase "some panel members" 76 times—as in "some panel members noted," "some panel members emphasized," "some panel members suggested." The imprecision obscures that the majority of peer reviewers expressed doubts about the EPA's methods or conclusions. Under the law, the agency must consider the panel's input in its final evaluation of glyphosate, scheduled for completion later this year. By enshrining the reviewers' comments in such vague terms, however, the EPA can more easily ignore them.

"I asked for a vote on the main issues to make our guidance clear, but this committee apparently never does that," said Emanuela Taioli, an epidemiologist at Icahn School of Medicine at Mount Sinai in New York and one of the panelists who disagreed with the EPA's interpretation of the evidence. "Not giving a tally leaves them more flexibility to interpret our advice."

Monsanto, a company that has genetically altered vast swaths of cropland to vanquish farm pests, has been struggling to control an invasive species on its own turf lately: scientific doubt. It's an exotic. Ever since President Bill Clinton awarded four Monsanto gene scientists the National Medal of Technology and Innovation in 1998, the company's ag-biotech enterprise has been the closest thing America has to a Japanese-style strategic industry. From Clinton to Bush to Obama, successive administrations mobilized federal agencies and embassies around the world to promote GMOs, often against the vehement opposition of environmentalists and food purists, particularly in Europe.

Dozens of diplomatic cables that WikiLeaks released show how U.S. missions received special funding from Congress to advocate for genetically engineered products and how Monsanto prevailed on U.S. diplomats to lobby on its behalf when problems arose. In Argentina, for example, when the ministry of defense banned the use of glyphosate on its urban farmland in 2009, the U.S. embassy intervened, according to a diplomatic cable to Washington. "Post contacts within the Secretariat of Agriculture assure us that Argentina will continue to support biotechnology," said the cable, signed by Thomas Kelly III, deputy chief of mission at the time.

The first breach in Monsanto's fortress opened in 2015, when the International Agency for Research on Cancer labeled glyphosate a probable carcinogen. IARC, a France-based arm of the World Health Organization, has no regulatory power, but its carcinogenicity studies are widely cited in court cases and government health assessments worldwide. The agency's assessment, based on

published, peer-reviewed research, foreshadowed many of the concerns the EPA's scientific advisory panel expressed last December. IARC acknowledged that the studies were all flawed in different ways, but it concluded that their findings pointed toward cancer and couldn't be dismissed. This led California on July 7 to list glyphosate as a known carcinogen, over Monsanto's objection.

The question now falls to the Trump EPA and the courts. Led by Administrator Scott Pruitt, the former Oklahoma attorney general who sued the EPA more than a dozen times to stop environmental regulations, the agency has already canceled an Obama-era proposed ban on chlorpyrifos, a pesticide linked to cognitive damage in farmworkers and children. The chances that Pruitt will move against glyphosate, with all the attendant repercussions for industrial agriculture, appear slim.

The considerations are much different, however, for U.S. District Court Judge Vince Chhabria in San Francisco. The judge is presiding over multidistrict litigation composed of 310 plaintiff lawsuits against Monsanto filed by cancer victims around the country. (It will likely consolidate hundreds more suits.) Chhabria has told both sides that the question of whether Roundup can cause cancer will turn on the scientific evidence presented at trial, not on what agencies such as IARC and the EPA say. In this instance, the difference between Roundup and glyphosate is crucial. The EPA focuses on the latter. The plaintiffs in the court case claim that Roundup contains ingredients that exacerbate the effects of glyphosate alone.

Chhabria has allowed the plaintiffs wide latitude to collect evidence on Monsanto's health-effects research over the years, which the plaintiffs hope will show the company manipulated the data. In March, he unsealed dozens of Monsanto's confidential documents for the public to see. The records show internal deliberations on how to present the science on glyphosate's health impacts and manage a global public-relations campaign to assure consumers and regulators that Roundup is safe.

Monsanto documents show the company commissioned scientists to publish papers rebutting IARC. Reminiscent of tobacco companies, it also funneled money to front groups, according to a plaintiffs' court filing. The groups, with names such as Genetic Literacy Project and American Council on Science & Health, published articles praising the EPA and attacking IARC, which they called on Congress to defund. The plaintiffs claim that Monsanto established a program called Let Nothing Go, through which it made payments to people with no apparent industry ties to post online comments defending Monsanto, its chemicals, and GMOs in news articles and Facebook posts. "That's simply false," said Monsanto's Partridge. "We don't need to do that type of stuff."

In Washington, where Monsanto has spent almost $60 million on lobbying since 2008, the company cultivates allies on both sides of the aisle and in the relevant federal agencies. It deployed five lobbyists in 2015 to trash IARC's findings at the White House, Congress, and the agencies. Monsanto employees are regular visitors to the EPA's Office of Pesticide Programs, according to logs obtained through the Freedom of Information Act.

Relations were warm, even jocular. "So Jess called me out of the blue this morning," Monsanto's lead EPA liaison, Dan Jenkins, wrote to William Heydens, the company's chief of regulatory research, in an April 2015 email released in the court case. Jess was Jess Rowland, a senior official in the EPA's pesticide office who was chairing the agency's cancer assessment of glyphosate at the time. Heydens had emailed Jenkins the day before, asking his colleague to reach out to the EPA and find out "what area they see as most problematic (e.g., human epidemiology vs. animal bioassays vs. genotoxicity), or just ask if there is anything that would help them defend the situation?"

Rowland was all set, Jenkins reported back to Heydens. “We have enough to sustain our conclusions,” Rowland told Jenkins on the phone, according to Jenkins’s email. “I am the chair of the [cancer review],” he added, “and my folks are running this process for glyphosate.”

On the same call, Jenkins wrote, Rowland said he was working to control a separate glyphosate assessment by another federal unit, the Agency for Toxic Substances and Disease Registry (ATSDR), a division of the Centers for Disease Control and Prevention. “If I can kill this, I should get a medal,” Jenkins quoted Rowland as telling him.

“Wow!” Heydens wrote back to Jenkins. “That’s very encouraging. Thanks for the news update.”

In April 2016, as Rowland was preparing to retire after 26 years at the EPA, his assessment that glyphosate is unlikely to cause cancer leaked online—just in time for Monsanto’s lawyers to cite it at an important court hearing in San Francisco. The EPA quickly characterized the report as “preliminary” and “not final,” but Monsanto’s lawyers still told Judge Chhabria that “the scientists have spoken.” As for the ATSDR review, another internal Monsanto document reported that the CDC division had “agreed, for now, to take direction from EPA.” This May, EPA Inspector General Arthur Elkins Jr. confirmed that he’s investigating if EPA employees colluded with Monsanto. Through his lawyer, Rowland declined to comment for this story. Monsanto’s relationships with Rowland and other EPA employees were professional and proper, Partridge said.

Bayer and Wall Street are betting none of this matters. Monsanto has built the kind of virtuous circle that management experts and business school professors rave about. More sales of Roundup Ready seeds beget more use of Roundup; more herbicide use drives up demand for Monsanto’s GMO seeds. The global chemical dependency could be too big to kick.

It’s hard to quantify what a shift to glyphosate-free farming would look like. A study by chemical industry consultants in the U.K., where about a third of the nation’s wheat fields are sprayed with the herbicide, estimated that yields of the grain would fall 12 percent if glyphosate were banned. A study last year by Andrew Kniss, an associate professor of plant sciences at the University of Wyoming, showed that the yields from organic farms were roughly two-thirds of those from conventional farms for corn, wheat, soybeans, and barley, and less than half for grapes, tomatoes, bell peppers, and onions.

Kniss did another study that found planting genetically modified sugar beets saved farmers $200 an acre, equal to about 15 percent of their revenue, compared with planting non-GMO seeds. With no glyphosate, farmers would have to resort to using more-toxic chemicals for weed control, Kniss said, or revert to grueling tillage by hand. “Getting rid of glyphosate would have a major impact on farmers and their bottom lines,” he said. “It’s not like there’s a risk-free scenario here.”

Robert Fraley grew up on a farm in Hoopeston, Ill., in the 1950s and 1960s, and one of his earliest memories is of the fields turning black each November. He recalls tractors churning up a foot of dark topsoil to keep the weeds from taking over. His dad cranked up the tractor every morning by 4 a.m. and plowed until Fraley got home from school and took over until midnight. In summers, the boy walked the rows of beanstalks with his friends and cousins, pulling the weeds by hand. Fraley, now 64, helped develop Roundup Ready seeds and is Monsanto’s chief technology officer. “Any kid my age who spent time on the farm, the first thing you realize is the greatest challenge is weeds and bugs,” he said. “We freed America’s farm youth.”

By 1980, when Fraley joined Monsanto as a 27-year-old with a doctorate in microbiology and biochemistry, scientists were experimenting with recombinant DNA in yeast and animal cells, but no one had introduced a new gene in a plant. Working with a germ called agrobacterium, which

normally causes blight in plants, Fraley's team isolated the part of the germ that binds to plant cells and can inject its DNA into plants, and eliminated the blight-producing sequence. They worked with petunia plants to fine-tune a gene insertion process, using the flower's color genetics to map the plant's chromosomes. It took more than a decade to develop commercially useful traits such as resistance to insects and glyphosate. The breakthrough finally made glyphosate, which was invented in 1970, a significant commercial power.

Even as environmentalists vilify Monsanto for its link to GMOs, its mantra internally remains stewardship and sustainability. "We get to enjoy more of our forest and wetlands and prairies because we've increased yields on the land we're already farming," Fraley said. The alternative to genetic engineering and the accompanying chemicals, he said, is plowing up an additional 30 million or 40 million acres of land to feed a hungry planet.

That probably overstates the trade-off. Land spared from cultivation is seldom set aside for conservation. And there are alternatives to Roundup Ready farming other than going organic. "It's such a Monsanto-based perspective to say food prices will spike if we use less glyphosate," said Claire Kremen, a conservation biologist at the University of California at Berkeley. "There are other methods, besides organics, that are just as productive as conventional farming and don't rely on toxic chemicals that endanger lives and harm the environment." A more realistic alternative, she said, is finding middle ground between the industrial and organic farming models. Researchers at Iowa State University, for example, have shown that rotating diverse crops in three- and four-year cycles and controlling weeds with limited herbicide spraying produce similar yields and profits to conventional farming—with only 1 percent of the water toxicity. And such alternatives are becoming necessary anyway, because weeds are developing resistance to glyphosate at an accelerating rate.

Nonetheless, a lot of farmers are deeply committed to glyphosate. "The cancer issue doesn't concern me at all," said Paul Jeschke, 64, who farms 4,000 acres of corn and soybeans with his brother-in-law and nephew in Mazon, Ill. Before he started using Roundup in the 1980s, Jeschke said, his topsoil, after constant tillage, would wash away in the rain. The quack grass would get so bad that some farmers would put up a fence around their fields and turn the pigs loose, losing a year's harvest. "Every one of us takes risks every day when we take our car on the road or get on an airplane or dump table salt into something we're cooking," Jeschke said. "Looking at the cost-benefit ratio, I'm extremely reluctant to give up glyphosate."

The first cancer concerns came from within the EPA's Office of Pesticide Programs in 1984. This was despite the traditionally close relationships between the agency and the companies it regulates. Pesticide makers, called registrants, pay the office to review their compounds for registration. In 2016 they provided $47 million, or 28 percent, of OPP's budget. The OPP is also the only EPA branch that does its own health assessments; the agency's National Center for Environmental Assessment is in charge of evaluations for the other EPA branches. The OPP's studies are based, by law, on data provided by pesticide registrants themselves. This has fueled intra-agency criticism that some of its cancer reviews are too lax.

Still, its scientists did come down hard on glyphosate early on. In February 1984, EPA toxicologists sounded the alarm internally when a Monsanto-sponsored study showed that four of 100 mice that were fed large amounts of glyphosate developed rare kidney tumors called tubular adenomas compared with zero of 98 mice given little or no glyphosate. Monsanto insisted glyphosate wasn't the cause, invoking an argument that would become a pillar of its—and the EPA's—defense of the chemical for the next 30 years. The mice with the tumors weren't the problem, the company said. The healthy mice were. The control group ought to have had more tumors.

An OPP statistician was having none of it. "Our viewpoint is one of protecting the public health when

we see suspicious data. It is not our job to protect registrants from false positives," wrote Herbert Lacayo, who analyzed Monsanto's complaints in a memo in February 1985. A week later, OPP's toxicology branch cited the mouse tumors in a "consensus report" naming glyphosate a possible human carcinogen.

Monsanto was apoplectic. The Roundup Ready world that was coming to life inside Fraley's gene-splicing lab depended on the copious use of glyphosate. To change the EPA's mind, the company solicited 10 outside experts to examine the mice in the control group. One of the scientists, who'd been a Monsanto consultant for many years, reported to the company that he'd found cellular changes in the kidney of one mouse. Monsanto argued it was another adenoma. If so, it would render the four tumors in the exposed mice statistically insignificant. The other experts then supported the finding of the single scientist.

The EPA's toxicology branch recut new sections of all the mouse kidneys for another look. Its scientists reconfirmed there was no control adenoma. Nevertheless, in February 1986, the EPA's scientific advisory panel overruled the agency scientists, asserting that the "vast majority" of pathologists who'd looked at the control kidney in question saw a tumor. If the reviewers knew those experts were brought on by Monsanto, they didn't care. The panel reclassified glyphosate as a chemical of uncertain carcinogenicity. Five years later, another EPA panel looked at the same data and a new rat study and reclassified glyphosate again, this time as noncarcinogenic to humans.

By 1999, with Roundup Ready soybean, cotton, and corn seeds already changing global farm markets, Monsanto was facing questions about how glyphosate affected animal genes. Emails unsealed in March by Judge Chhabria show that the company hired James Parry, a prominent genetic toxicologist at Swansea University in Wales, to publicly advocate that the chemical wasn't genotoxic—that is, it didn't have a destructive effect on DNA and RNA. But after reviewing studies that Monsanto provided, Parry reached the opposite conclusion.

He wrote a report for Monsanto that said glyphosate appeared to damage genes through a biochemical process called oxidative stress—the same cancer-causing mechanism IARC identified 16 years later. He recommended Monsanto do a series of studies to find out. If glyphosate was confirmed to be genotoxic, Parry said, the company should analyze the lymphatic cells of exposed humans to check for chromosome damage.

Monsanto scientists deliberated for weeks about their consultant's unwelcome advice. The company was in a "genotox hole," wrote senior toxicologist Donna Farmer in a September 1999 email. "I am concerned about leaving Parry out there with this as the final project/his final impressions."

"Maybe you should invite Parry to St. Louis to get him more familiarized with the complete database," suggested another Monsanto toxicologist.

In an email Monsanto must surely regret, Heydens, the regulatory research chief, wrote that changing Parry's mind would be expensive and probably not worth it. "Let's step back and look at what we are really trying to achieve here," Heydens wrote to Farmer and two others. "We want to find/develop someone who is comfortable with the genetox profile of glyphosate/Roundup and who can be influential with regulators and Scientific Outreach operations when genetox issues arise. My read is that Parry is not currently such a person, and it would take quite some time and $$$/studies to get him there. We simply aren't going to do the studies Parry suggests."

Parry's report was never submitted to the EPA. (He died in 2010.) The episode points to an ongoing concern at Monsanto, which was concisely stated by Heydens in a later email: "Data generated by academics has always been a major concern for us in the defense of our products." Partridge said

Heydens sometimes made “an unfortunate choice of words,” but that subsequent studies by Monsanto resolved Parry’s concerns.

The transcript of the EPA’s scientific advisory panel meeting runs 1,300 pages. Reading the document is the only way to know that four of the six reviewers charged with evaluating the crucial epidemiological data lambasted the EPA. (The four critics are all biomedical researchers at major universities; the two who supported the EPA’s evaluation are private consultants.) The agency disregarded all but one meta-analysis of the epidemiological data, because agency evaluators said the results weren’t statistically valid. When several of the panelists reran the pooled data, they found the EPA was plain wrong. Not only were the meta-analyses statistically significant, but they also showed farmers exposed to glyphosate had an elevated risk ratio for non-Hodgkin lymphoma of 1.27 to 1.5, meaning they were at 27 percent to 50 percent higher risk than control groups.

“For a human epidemiologic study, an association of 1.2 or 1.3 is very meaningful and impactful,” said Mount Sinai’s Taioli. At the meeting, she pointed out that millions of American women no longer take estrogen after menopause, because studies found that it increased the risk of breast cancer by about 22 percent. Sheppard, the biostatistician with the University of Washington, said at the meeting that the EPA’s evidence assessment was “highly imbalanced” and that the agency downplayed statistical findings in favor of other criteria. “The agency’s conclusion is seriously flawed and needs to be strongly revised,” she said.

Several panelists asserted that while glyphosate probably doesn’t initiate cancer by causing gene mutations, it appears to promote malignancies by spurring tumor growth. Such a carcinogen is more dangerous to humans than to rodents, because people live much longer and thus accumulate more lesions susceptible to glyphosate’s catalytic effect, panelist Barbara Parsons, a molecular toxicologist with the U.S. Food and Drug Administration, said at the meeting. She warned that mixing a tumor promoter such as glyphosate in formulations with other chemicals that have “any genotoxic potential would be a significant public-health concern.”

That argument is the crux of the plaintiffs’ case in the consolidated federal suits. Their lawyers said they have evidence that Monsanto knew for years that some of the nonactive ingredients in Roundup are carcinogenic, and thus the danger of those chemicals is compounded when they’re combined with glyphosate. They said that the OPP, by focusing its concerns on the active ingredient instead of on the formulated product, has let Monsanto off the hook. Partridge denies any Roundup ingredients are genotoxic and said potentially carcinogenic impurities in the product are strictly controlled.

The doubt invading Monsanto’s prize product is as strong as it’s ever been, even as Roundup has become instrumental in industrial agriculture. Farmers and consumers have reaped huge savings from productivity gains made possible by taming the scourge of weeds. Improbable as it seems, suppose the EPA now moves glyphosate from the category of unlikely carcinogen to suggestive or even likely. That would trigger extensive cost-benefit analyses. Then the questions get really difficult.

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U.S., China Immersed in Talks on LNG Export, Energy Issues

Posted July 13, 2017, 9:17 A.M. ET

By John Butcher

U.S. Secretary of Energy Rick Perry advanced the prospect of expanding American liquefied natural gas exports to China during a July 13 meeting with Executive Vice Premier Zhang Gaoli in Beijing.

LNG exports were among a range of energy issues the pair discussed, during a meeting in Zhongnanhai, the headquarters of China's Communist Party, according to a release by the U.S. embassy in Beijing.

LNG exports to countries that do not have a free trade agreement with the U.S. are restricted, but President Donald Trump last month agreed to lift barriers on those to China as part of a range of trade deals between the two countries. That could offer huge export potential for U.S. LNG suppliers to China, which is the world's largest growth market for gas, according to energy research firm Wood Mackenzie, and may prompt new investment in industry.

It also could benefit China, which seeks alternatives to coal as it tackles a serious problem with air pollution.

Perry's talks with Zhang will be welcome news for U.S. LNG suppliers such as Cheniere Energy, which has been in negotiations with China about increasing exports there.

The Trump administration also hopes it will help them make good on election promises to rebalance trade and deliver jobs. In a statement, released June 5, to kick off his visit to China, Perry said, "By unleashing our domestic energy sector, we are creating, and will continue to create, well-paying, middle-class jobs and economic prosperity, protecting our environment, promoting innovation, and strengthening energy security for America and our allies."

China Seeks Cooperation on Trade, Technology With U.S. States

Posted July 13, 2017, 9:44 A.M. ET

By John Butcher

Chinese President Xi Jinping called for closer trade ties with individual U.S. states July 12 in a meeting with California Gov. Jerry Brown in Beijing.

Local-level exchanges could be a "new engine for growth," Xi said, according to a report today on the website of the State Council Information Office, the chief information provider of the Chinese government.

The meeting, which took place in Beijing's Great Hall of the People, could pave the way for opportunities for U.S. firms, particularly in green industries and technology, both of which Xi specifically mentioned, according to the report. He also urged California firms to get involved in the Belt and Road Initiative global economic blueprint, suggesting the potential for state-level cooperation on the plan, which aims to create a modern day Silk Road of investment an infrastructure, stretching from China to Europe.

The meeting followed several days for Brown in China, where he attended an international clean energy conference in Beijing, and signed nonbinding emissions agreements with China's Ministry of Science and Technology, and with the leaders of two provinces, Sichuan and Jiangsu. Those agreements call for investments in low-carbon energy sources, cooperation on climate research, and the commercialization of cleaner technologies, but do not establish emissions reduction goals.

This was in defiance of President Donald Trump's rejection of the Paris Climate Agreement, which he said favored developing countries at the expense of the U.S.

The Chinese authorities' willingness to engage with Brown at such a high level suggested that they could be welcoming to U.S. states seeking to sidestep the government on climate change.

The mention of cooperation on technology also could suggest that Beijing is seeking allies in its quest to get the U.S. to drop export controls on high-tech goods, which are currently imposed on national security grounds.

Brown said California was "willing to join the construction on the Belt and Road and was looking forward to a stronger cooperative relationship with China in trade, investment, clean technology and environmental protection," the report added.

Green Bonds Face EU Litmus Test Under Sustainable Finance Rules

Posted July 13, 2017, 8:25 A.M. ET

By Jessica Shankleman and Alexander Weber

The European Commission backed recommendations to curb climate risk that could include European Union labels for green bonds and preferential treatment for ecologically sustainable investments.

Green bond labels could be a "powerful tool" to help investors choose assets that are reducing greenhouse gas emissions, said Valdis Dombrovskis, the commissioner in charge of financial-services policy. The commission published a report July 13 urging a "sustainability test" be applied to all future EU financial regulation and policy.

"That would also be a major initiative to hardwire sustainability into our financial policies," Dombrovskis said in an interview in Brussels. "On this, we will probably be front-runners globally."

Creating uniform green bond labeling standards across the Eurozone's $12 trillion economy could help investors get a better handle on the growing market for environmentally sustainable securities. Reassurance is needed because there is no regulator for the green-bond market and fund managers have struggled to monitor hundreds of separate projects around the world themselves.

The 101-page interim report by the EU's High-Level Expert Group on Sustainable Finance is another effort to leverage financial power against the risks posed by unabated climate change. Bank of England Governor Mark Carney, working on the behalf of the Group of 20 countries, published a separate report last month asking executives to tell investors how the rising seas, superstorms, and political upheaval associated with global warming could affect their business.

Accounting Treatment

The Carney task force, which was led by Michael Bloomberg, founder and majority owner of Bloomberg News and its parent Bloomberg LP, said companies affected by climate change should conduct scenario analysis and include results in their financial reports. Every G-20 nation except the U.S. welcomed it July 8 and 11 major banks said July 11 that they'd find ways of putting the advice into practice.

The report, which will feed into a July 18 hearing, could lead to potential changes in the accounting treatment for sustainable investments. Current bookkeeping norms that "require mark-to-market valuations" could be impeding the transition to green power by creating "short-term fluctuations and a reporting maturity mismatch," the document said.

The commission also will look at how to offer preferential capital treatment for green investments, or add capital charges for more polluting investments, Dombrovskis said.

"It's also to steer the investment and to steer the investors' longer-term choices," Dombrovskis said. "We know that the demand for green investment is a very big one."

—With assistance from Boris Groendahl.

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Daimler Called to German Committee Probing Diesel Emissions

Posted July 13, 2017, 9:28 A.M. ET

By Karin Matussek and Elisabeth Behrmann

Daimler AG executives were called to a German government committee looking into possible diesel-emissions cheating following a Sueddeutsche Zeitung report that prosecutors are focusing attention on two engines that power its popular Mercedes-Benz sport utility vehicles.

Representatives of the carmaker were invited to a special session of the committee July 13, the German transport ministry said in an email.

Authorities across Europe are putting car manufacturers under scrutiny after Volkswagen revealed in September 2015 that it installed software in its autos' diesel engines to bypass pollution rules. Prosecutors and police raided Daimler sites throughout Germany in May. A person familiar with the document said July 13 that the warrant authorizing the search said two diesel engines used in Daimler cars were equipped with so-called defeat devices that would reduce emissions controls. The documents cited the Mercedes GLK 250 and GL 350 SUVs from 2015 as carrying these engines.

The probe of possible fraud and false advertising at Stuttgart-based Daimler, started in March, has identified two technicians at the manufacturer who are suspected to have worked with software that controls the engines' exhaust, said the person, who asked not to be identified because the information isn't public. The warrant doesn't specify the number of vehicles affected, the person said.

Jan Holzner, a spokesman at the Stuttgart prosecutors office, declined to comment on the warrant's details, but said information about the document published in Sueddeutsche Zeitung can't be interpreted as the probe being widened. He confirmed that two people are being investigated. Prosecutors haven't yet started to review the bulk of the material seized as Daimler has filed several court suits against the searches.

Daimler reiterated earlier Thursday that it's cooperating fully with the investigation said Joerg Howe, a spokesman, declining to comment further.

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Booming Wind, Solar to Erode Gas Demand in Americas, IEA Says

Posted July 13, 2017, 8:03 A.M. ET

By Patrick Martin

A surge in power from wind, solar and other renewable sources will begin chipping away at natural gas demand growth in the Americas over the next five years, according to the International Energy Agency.

The region's gas consumption will climb just 0.9 percent per year from 2016 through 2022, compared with 2.2 percent annually over the previous six-year period, the agency said in a report released July 13. Rising gas prices and a slowdown in coal plant retirements will also limit demand for the fuel, the IEA said.

A boom in cheaper energy from wind farms and solar arrays is creating competition for gas-fired generators, pummeling electricity prices. While gas has grabbed a bigger share of the power market in the Americas as coal-fired plants shut, the demand surge won't last, according to the IEA.

"There will be weak growth in electricity demand," the agency said in the report. "The level of gas consumed in the power sector is expected to be at broadly the same level throughout the forecast period."

Though U.S. gas futures averaged about $2.55 per million British thermal units last year, the IEA predicts prices will be "significantly higher" through 2022, rising above $3. That'll make gas-fired electricity generation more expensive than power from coal—especially coal supplies from the Powder River Basin in the western U.S., the agency said.

Industrial consumers may represent a bright spot for gas demand, however. Consumption in the sector may rise 1.7 percent a year as new chemical plants using gas as a feedstock are built on the U.S. Gulf Coast, the IEA said.

Meanwhile, gas output from U.S. shale basins will continue to flood the global market, the IEA said. The U.S. will boost production more than any other country over the next five years, accounting for almost 40 percent of global supply growth and more than one-fifth of the world's output by 2022.

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Brazil Ownership Law Could Fuel Land Grabbing: Environmentalists

Posted July 13, 2017, 8:42 A.M. ET

By Michael Kepp

A new Brazil law that lets squatters buy public land they've occupied and gives them juridical security in land disputes will fuel deforestation and land-grabbing, especially in the embattled Amazon rainforest, environmental groups claim.

Brazilian President Michel Temer July 11 signed the law, which allows individuals or companies, in

the name of their owner, that occupied public, rural land anywhere in Brazil as of December 2011 to buy up to 2,500 hectares (9.7 square miles) and get title to that land at government-set, below market prices. Those who buy the land also will be able to sell it.

Leonardo Goes, president of the government's Institute of Land Reform, which settles landless peasants on public land, said in a July 12 statement that the new law "by creating rules to legalize land ownership … brings juridical security and tranquility needed for small rural agricultural producers and settled farmers to work their land to generate an income."

A provisional measure that Temer originally sent to Congress in December 2016 set the land-occupying limit at 1,500 hectares. But a coalition of legislators aligned with agribusiness was able to change the limit to 2,500 hectares.

Environmentalists said the new law will fuel both deforestation and future land grabbing.

The law "will allow people to pay relatively little to buy and deforest once-public land that they have grabbed by having occupied it, especially in Amazon," Juliana Batista, a lawyer at the Social-Environmental Institute, told Bloomberg BNA July 12. "Temer signed the law, which Congress changed to favor those who occupy greater parcels of land, because he needs the ruralist coalition to pass other legislation, like fiscal and labor reforms, that he has proposed."

A June 2009 law allowed individuals and companies that could prove they were occupying public Amazon land to buy up to 1,500 hectares and get a title to this land—legislation that caused land-grabbing speculators and settlers to rush into the Amazon.

Cristiane Mazzetti, Amazon campaigner for Greenpeace Brazil, told Bloomberg BNA July 12 that the new law "will further encourage land grabbing because legalizing amnesty for past land grabbing throughout Brazil sends a message to new potential land grabbers to expect the government and Congress to provide similar amnesties in the future."

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 9/8/2017 3:15:40 PM
Subject: EPA staff reshuffle nixes climate adaptation

By Emily Holden and Alex Guillén

09/08/2017 11:10 AM EDT

EPA's climate change adaptation staff will be dissolved into other agency offices under a reorganization of the EPA's policy shop, a spokesman confirmed today.

Samantha Dravis, a longtime political strategist and Administrator Scott Pruitt's top policy aide, announced the changes in a staff-wide memo first reported by E&E News. The policy office will also absorb EPA's environmental justice and National Environmental Policy Act activities.

A reorganization chart obtained by POLITICO eliminates the agency's four-person climate adaptation team.

EPA said those employees were reassigned to the Office of Regulatory Planning and Management and the National Center of Environmental Economics. They will still work under Dravis.

The team formerly focused on preparing for sea-level rise and extreme weather. EPA in April confirmed plans to move the employees into different roles and argued that adaptation should be conducted at the regional and local level. A spokesperson said the work didn't align with Administrator Scott Pruitt's core priorities of clean air and water.

The adaptation office was run by EPA veteran Joel Scheraga, who oversaw the creation of the agency's 2014 adaptation implementation plan and helped write Barack Obama's 2013 climate action plan, which led to the creation of the Clean Power Plan and other regulations.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/09/epa-staff-reshuffle-nixes-climate-adaptation-092655

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
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Subject: June 9 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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Expect GOP Plaudits for Pruitt But Not EPA Budget at Hearing

Posted June 09, 2017, 6:00 A.M. ET

By Brian Dabbs

EPA chief Scott Pruitt will likely get a warm welcome from Republican appropriators next week despite bipartisan opposition to the agency's fiscal year 2018 budget, a GOP lawmaker told Bloomberg BNA.

Republicans are applauding the agency's regulatory rollbacks, and that praise will likely set the tone for Pruitt's maiden testimony on Capitol Hill as administrator, said Rep. Tom Cole (R-Okla.), a member of the House Appropriations Subcommittee on Interior, Environment and Related Agencies, which oversees the Environmental Protection Agency's budget.

Members on both sides of the aisle, however, are poised to raise concerns about the wide-ranging cuts in the agency's budget, lawmakers said. Pruitt will defend the request, which was crafted and released by the White House, before the subcommittee on June 15.

'A Very Friendly Reception'

"He'll get, obviously from the Republican side, a very friendly reception because of the regulatory things, but I think there'll be some pretty serious discussions about the size of the cuts," Cole told Bloomberg BNA. "I think at the end of the day, EPA takes a haircut. It's certainly taken several haircuts with a Republican Congress, but it's hard for me to see cuts of the size that were proposed in the president's budget."

The EPA is reviewing rules defining which bodies of water are subject to federal regulation and limiting methane emissions in oil and gas operations, as well as those setting ozone and fuel economy standards. The agency is also reviewing the Clean Power Plan, President Barack Obama's signature rule to combat climate change by limiting power plant emissions.

But the FY18 budget cuts, which total $2.6 billion, hit immediate Republican opposition on Capitol

Hill. That reduction amounts to nearly one-third of the agency's current budget.

"Just trying to substitute agency cuts for policy disagreement is a tool, but it's probably not the longest-lasting, most effective one," Rep. Mark Amodei (R-Nev.), another member of the subcommittee told Bloomberg BNA. "I don't think that any of those people on that committee are going to vote for cuts just because that's the administration's recommendation."

The budget would slash enforcement and zero out funding for programs to restore the Great Lakes, Chesapeake Bay and other bodies of water, while chopping an array of other bedrock programs. The White House is requesting a roughly 80 percent reduction in funding for the Diesel Emissions Reduction Act, which funds clean diesel projects. That program is a favorite of subcommittee Chairman Ken Calvert (R-Calif.).

'The King's Man'

The White House budget also makes deep cuts in Superfund and state grant accounts, both of which Pruitt has singled out as important functions. But the administrator is prepared to vouch for the budget before lawmakers.

"Administrator Pruitt will be testifying in support of the president's proposed budget, which seeks to return EPA to its statutory mission, and reduce redundancies and inefficiencies," EPA spokeswoman Liz Bowman told Bloomberg BNA. "We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups of [Superfund sites]. It is also worth noting that we believe there is a significant amount of money being wasted in administrative costs in this program."

Agency chiefs regularly disagree with some aspects of a budget they're tasked to defend.

"He works for the president. You take the king's shilling, you become the king's man. That's just the way it works," Cole said. "At the end of the day, if you're going to be part of the administration, you have to defend the president's budget."

General Electric Challenges EPA on $613 Million Cleanup

Posted June 09, 2017, 12:53 P.M. ET

By Sylvia Carignan

General Electric says the Environmental Protection Agency's orders for cleaning up chemical pollution along the Housatonic River are too expensive and too demanding.

EPA's Region 1 office ordered the work, estimated to cost $613 million over at least 13 years.

General Electric is bound by a 2000 consent decree and a 2016 revision of a Resource Conservation and Recovery Act corrective action permit to clean up contaminants such as polychlorinated biphenyls (PCBs).

The company challenged the permit before the EPA's Environmental Appeals Board at the agency's Washington, D.C., headquarters June 8.

The board's judges are currently considering the fate of the permit.

General Electric was directed to address hazardous waste at its former facility on the river, on floodplain properties, and along the river itself.

Region 1 asked General Electric to dispose of contaminated sediment, soil and waste off-site at licensed waste facilities. General Electric filed an appeal of the Region 1 permit in November, triggering an Environmental Appeals Board hearing.

The company said the extensive cleanup actions in the Region 1 permit—including off-site waste disposal and the amount of sediment that needs to be removed—exceed the scope agreed upon in the consent decree. Less demanding remedies would still protect human health, according to General Electric.

"The region has given itself authorities that exceed its powers," said Andrew Nathanson, who represented General Electric on the issue before the Environmental Appeals Board.

Environmental and local interest groups, which also argued their cases before the board, said the same EPA cleanup plan isn't extensive enough because it leaves unsafe levels of contaminants behind.

"Now is the time to get them out of there, to the greatest extent possible," said Peter deFur, representing the Housatonic River Initiative.

The state of Connecticut, represented by Lori DiBella, also seeks a more thorough cleanup.

"We want a swimmable, fishable river, and we don't have that right now," DiBella said.

Siting Hazardous Waste

Nathanson argued General Electric would prefer to dispose of waste on its own property, at a lower cost, instead of the off-site disposal plan.

"It wasn't just expensive, but massively more expensive," Nathanson said, potentially costing the company $180 million to $250 million more for an equally environmentally protective option.

Timothy Conway, EPA's senior enforcement counsel representing Region 1, said they aren't necessarily equal.

"The potential for a landfill near the river potentially leaking made it less protective," he told the board.

The board's judges asked if Region 1 had released more detailed information about how the EPA decided on certain cleanup options.

"The analysis we provided is sufficient for the purposes of what we were charged with doing," Conway said.

The Housatonic River site runs along the western edges of Massachusetts and Connecticut, into the Long Island Sound.

General Electric's facility in Pittsfield, Mass., formerly used to manufacture electrical transformers, is

associated with the release of PCBs.

The RCRA permit addresses contaminants, predominantly PCBs, in the "Rest of River" portion of the site, downstream of General Electric's facility.

According to the EPA, PCBs are a probable carcinogen and are potentially related to health problems involving the immune system, endocrine system, and learning deficits.

Carbon Prices Continue to Drop in Northeast

Posted June 09, 2017, 01:34 P.M. ET

By Gerald B. Silverman

The cost for electricity generators to comply with the Regional Greenhouse Gas Initiative sank to a four-and-a-half-year low in RGGI's latest auction, driven by an oversupplied market and uncertainty over a longstanding program review by the nine states in the initiative.

RGGI carbon allowances sold for $2.53 in the auction, a decline of 15.6 percent from the previous auction and 44 percent from June 2016, RGGI announced June 9.

The trend in RGGI carbon prices has been downward for a couple of years, as a result of an over-supply of allowances, regulatory uncertainty on the federal and state levels and the prices for natural gas and renewables.

Mike Taylor, president of Emission Advisors Inc., told Bloomberg BNA that the decline was not a surprise, given a large bank of unused allowances, declining emissions, and an "underwhelming" program review.

Taylor said "a case can be made for prices to trend up through the remainder of the decade," as the bank of allowances is depleted and the nine RGGI states complete their review of the program.

RGGI states -- Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island and Vermont -- started a program review in 2015 that will determine if the existing emissions cap will be tightened after 2020, when the current cap expires.

EPA's Pruitt Could Face Tough Crowd at G-7 Environment Meeting

Posted June 09, 2017, 6:30 A.M. ET

By Eric J. Lyman

Climate-related issues are just one part of the agenda for this weekend's meeting in Italy of environment ministers from the leading industrial nations, but EPA Administrator Scott Pruitt can expect an earful on the decision of the U.S. to withdraw from the Paris climate change agreement, environmental groups said.

"The ministerial in Bologna is first and foremost an opportunity for the G-7 countries to send a clear signal to Scott Pruitt that these actions are not tolerated, that backsliding doesn't come without consequences," Climate Action Network International Executive Director Wael Hmaidan told Bloomberg BNA.

Environmental officials from the Group of Seven nations—Canada, France, Germany, Italy, Japan, the U.K. and the U.S.—meet in Bologna, Italy, June 11-12.

An outline of the meeting goals released June 8 said they would focus on the "state of implementation of the goals set by the Paris Agreement to fight climate change," sustainable development goals that are part of the United Nations' 2030 agenda, environmental tax reform, and sustainable finance.

Italian ministry officials declined to comment on the priorities at the talks.

'Trump's Crazy Decision'

Trump announced June 1 that the U.S. would withdraw from the Paris Agreement, which has the support of virtually every other nation. The Environmental Protection Agency's Pruitt was among the strongest voices in the Trump administration calling for withdrawal from the Paris accord, agreeing with Trump that the pact would cost U.S. workers jobs, especially in industries like coal mining.

"Despite Trump's crazy decision, the G-7 should strongly afford the need to implement the Paris accord and push countries to put more effort into filling the void left by the United States," Luca Iacoboni, the head of the energy and climate program for Greenpeace-Italy, told Bloomberg BNA.

Angelo Paletta, a business professor at the University of Bologna who is following the talks, said: "It will be important to understand what this means about other countries commitments over the next five years, as well as concerns about finance as the world tries to raise $100 billion per year starting in 2020."

Paletta was referring to the United Nations' Green Climate Fund, which aims to help developing countries adapt to the impacts of climate change.

President Barack Obama had pledged that the U.S. would commit $3 billion over four years to the fund, but Trump has vowed to halt U.S. contributions to the fund.

Exxon Says N.Y. Attorney General Distorts Company's Climate Data

Posted June 09, 2017, 03:17 P.M. ET

By Erik Larson

Exxon Mobil Corp. accused New York Attorney General Eric Schneiderman of wildly distorting in court how the company calculates the long-term financial impact of climate change on its assets.

Schneiderman recently revealed detailed findings from the two-year probe, including "significant evidence" that Exxon may have been using two sets of numbers—one public and one secret—to calculate the impact of climate change on its oil and gas reserves. He also accused Exxon of allowing emails relevant to the probe to be deleted, including those in a secondary account for former Chief Executive Officer Rex Tillerson under his alias Wayne Tracker.

That filing was "filled with inflammatory, reckless, and false allegations of an 'ongoing fraudulent scheme' and 'sham' business practices," Irving, Texas-based Exxon said June 9 in a court filing in Manhattan. The oil giant urged a judge to reject a fresh subpoena in the case.

The attorney general's probe into whether Exxon misled investors about its approach to global warming is a cover for Schneiderman's "transparent political ambitions," Exxon said.

Schneiderman's press office didn't immediately respond to a phone call seeking comment. A hearing in the case is scheduled for June 16 in Manhattan.

Exxon has a separate lawsuit against Schneiderman pending in federal court in New York in which the company seeks to force an end to the probe on the grounds that it was started in "bad faith" as part of an environmental witch hunt.

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Lawmakers Aim for Fewer Wildfires, Healthier Forests

Posted June 09, 2017, 02:53 P.M. ET

By Alan Kovski

A reintroduced bill that would make disaster funding available for the largest wildfires garnered support from both sides of the aisle June 8, just one week before another bill addressing forest management issues is set for discussion in the House.

Both bills could prove important to rural communities, the timber industry, and recreation in forests.

Rep. Mike Simpson (R-Idaho) reintroduced the Wildfire Disaster Funding Act (no number assigned yet) would allow wildfire suppression financing to be covered by disaster funds when regularly appropriated money is exhausted. The strategy would end the practice of borrowing funds from other programs, a disruptive process that can undercut programs intended to prevent fires.

Rep. Kurt Schrader (D-Ore.) joined Simpson in introducing the bill, and 16 House members from both parties signed on as co-sponsors.

Many lawmakers also aim to see forest management practices improved to reduce the frequency and severity of forest fires. The House Natural Resources Committee will discuss a draft version of a bill by Rep. Bruce Westerman (R-Ark.) June 15.

Westerman's Resilient Federal Forests Act of 2017 (no number assigned yet) was introduced as a discussion draft. Several provisions are similar to a Westerman bill that the House passed in 2015 but the Senate did not act on. It would expedite environmental reviews of forest management decisions and, unlike the 2015 bill, establish an arbitration procedure as an alternative to litigation for dispute resolution.

The goal of Westerman's bill is to develop healthier forests with less risk of wildfires, but disagreements over the subject, year after year, involve the extent of timber harvesting and efforts to limit the lawsuits that often block logging. Environmental groups worry that such legislation over-relies on logging as a solution.

HIKO Mulling Appeal on $1.8M Fine for Overcharging

Posted June 09, 2017, 02:53 P.M. ET

By Leslie A. Pappas

HIKO Energy LLC may appeal a court's decision to uphold a $1.8 million fine against the company, an attorney for the East Coast electric generation supplier told Bloomberg BNA June 9.

The Pennsylvania Commonwealth Court on June 8 voted 4-3 to affirm the penalty for overcharging thousands of Pennsylvania customers in 2014, ruling that state regulators had the authority to impose a separate fine per each invoice.

The decision affirmed a fine that broke records when the Pennsylvania Public Utility Commission imposed it in 2016. The penalty remains one of the highest state regulators have ever imposed, second only to a $11.4 million penalty levied against Uber Technologies Inc. for operating in Pittsburgh without approval.

The Uber penalty was similar to the one for HIKO because regulators counted each invoice as a violation. The Uber penalty added up because regulators levied a violation for each ride. Uber and the PUC settled that case in April, reducing the penalty to $3.5 million.

HIKO is reviewing its legal options and considering whether to appeal, one of company's attorneys, Vincent E. Gentile of Drinker Biddle & Reath LLP told Bloomberg BNA in an email June 9.

"While we are disappointed with the majority's opinion, the decision concerns events that occurred more than three years ago during the polar vortex of 2014," Gentile said. "HIKO has implemented significant changes to its operating practices and has made full refunds to all customers who were affected during that event."

Cold Winter Charges

HIKO's penalty stemmed from a four-month period from January to April 2014, when the company intentionally overcharged about 5,700 customers who were enrolled in a guaranteed cost-savings plan. Faced with energy price spikes during an unusually cold winter, the company purposefully overcharged its customers more than the fixed price the company guaranteed in writing when the customers signed up for the plan, the order said (HIKO Energy v. Pa. Pub. Util. Comission, Pa. Commw. Ct., No. 5 C.D. 2016, Opinion 6/8/17).

An investigation by the PUC found overcharges on on 14,689 customer invoices, averaging about $124 each. The subsequent $1.8 million penalty was calculated by multiplying the number of invoices by the average overcharged.

HIKO argued that its failure to honor its price guarantee was a single business decision, not 14,689 separate ones, the opinion said.

The Commonwealth Court disagreed, saying, "The imposition of a civil penalty for each overcharge is lawful and appropriate in light of the fact that each overcharge can be feasibly segregated into a discrete violation."

In a dissenting opinion, Judge Mary Hannah Leavitt said the PUC imposed fines ranging from $25,000 to $125,000 on other electric suppliers for the same violation, and called the $1.8 million fine "grossly disproportionate."

HIKO works with about 30 utility companies to deliver electricity to customers in New York, New Jersey, Connecticut, Pennsylvania, Illinois, Ohio, and Maryland.

Trump Climate Critics Wrong on Pulling Out of Paris, Perry Says

Posted June 09, 2017, 02:23 P.M. ET

By Feifei Shen and Tom Mackenzie

Critics of President Donald Trump's move to withdraw the U.S. from the Paris climate change agreement are acting more for political reasons than for the reality of what the accord may achieve, U.S. Energy Secretary Rick Perry said June 9 in an interview where he defended the president's move.

Goldman Sachs Group Inc. Chief Executive Officer Lloyd Blankfein, JPMorgan Chase & Co. Chairman Jamie Dimon and others ranging from General Motors Co. and Ford Motor Co. to Exxon Mobil Corp. are wrong about wanting the U.S. to remain a part of the Paris climate deal, Perry said in a Bloomberg Television interview with Tom Mackenzie.

"When you looked at the cost versus the benefit of what you're going to get from being in the Paris agreement, it wasn't worth it," Perry said in Beijing. "I think they are wrong, because they're coming at it from the political side of it rather than the reality."

Perry was in Beijing June 7 and 8 attending a ministerial-level meeting on clean energy where he made a broad appeal to cooperate on natural gas, nuclear energy and technologies such as carbon capture and storage.

"The reality is we are going to continue to be leaders on clean energy," Perry said, adding that the U.S. will continue to contribute to mitigating climate change. "There's a real story to be told here about the U.S.; it's about what we are doing to reduce emissions."

China Meetings

Earlier in the week, Perry met with Chinese Vice Premier Zhang Gaoli where he emphasized areas where the two countries can cooperate. One area is liquefied natural gas. The U.S. is the world's largest producer of natural gas and within a few years will be the third-largest exporter of the super-chilled version of the fuel.

Companies are proposing dozens of new export plants in the U.S. and need foreign buyers to underpin financing for the multi-billion-dollar projects. China, which is trying to increase gas use instead of coal to help clear smog-choked air, should be interested in U.S. supplies because the projects have the benefit of political stability, Perry said.

Perry also said President Trump is right to look at selling some oil from the Strategic Petroleum Reserve. The Trump administration proposed a budget last month that included selling off 270 million barrels on top of a 190 million-barrel drawdown already planned. The reserve currently has a little less than 700 million barrels of oil.

Strategic Reserves

On the strategic reserve, "the debate is what's the right level," Perry said. "The president is right to

have the conversation. How much of this do we really need to keep on hand, how much of it can we put into the market, and how do you manage all that. That is classic Donald Trump negotiating a better deal for the people of the U.S."

When in Tokyo earlier in the week, Perry sounded a combative tone, challenging China to take up the mantle of leadership on climate change while dodging questions about whether President Trump believes in global warming.

"Those of you that focus on that are chasing a rabbit down a hole," Perry told reporters in Tokyo.

China has transformed itself into one of the world's leaders in renewables in recent years with ambitious bets on wind and solar. The country, which is home to about one out of every three wind turbines in the world, has led in clean-energy spending since 2012. In the first quarter of this year, China outspent the U.S. and Japan combined on clean-energy projects.

—With assistance from Dan Murtaugh and Stephen Engle.

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Week Ahead: Pruitt Meets the Purse-String Holders

Posted June 09, 2017, 02:14 P.M. ET

By Chuck McCutcheon

EPA Administrator Scott Pruitt will explain to Congress why he believes cutting his agency's budget by 31 percent is a good idea, one of numerous energy and environment events during the week of June 12.

Pruitt is scheduled to appear June 15 before the House Appropriations' Interior, Environment and Related Agencies' Subcommittee to discuss President Donald Trump's fiscal 2018 budget request. Pruitt has defended the proposed cut to the Environmental Protection Agency by saying he has met with many state officials "who are committed to pro-jobs and pro-environment" and who will join in funding a greater share of U.S. environmental protection needs.

Republicans on the Appropriations Committee are expected to give Pruitt a warm reception because of his commitment to overhauling the agency, as Brian Dabbs has reported. However, they have been more dismissive about the magnitude of the proposed cut.

Ken Calvert (R-Calif.), who chairs the EPA funding subcommittee, has said he looks forward to working with the Trump administration. But in President Barack Obama's final year in office, his appropriations subcommittee called for cutting less than $300 million from Obama's EPA budget request—which would have amounted to about a 3.5 percent cut to EPA's budget—while at the same time boosting spending by more than $200 million over what Obama had sought for drinking water state revolving funds.

Calvert is a conservative who has spoken of the need to reduce "job-killing regulations." But he also has a bipartisan side: He has held a seat on the Appropriations Committee since 2007 and has reached across the aisle on votes to raise the debt limit and keep the government running when hardliners threatened a shutdown. With a business background in the real estate and restaurant industries, Calvert is a member of the Republican Main Street Partnership, a coalition of more than

70 members of Congress that backs "advancing positive policies that can command bipartisan support."

Also on Capitol Hill

The Senate Environment and Public Works Committee will hold a hearing June 13 on several of Trump's nominees: Annie Caputo and David Wright to the Nuclear Regulatory Commission (as well as the reappointment of Commissioner Kristine Svinicki); and Susan Bodine to assistant administrator of EPA's Office of Enforcement and Compliance Assurance. Bloomberg BNA will cover.

Environment and Public Works also will hold a hearing June 14 on the renewable fuel standard Reid Vapor Pressure (RVP) waiver. The bill (S. 517) would waive summer restrictions on transportation fuel containing 15 percent ethanol, known as E15, and higher ethanol blends. Among those scheduled to testify is Mike Lorenz, executive vice president of Sheetz Inc. Brian Dabbs will monitor.

Also June 14, the House Energy and Commerce Committee's Energy Subcommittee is set to explore states' roles on energy security planning, emergency preparedness and state energy programs. Rebecca Kern will cover.

The Senate Energy and Natural Resources Committee's Water and Power Subcommittee will meet June 14 to look at a variety of water- and power-related bills, including one aimed at making it easier to build new surface water storage projects. Alan Kovski will cover.

The House Agriculture Subcommittee on Conservation and Forestry will hold a hearing June 13 on small watershed structure. Trump has proposed to zero out funds for the Department of Agriculture's rural wastewater and water infrastructure program in the fiscal year 2018 budget. Amena H. Saiyid will cover.

In Other News

G-7 meeting: Environmental officials from the Group of Seven nations—Canada, France, Germany, Italy, Japan, the U.K. and the U.S.—meet in Bologna, Italy, June 11-12. Climate-related issues are just one part of the agenda, but Pruitt can expect an earful on the decision of the U.S. to withdraw from the Paris climate change agreement. Eric J. Lyman is covering.

European Parliament: European Union lawmakers are scheduled to discuss the U.S. decision to withdraw from the Paris Agreement June 14. Votes also are expected on a variety of environment issues, including greenhouse gas emissions reductions through 2030 for parts of the economy that are not covered by emissions trading as well as the use of pesticides in certain conservation areas. Stephen Gardner will cover.

Methane lawsuit: Environmental groups are asking a federal appeals court to stop the EPA from placing a stay on an Obama-era regulation on methane emissions from oil and gas wells. The agency has until 4 p.m. on June 15 to submit a response to the groups arguing why the stay shouldn't be struck down. David Schultz will handle.

Social cost of carbon: The National Academies' Board on Environmental Change and Society will hold a June 14 symposium on the social cost of carbon and climate impacts. Rachel Leven will track.

Dental amalgam rule: June 14 is the deadline for the EPA to defend its decision to pull the dental

amalgam rule from taking effect, even though former EPA administrator Gina McCarthy had signed the rule. The Natural Resources Defense Council has sued the EPA for pulling the rule without going through notice and comment. The rule in question set federal effluent limits to regulate the 100,000 dental clinics that discard dental fillings containing mercury, a potent neurotoxin, into municipal sewer systems. Amena H. Saiyid will cover.

EPA Review of New Chemicals: EPA's Jeffery Morris discusses during a free June 12 webinar what the agency's Office of Pollution Prevention and Toxics has been doing to slash the backlog of new chemical requests that had piled up following last year's overhaul of the Toxic Substances Control Act and prevent another backlog from occurring. Specialty chemical manufacturers, former EPA officials and Lynn L. Bergeson, managing partner of Bergeson & Campbell P.C., add their perspectives. Pat Rizzuto is moderating the webinar.

Green chemistry: William Feehery, president of DuPont Industrial Biosciences, will deliver the keynote address at the American Chemical Society's 21st Annual Green Chemistry & Engineering Conference June 13-15 in Reston, Va. Bloomberg BNA will cover.

Chemical dispersants: The toxicity and efficacy of chemical dispersants used to respond to oil spills is the subject of a new science review that aims to improve oil spill cleanups. The tools will be studied by a new scientific advisory committee that holds its first meeting June 13-15. The trade-offs for workers, coastal communities and the environment when other cleanup methods are used—or when oil spills are left untreated—also will be discussed by the National Academies' Committee on the Evaluation of the Use of Chemical Dispersants in Oil Spill Response. Pat Rizzuto is following.

Paris Pullout Pits Chamber Against Some of Its Biggest Members

Posted June 09, 2017, 8:30 A.M. ET

By Ari Natter

As President Donald Trump mulled whether to exit the Paris climate accord, companies as varied as Dow Chemical Corp., Exxon Mobil Corp., and Citigroup Inc. prodded him to stay in.

But when Trump announced his decision, he cited research from one business behemoth that's issued a steady stream of criticism to the Paris deal, the U.S. Chamber of Commerce that counts all three companies as members.

That disconnect between corporate executives and the nation's top corporate lobbying force is reviving pressure on the Chamber—and on the companies that remain members despite their differences over climate policy.

"For decades, the U.S. Chamber of Commerce has been big polluters' partisan enforcer in Washington," Democratic Sen. Sheldon Whitehouse, who co-authored a congressional report last year about this corporate disconnect over climate change, said in an emailed statement.

"It's time for member companies to ask themselves whether they want to side with a relentless climate foe, or protect the health and safety of the American people and the reputation of our country," he added.

Public Citizen and other groups said they are starting a petition drive to prod three companies—Walt Disney Co., Gap Inc., and PepsiCo Inc.—to drop their connection to the U.S. Chamber. That organized pressure is reminiscent of 2009, when companies such as Apple Inc. and Exelon Corp

that advocated for federal action to address climate change quit the Washington group as it lobbied to derail cap-and-trade legislation.

"You've got a lot of companies that are really talking out of both sides of their mouth," said Dan Dudis, who heads the Chamber Watch project at Public Citizen.

The U.S. Chamber of Commerce spent nearly $104 million on lobbying last year making it the top lobbying spender among 3,734 groups tracked by the Center for Responsive Politics. Among the issues it has championed are reworking the Affordable Care Act, business tax cuts, and opposition to a minimum wage hike. The group, which has its headquarters across Lafayette Square from the White House, said it was officially neutral on the Paris accord despite its long list of criticisms.

The chamber said in a statement that the business community "stands ready to fashion solutions to keep America prosperous, clean and secure. America should choose a path for an energy future that is achievable, affordable, and most importantly meaningful."

From coal producer Cloud Peak Energy Inc. to electric-automaker Tesla Inc., corporate America has broadly supported the Paris accord, a 2015 agreement of nearly 200 nations to address the threat of climate change. The deal is the first to include pledges from developing nations such as India and China to curtail their emissions, as well as developed nations in North America and Europe.

Among the companies that signed onto an open letter to publicly support the Paris climate agreement were Microsoft Corp. and Google's Alphabet Inc. Ivanka Trump appealed to Dow Chemical's CEO Andrew Liveris to spearhead a late lobbying push to try to save U.S. involvement in the pact. And executives' response to Trump's decision was quick and overwhelmingly negative. Robert Iger, chief executive of Disney, resigned from a White House advisory council. Ford Motor Co. and Microsoft weighed in with their dismay, too.

In response to questions from Bloomberg, companies said they agree with the chamber on some issues, but not all. Others said they are putting pressure on it to change course.

"We have been outspoken in our support for the Paris Agreement and have had a dialogue with the chamber about how its views and advocacy on climate policy are inconsistent with Citi's position," Citigroup spokeswoman Elizabeth Kelly said in an email. "Citi does not expect to be in agreement with every position our trade associations take."

Time to Time

Dow, which gave the chamber $1.8 million for lobbying in 2016, "participates in many trade and business associations," the chemical-maker's spokeswoman Rachelle Schikorra, said in an email. "From time to time, we find ourselves in disagreement with the prevailing views of the majority of the U.S. Chamber's membership, including issues such as climate change."

"PepsiCo's long-standing commitment to addressing climate change will not change," the company said in a statement that didn't address questions about its ties to the chamber.

"No organization speaks for Ford on every issue," said Christin Baker, a Ford spokeswoman. "The chamber has been actively supportive of tax reform, but takes a different view on climate. We will continue to work with the chamber on issues where we are aligned."

Companies may differ with the chamber on climate change, but agree on taxes or labor issues, said Lee Drutman, a senior fellow in the program on political reform at New America, a Washington

research organization. Still, they face the risk of customer blowback.

"Any company with a consumer-facing brand has to worry about its reputation," Drutman said in a phone interview. "If it's on the wrong side of a political issue that its customer base is passionate about, it could find itself losing a lot of customers."

Oil giant Exxon, which disclosed giving the U.S. Chamber of Commerce Foundation $1 million in 2015, advocated for staying in the Paris accord, as its chief executive Darren Woods argued that oil demand will continue to grow in the coming decades even with the agreement in place.

"We believe that the United States is well positioned to compete within the framework of the Paris Agreement, with abundant low-carbon resources such as natural gas, and innovative private industries," spokesman Alan Jeffers, said in an email. He declined to comment on the chamber's report on Paris.

While the chamber said it hadn't made a recommendation on whether the U.S. should remain in Paris, it issued a series of criticisms of the pact since even before it was completed.

In congressional testimony, it said the U.S. pledge to cut greenhouse gas emissions by 26 percent would hike U.S. energy costs and diminish job creation—and that the pact would not do much to actually curtail greenhouse gas emissions. The chamber jointly funded a study in March that determined the deal could slice $3 trillion off U.S. gross domestic product by 2040.

Trump made specific reference to that study, and each of the group's earlier arguments, in announcing his decision to pull the U.S. out of the pact.

"The cost to the economy at this time would be close to $3 trillion in lost GDP and 6.5 million industrial jobs, while households would have 7,000 less income, and in many cases, much worse than that," Trump said in the Rose Garden ceremony June 1.

Kevin Steinberger, a policy analyst with the Natural Resources Defense Council's climate and clean air program, said the chamber's claim that it was neutral on the accord was "disingenuous."

"The report was clearly aimed at attacking the Paris agreement and used an unrealistic scenario to do so," he said.

—With assistance from Hugh Son and Keith Naughton.

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Mimic Nature to Harness Stormwater Runoff at Parks, EPA Says

Posted June 09, 2017, 01:44 P.M. ET

By Amena H. Saiyid

Harness stormwater at parks by planting rain gardens with native plants and grasses and installing porous pavements, the EPA recommends in a new guidance.

Released June 8, "Green Infrastructure in Parks: A Guide to Collaboration, Funding, and Community Engagement" identifies these and other types of green infrastructure projects that

stormwater agencies can use at parks to manage polluted runoff.

Green infrastructure, an engineering technique that mimics nature, redirects stormwater into the soil through porous pavements, shrubbery on rooftops, or strategically installed sunken grassy areas along the edges of paved sidewalks, roads, and parking lots.

The Environmental Protection Agency, which has been promoting green infrastructure use among municipalities since 2011, said the approach would work in parks because it is "attractive, effective, and beneficial" and requires minimal maintenance other than regular pruning and weeding. Congress also is considering bills that include green infrastructure use.

The guidance discusses how stormwater agencies can use their own funds or tap into state funds to install green infrastructure at parks. It also provides links to other EPA documents that spell out other green infrastructure resources.

EU Panel Classifies Titanium Dioxide as Cancer Risk

Posted June 09, 2017, 01:21 P.M. ET

By Stephen Gardner

Titanium dioxide, which is widely used in the manufacture of paints, paper, and plastics, should be classified as carcinogenic in the European Union, the European Chemicals Agency said June 9.

ECHA's Risk Assessment Committee concluded that titanium dioxide could cause cancer if inhaled, and should be ranked as a Category 2 carcinogen, the lowest classification for carcinogenicity. These substances are suspected of causing cancer compared to category 1B and 1A substances which are presumed to and known to cause cancer, respectively.

The Category 2 carcinogenicity rating would apply EU-wide to all forms of titanium dioxide, including its nanoforms. Companies that sell the substance would be required to bring their product hazard labels into line with EU standards for hazardous substances, which are set out in the EU CLP Regulation (Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures).

France proposed the common EU classification of titanium dioxide and called for it to be considered a Category 1B carcinogen, but the evidence was insufficient for that classification, the chemicals agency said.

From a compliance point of view, there are significant differences between a 1B or 2 classification. Substances classified 1A or 1B cannot be supplied to consumers and might become candidates for phaseout under the EU's REACH law (Regulation No. 1907/2006 on the registration, evaluation, and authorization of chemicals).

Classifying titanium dioxide as Category 2 will have "limited direct consequences," the European Chemicals Agency said in a statement to Bloomberg BNA.

The risk committee's opinion on titanium dioxide will be forwarded to the European Commission, the EU's executive arm, which will formally decide on the classification of the substance, ECHA said.

Study of VW's Cheating on Diesels Examines Role of Bosch Code

Posted June 09, 2017, 12:36 P.M. ET

By Ryan Beene

A study alleges that Robert Bosch Gmbh created the software that enabled Volkswagen AG to evade diesel emissions standards for years.

Technical documents also indicate Bosch code was used in a so-called defeat device for a Fiat Chrysler Automobiles NV model, according to a year-long study by researchers at the University of California, San Diego and Ruhr-Universitat Bochum in Germany. That software set one mode for when a vehicle is being tested—but then allowed tailpipe pollution to spike in real-world driving conditions.

"We find strong evidence that both defeat devices were created by Bosch and then enabled by Volkswagen and Fiat for their respective vehicles," the study said, citing technical documents.

In a statement, Bosch declined to comment on the study, citing "the sensitive legal nature of these matters," adding that it would "not comment further concerning matters under investigation and in litigation." Bosch has previously rejected as "wild and unfounded" claims from vehicle owners that its employees conspired with VW to conceal defeat-device software.

The authors of the study, "How They Did It: An Analysis of Emission Defeat Devices in Modern Automobiles," reached their conclusions by analyzing technical documents bearing Bosch copyright notices, which were posted on a VW portal maintained for repair shops and websites for enthusiasts who alter their engine's software. The authors acknowledged that the documents were not provided or verified by Bosch and that automakers ultimately decide how to use the pollution-control software in their vehicles.

"Since we did not obtain the function sheets directly" from Bosch, the researchers wrote in their study, released May 22, "we cannot be absolutely certain of their authenticity."

Bosch, the world's largest auto-parts supplier, provides engine-control software to manage diesel emissions systems, offering computer precision to fine-tune those historically dirtier engines.

The company has had varying degrees of involvement in engine development work done by its automaker customers, ranging from simply providing software to hands-on technical collaboration, according to Daniel Carder, director of West Virginia University's Center for Alternative Fuels Engines and Emissions. Carder, who was part of the team that first identified VW's diesel cheating, said Bosch's software allowed engineers to tune engine performance with far more precision than previously possible.

Bloomberg News reported in September that the U.S. Justice Department was widening its criminal investigation into VW to probe whether Bosch conspired with the carmaker to evade U.S. pollution tests. Bosch declined to comment at the time.

VW has admitted to installing some 11 million diesel vehicles worldwide with defeat device software that could limit pollution during lab tests while exceeding legal limits on the road. Fiat Chrysler was accused by the Justice Department last month of using defeat devices in Jeep SUVs and Ram pickups, which use Bosch software. Fiat Chrysler denied wrongdoing and says it will defend itself vigorously against the allegation that it sought to cheat.

Bosch was not named as a defendant in the complaint. Fiat Chrysler "frequently engaged in discussions with Bosch regarding calibrations," of the software, the Justice Department said in the complaint.

While the VW and Fiat Chrysler defeat devices analyzed in the study are different from one another, they both allow vehicles to limit nitrogen oxide emissions during laboratory tests while allowing the vehicles to emit higher levels of tailpipe pollution in real-world driving, according to the study. The Bosch-copyrighted documents illustrate how the defeat devices could spot telltale signs of an emissions test, according to Kirill Levchenko, a UC-San Diego computer scientist and an author of the study.

"It's a diagram of a defeat device," Levchenko said, referring to the Bosch schematic design.

The study was supported by the European Research Council and by the U.S. National Science Foundation. It was prepared for an Institute of Electrical and Electronics Engineers Symposium on Security and Privacy in San Jose last month.

Widening Investigation

The study's findings add to scrutiny already surrounding the extent of the Stuttgart, Germany-based Bosch's involvement in the suspect diesel systems. Bosch has been named as a co-defendant in class-action lawsuits filed by owners of diesel vehicles made by VW, Fiat Chrysler, Daimler AG's Mercedes-Benz and, most recently, General Motors Co. In January, Bosch agreed to a $327.5 million settlement with VW owners; it admitted no wrongdoing.

U.S. vehicle owners accused Bosch of conspiring with the automaker to develop and conceal the defeat device software. In 2008, Bosch also asked VW to shield it from legal liability stemming from the use of its software, lawyers representing owners of VW diesels claimed in court filings last September. Bosch declined to comment on the letter at the time.

The Bosch-copyrighted schematics, reproduced in the study, diagram how the VW vehicles detected when they were being tested and limited pollution emissions to permissible levels. When the cars weren't being tested, they released the smog-forming pollutants at up to 40 times the permitted levels, according to the U.S. Environmental Protection Agency.

Separately, the researchers say they discovered code on a diesel Fiat 500x crossover that is sold in Europe but not the U.S. that "amounts to a defeat device." In the Bosch-copyrighted documents, one pollution-control path is called "real driving" and the other is labeled "homologation," a term used for the process of certifying that a product meets regulatory standards.

The testing mode directs the storage catalyst to limit nitrogen oxide emissions more aggressively than in the "real driving" mode. The stricter pollution controls are suspended after a little more than 26 minutes, which is the length of many emissions tests, Levchenko said.

A Fiat Chrysler spokesman declined to comment, and referred to written comments the company delivered last fall for a European Parliament committee hearing into allegations that the 500x deactivated emissions controls after 22 minutes.

"Our vehicles do not detect that they are being tested," the company said at the time. "They also do not deactivate the emission control systems after 22 minutes after cranking, contrary to allegations."

Regulators in Italy and Germany have been trading blows in a months-long dispute over the existence of defeat devices in Fiat Chrysler vehicles, including the 500x. Germany has accused the company of using defeat devices while Italian regulators say their testing reveals no such cheating.

The spat escalated last month when the European Commission opened a proceeding into whether the Italian regulators properly granted emissions approval to the Fiat Chrysler diesels.

—With assistance from Gabrielle Coppola.

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EPA's Reconsideration of Power Plant Carbon Rule at White House

Posted June 09, 2017, 10:12 A.M. ET

By Andrew Childers

The White House is reviewing the EPA's plan to roll back carbon dioxide standards on the fleet of existing power plants.

Environmental Protection Agency Administrator Scott Pruitt opposed the Obama-era regulation, known as the Clean Power Plan, while he was Oklahoma attorney general. He has repeatedly said the EPA overstepped its Clean Air Act authority issuing the rule and Congress needs to speak directly to the agency's power to regulate greenhouse gases.

The Clean Power Plan faces a host of legal challenges from states and utility groups. The EPA asked a federal appellate court to indefinitely pause those challenges while it reconsiders the power plant rule.

Merkel Says Trump's Climate Stance Is Lowering G-20 Expectations

Posted June 09, 2017, 12:20 P.M. ET

By Patrick Donahue and Charlie Devereux

German Chancellor Angela Merkel said Group of 20 leaders "won't get everything we wished for" at a summit next month after U.S. President Donald Trump's decision to exit the Paris climate accord.

On a visit to Argentina as part of a tour to rally support among G-20 nations, Merkel cited the difficulty of that task ahead of the July 7-8 summit in Hamburg, since the communique must be signed off by all 20 partners.

"Nobody in this world—no individual person or country—can solve all problems alone," Merkel said at a press conference in Buenos Aires alongside Argentine President Mauricio Macri. "We all have to cooperate."

The German leader signaled a narrowing of expectations in key areas as the U.S. exit from the climate agreement casts a shadow over world leaders' ability to find a common line on issues such as global warming, trade and migration. Merkel, who's due to meet Mexican President Enrique Pena Nieto June 9, is seeking to build as broad a front as possible after leaders failed to persuade Trump

to stick to the climate accord at a Group of Seven summit last month.

As host of the G-20 summit, "I'll naturally have to speak up about differences if we don't agree on certain points," Merkel said at the news conference in Argentina June 8.

Argentina's Opening

Merkel told Macri that she "values very much" Argentina's commitment to the Paris climate treaty, a pointed contrast to her response that Trump's decision was "extremely regrettable." After the fallout at the G-7 summit, Merkel suggested that reliable relations with the U.S. were "to some extent over."

The German and Argentine leaders also drew a contrast on trade, calling for a negotiated accord between the European Union and Mercosur, the South American free-trade bloc. German and Argentine officials have said they want a deal by the end of the year.

Merkel lauded Macri for "setting out on a courageous path of reform." The Argentine leader has lifted currency controls as well as some trade barriers and settled an outstanding legal dispute from Argentina's 2001 debt default.

"Argentina already tried isolationism and it didn't work," Macri said alongside the chancellor.

Merkel said advantages squeezed out by isolationism tend to be short-lived and, in Argentina's case, "weren't good for the people at all."

—With assistance from Eric Martin.

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Macron Said to Push for Franco-German Carbon Emissions Price Floor

Posted June 09, 2017, 12:09 P.M. ET

By Francois de Beaupuy and Helene Fouquet

Emmanuel Macron reached out to Germany to establish a common price floor for carbon dioxide emitted by power utilities as the French president seeks to strengthen his alliance with Angela Merkel after the U.S. decided to exit the Paris climate accord, according to people familiar with the matter.

Macron wants to revive a plan to set up a minimum price of 30 euros ($33.55) per ton of CO2 emissions, about six times the current European level, a French official said, asking not to be named as the matter isn't yet public. France is seeking to convince Germany and other European countries to adopt a similar plan, the person said. It would also make sense for countries such as Belgium, the Netherlands and Luxembourg, said another person who has heard about Macron's initiative.

Merkel and Macron have been leading the international opposition to the disruptive presidency of Donald Trump in the U.S. rallying support for trade and climate action. Macron this week launched an appeal to U.S. environmentalists to come work in France, while Merkel is in Latin America preparing for another meeting with Trump at the Group of 20 summit in Hamburg.

The U.S. decision to exit the Paris climate accord comes after the price of European carbon permits

plunged from their 2008 peak, eroding the penalty for burning coal, the most polluting fuel. Companies from Electricite de France SA to Engie SA have lobbied for a minimum price of at least 30 euros, arguing it would boost the use of cleaner natural gas-fired power stations.

Hard Sell

Spokesmen at Germany's Environment Ministry weren't immediately available for comment. Messages seeking comment from the French president's office weren't immediately replied to.

The proposal may be a hard sell in the short term for German Chancellor Merkel, who faces general elections in September. A floor price for carbon emissions might hurt German utilities RWE AG and Uniper SE, which have said it would lead to job losses because they rely heavily on lignite and coal to produce electricity.

France unsuccessfully tried to convince Germany to adopt a common carbon floor price last year in a bid to supplement the EU's Emissions Trading System, which has failed to provide an efficient incentive to reduce greenhouse gases. A glut of pollution rights pushed prices in the $48 billion market down more than 80 percent since 2008.

France then considered introducing a floor price unilaterally last year before dropping the plan a few months before this year's presidential elections amid labor union protests that it would prompt coal-fired plant closures.

The French and German leaders plan to hold a joint cabinet meeting over the summer.

Generating Revenue

A tax on carbon would generate government receipts, which could be used to mitigate the "social impacts" of the energy transition on the coal industry, EDF Chief Executive Officer Jean-Bernard Levy said June 8 at a conference in Paris organized by the Toulouse School of Economics. By introducing a levy of 18 pounds ($22.88) per ton of CO2 emissions, the U.K. has cut the share of coal in electricity production to 10 percent from 30 percent in two years, he said.

"The time is the right one today for an initiative that maybe could be generated in France, with quick support of Germany, obviously after the September elections," Levy said. "It can be done gradually, and it can be done in such a way that it leads to no massive phasing out of production means in the short term."

—With assistance from Brian Parkin, Mathew Carr and Tino Andresen.

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India Power Plants Stranded as 50 Million Homes Left in the Dark

Posted June 09, 2017, 10:56 A.M. ET

By Anindya Upadhyay

India is scaling back expectations for power demand growth as it struggles to electrify millions of homes despite a glut in generation capacity.

The world's second-most populous nation is building more power plants than it can utilize as state-level distributors struggle to connect 50 million households, according to Ravindra Kumar Verma, head of the Central Electricity Authority, the power ministry's planning arm. As a result, about 25 gigawatts of coal-fired power-generating capacity is "stranded" and unused, he said. That's equivalent to the entire installed capacity of neighboring Pakistan.

Demand growth for power is slowing as state distribution companies, known as discoms, struggle to purchase enough electricity for the populations they serve. Most discoms lose money selling below cost to poor and agricultural customers and through power theft. The CEA defines demand as the amount of electricity that distributors buy, not necessarily how much would be needed for the whole country, helping explain why millions still lack power and several cities face regular blackouts despite the under-utilized capacity.

"We were thinking that the entire demand will come on the system, but it has not happened that way," Verma said in an interview in New Delhi June 6. "When discoms turn around is the point when we will get close to 24/7 power. That's where all the constraint lies."

Electricity use is estimated to grow 6.2 percent a year over the six years ending March 2022. Consumption over the previous six years expanded 5.3 percent, missing a 7.6 percent forecast, the CEA said in its latest power survey report published this year. The lower-than-expected growth rate led the agency to temper its outlook, Verma said.

"Projections are estimated growth rates worked out on the basis of certain assumptions. If the assumptions slip, then projections are hit," he said.

India is on track to add 102 gigawatts of conventional power projects in the five years ended March 2017, compared with a target of 88.5 gigawatts, according to country's Draft Electricity Plan published in December. At the same time, the country's gas-fired plants, which can generate nearly 25 gigawatts of power, are running at less than a quarter of their capacity, according to the plan. The country's capacity totaled 329 gigawatts, with more than half of that coming from coal-fired plants, according to CEA data.

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Concern Raised About Peabody Mine Cleanup on Navajo, Hopi Land

Posted June 09, 2017, 7:00 A.M. ET

By Stephen Lee

Arizona residents and environmentalists are growing increasingly worried about the cleanup of a large coal mine that's moving swiftly toward closure. Peabody Energy Corp., the mine's operator, promises that the reclamation will be done right.

If it's not, locals fear the Navajo and Hopi tribes in the northern part of the state will be left with a parched, ravaged homeland that might never be fully restored.

Peabody's Kayenta Mine in Arizona provides coal to the massive Navajo Generating Station 80 miles to the northwest. In 2015, the mine produced 6.8 million tons of coal.

But cheap natural gas has dented the power plant's profitability, and in February its owners voted to

close it by Dec. 23, 2019. Because the mine has no other customers and no rail link to the outside world, when the plant closes, the mine will close, too.

Peabody told Bloomberg BNA that the company set aside a $235 million surety bond for reclamation at Kayenta. The Office of Surface Mining Reclamation and Enforcement confirmed that amount and said it deems it adequate.

"We are a guest on Navajo and Hopi lands and operate at the behest of the tribes," Peabody said in an emailed statement.

Political leaders at the Navajo and Hopi tribes want the power plant and mine to stay open because their economies rely heavily on them.

Water Dispute

But some environmental advocates question whether the $235 million bond will be enough to reclaim the 35.8 square miles that have been mined at Kayenta once the mine shuts down.

One of them is Brad Bartlett, an environmental law professor at the University of Denver, who says none of the Kayenta lands have reached the final stage of reclamation necessary before Peabody can get its bond back, despite the fact that the mine has been active for 40 years and that the company is supposed to reclaim the land as it goes.

One reason the final stage of reclamation, or Phase III, hasn't been reached is that doing so requires Peabody not only to reclaim the land but also to replace the water it has used, Bartlett told Bloomberg BNA. Peabody says the total water use over the life of both the Kayenta mine and an older mine on the same tract, Black Mesa, will be less than 0.1 percent of the water volume stored in the aquifer. The mine uses 1,200 acre feet of water per year, according to the company.

But Percy Deal, a former Navajo tribal council member who lives near the mine, said he thinks the figure is closer to 6,400 acre feet. Many residents don't have any water and have to haul it in from elsewhere, Deal said.

"Before Peabody moved in, there used to be a lot of natural springs that produced water on their own," Deal told Bloomberg BNA. "It seeped out of the ground. You would see pools of water here and there. None of those are currently working, not one bit."

'An Enormous Amount of Money'

The fundamental water problem is that Peabody has been drawing so much water from the subsurface aquifer that it no longer connects to the surface, according to Bartlett. Peabody denies that, saying the aquifer is recharged every year through the hydrologic cycle by some 13,000 acre-feet per year.

But Bartlett said the aquifer has dropped by 150 feet in some places.

"Where [Peabody] will find that replacement water, I don't know," he said. "It strikes me as an enormous amount of money."

Carolyn Johnson, retired executive director of the Citizens Coal Council, shares those concerns, saying the damage to the underground aquifer is the primary reason Peabody's $235 million bond

won't be enough for a complete reclamation.

"We don't even know that it's fixable," Johnson told Bloomberg BNA. "I'm not sure the techniques are out there. There are other things they can do, which would be very costly, to bring water in for those people. But it's never going to be like it was before mining."

Concerns About Aquifer

Because of the technical uncertainty about how to reclaim a mined-through aquifer, Johnson said she couldn't estimate what it would cost.

"I don't know how to put a number to it," she said. "You're trying to create a number where you don't even have the science. But I know that $235 million isn't going to do it, because it's so many acres, and boy, that mine is huge."

OSMRE didn't respond to questions about how it arrived at the $235 million figure. Ellen Pfister, an affiliate representative of the Northern Plains Resource Council who helped lobby Congress for the passage of the Surface Mine Control and Reclamation Act in the 1970s, said OSMRE's cost estimates are based on what it would cost the agency to complete the work, including equipment and labor costs.

"I don't blame those people for being concerned," Pfister told Bloomberg BNA, referring to the Navajo and Hopi. "I'd want to know where the water is that they're planning to use [to fill the aquifer]. I'd want to know what quality it is, and how much of it is there. I don't think it's unreasonable to question that."

Only 56 percent of the mined lands at Kayenta are subject to Phase III standards for the bond to be released back to Peabody, according to OSMRE documents. The remaining lands are subject to less demanding standards and don't address water. Of all the land mined, OSMRE has approved reclamation on only 18 percent, all subject to the lower standards.

Reclaimed Acres

Other concerns have arisen over the reclamation of the land. Deal said the Kayenta tract used to be home to large groves of pinyon, pine and cedar trees, along with other natural plants and herbs that were used for food, medication and cultural purposes, such as making dye for coloring wool.

But now those trees and plants are gone, and "almost 100 percent" of them haven't been replaced, Deal said. "It looks like a bare spot; it doesn't look natural," he said.

Peabody spokeswoman Beth Sutton denied that charge, telling Bloomberg BNA that the company has restored between 16,000 and 18,000 acres of land at Kayenta. Those lands are now up to 10 times more productive for livestock grazing than native range land, according to a Peabody fact sheet.

But Deal said the new vegetation Peabody has planted is "pure grass—no trees, no plants." Largely as a result, native elk, deer, antelope, turkey, eagles and hawks are now rarely seen, Deal said.

Navajo tribe member Nicole Horseherder agreed with Deal's account.

"You have this huge grassland, and the grass is very sparse," Horseherder told Bloomberg BNA.

"There's a lot of bare spots. The grassland is dying. It's very poor."

Another View

Daniel Benally Jr., also a Navajo tribe member, gave Bloomberg BNA a contradictory account of Peabody's land reclamation efforts. Benally said the company has restored many medicinal plants and improved the land for cattle grazing and sheepherding.

"The vegetation's so good that the wildlife has come back," Benally said. He also said the natural springs at Kayenta have been running.

Benally is a Peabody employee, and he spoke to Bloomberg BNA with Sutton present. When asked to comment on Deal's observations, Sutton told him not to answer and ended the interview.

5:1 Reclamation Rate

Sutton further said Peabody has been reclaiming five acres for every new acre it mines.

But Bartlett said that ratio is "extraordinarily high," and that it could suggest that much of the land that was supposed to be reclaimed years ago is only now being attended to.

The figure also indicates that "there's going to be a lot of jobs going forward" once the mine shuts down, Bartlett said. "To those people who might be worried about losing their jobs, it sounds to me like there's a heck of a lot of reclamation to be done out there."

OSMRE said it has inspected the Kayenta mine "and determined that contemporaneous reclamation [has been] completed well."

Another Reclamation Case

Still, local residents' concerns are exacerbated by the state of Peabody's old Black Mesa Mine, which stands on the same parcel of land and shut down in 2005. Twelve years later, Black Mesa remains largely unreclaimed.

"Everything that Peabody built to carry on the operations—the buildings, a huge water tank, everything—is still there," Deal said. "It's never been decommissioned, never been brought down. The only thing they did was put up a chain link fence and lock and a sign that says 'Keep Out.'"

Sutton said the reclamation at Black Mesa will begin this month, and that preparation for dismantling the structures is underway.

Meanwhile, the Navajo Generating Station's future remains dim. Salt River Project, one of the plant's owners, has imposed a July 1 deadline to hammer out a lease extension with the Navajo Nation, whose land it is on, to keep the plant running until Dec. 23, 2019, with decommissioning and remediation of the facility starting afterward.

Otherwise, SRP says it will have to close the plant immediately in order to decommission it by the end of 2019. The Navajo Nation will hold a vote June 21 on the extension agreement SRP offered.

No outside buyers have stepped forward to take over the plant when the current lease expires, but Peabody is actively looking for a buyer.

Who Will Justice Let Cash in on Environmental Settlements?

Posted June 09, 2017, 7:01 A.M. ET

By Amena H. Saiyid

The National Fish and Wildlife Foundation received a check for $7 million from Princess Cruise Line in April, but not as a typical act of charity. Rather, the payment was part of a $40 million settlement the cruise line made with the federal government to resolve allegations that it violated the Clean Water Act by illegally dumping oil waste and falsifying oil spill records.

The foundation also received $2.554 billion as part of the settlement in criminal cases against BP for its Macondo well that blew out on April 20, 2010, spewing an estimated 4.9 million barrels of oil into the Gulf as the largest U.S. offshore spill.

Payments to organizations that are not parties in enforcement actions involving violations of environmental laws are not uncommon.

Tonawanda Coke Corp. agreed to pay $357,000 to Ducks Unlimited in May 2015 for wetlands acquisition and preservation as part of a $12 million settlement in a civil case alleging air and water pollution violations at its plant near Buffalo, N.Y. In all, the company paid $42 million to resolve enforcement actions that included a landmark criminal prosecution.

These types of penalties may be coming to an end because of a June 7 Justice Department memo prohibiting settlement payments to nongovernmental entities that are not a party to the litigation.

The problem for some, however, is the memo, signed by Attorney General Jeff Sessions, didn't define nongovernmental organization, whether it is a public or private entity. It also wasn't clear if it applied to publicly owned wastewater utilities.

Ambiguous Language

"There's a lot of ambiguity in the memo," Neil McAliley, a shareholder attorney with the Miami office of Carlton Fields Jorden Burt P.A., told Bloomberg BNA June 8.

The memo is based largely on language in the Republican-sponsored Stop Settlement Slush Funds Act of 2017 (H.R. 732) that attempts to bar the federal government from making payments to groups, individuals, or institutions that aren't party to litigation. The bill awaits full House consideration as the House Judiciary Committee reported it out March 30.

"I think this memo is really focused on whom the defendant is paying money as opposed to whether this defendant is a public or private entity," McAliley said. The memo states that payments are not to be made to any nongovernmental entity that is not a party to the dispute.

"This language does suggest that a defendant could be required to send money to a governmental entity that is not a party to the case," McAliley said, but "exactly how one defines a 'governmental entity' may not be as obvious as one might think, and we will need to see how this policy is applied."

McAliley gave as an example nonprofit corporations created by acts of Congress that are designed to accept money for donation to government agencies, such as the National Fish and Wildlife

Foundation, which received the Princess Cruise Lines and BP money, and the National Park Foundation.

"It clearly is broad language, but what we don't know is how is it being explained by the Justice Department," John Cruden, the former acting assistant attorney general for environment and natural resources under President Barack Obama, told Bloomberg BNA in a June 8 telephone interview.

In other words, "Who is making the decision that a certain organization falls within the memo or outside the memo," said Cruden, who now is the president-elect of the American College of Environmental Lawyers.

Exception to the Prohibition

The foundation wasn't a party to the lawsuit, but groups such as these could receive payments under the exception the memo lays out for a payment that "directly remedies … harm to the environment," McAliley said.

"Did the new policy intend to capture those types of entities or not?" he asked.

Other attorneys don't necessarily agree.

At a June 7 webinar discussing Clean Water Act enforcement trends in the Trump administration, Nathan Vassar, an attorney with Lloyd Gosselink Rochelle & Townsend, P.C., said the Department of Justice memo likely will not apply to settlements involving publicly owned wastewater utilities that may be defendants in a Clean Water Act lawsuit. The webinar was organized by the National Association of Clean Water Agencies (NACWA), which represents many of those utilities.

"I am not aware of any payments to third parties in the context of municipal discharger settlements," Vassar said in response to a question posed about the impact of the Justice Department memo on Clean Water Act enforcement.

Erica Spitzig, the association's deputy general counsel, agreed with Vassar that the department's memo will not likely have a significant impact on publicly owned wastewater utilities.

"We are not aware of any settlements requiring publicly owned treatment works to make donations or other cash payments to third parties who are neither impacted by nor involved in the litigation," Spitzig said in a June 8 email to Bloomberg BNA on what she called the association's initial impressions.

Cruden also agreed, saying the government usually settles Clean Water Act violations by requiring money to be spent either upgrading or repairing the part of the system that caused the problem.

"That can get quite expensive, as much as a billion dollars as we saw in the DC Water case," he said.

Nuanced Reading

Also on the NACWA webinar was Andrew Stewart, who until late 2015 served as the acting director of the special litigation and projects division in EPA's Office of Enforcement and Compliance Assurance. His remarks a day after the webinar were more nuanced about the memo's impact on settlements involving public wastewater utilities.

"I agree the memo didn't seem to be focused on publicly owned treatment works (POTWs), but it didn't explicitly carve out POTWs," Stewart, who now serves as a counsel with Vinson & Elkins LLP, told Bloomberg BNA in a June 8 email.

Stewart said the memo broadly applied to payments to third parties under settlements, but Vassar said he thought it applied more to settlements involving private sector defendants, such as Volkswagen, which was referenced by Rep. Bob Goodlatte (R-Va.), the chief sponsor of H.R. 732, as an example of third-party payments.

Goodlatte has repeatedly highlighted the $2 billion included in the Volkswagen diesel emissions settlement to pay for electric vehicle infrastructure, as an example of third-party payments. This funding wasn't justified as "mitigation" spending because the settlement had explicitly set aside a separate $2.7 billion mitigation trust fund, Goodlatte told former Attorney General Loretta Lynch in a Jan 10 letter when requesting a preservation of all documents pertaining to the Justice Department settlements.

Sessions didn't mention the Volkswagen settlement or any other settlement in the memo. Instead, he said, "It has come to my attention that certain previous settlement agreements involving the Department included payments to various nongovernmental. third-party organizations as a condition of settlement with the United States. These third parties were neither victims nor parties the lawsuit."

No Payments for Supplemental Projects

Stewart, unlike a number of attorneys representing environmental groups, said the memo applies to payments made to third parties, but doesn't "explicitly address" supplemental environmental projects. More important, SEPs don't involve cash donations to third parties, he said. Spitzig, of NACWA, and Cruden agreed with him.

"The goal of DOJ memo is to compensate victims of noncompliance," Stewart said. "The fact that the SEPs are designed to benefit the environment impacted by the alleged violation makes these projects consistent with the DOJ memo."

Slashing Permit Wait Time Key to Fixing Infrastructure: Trump

Posted June 09, 2017, 11:54 A.M. ET

By Shaun Courtney

President Donald Trump called for drastic changes to what he described as an "excruciating" regulatory system that slows down permitting of federally funded infrastructure projects, cutting permitting time from an average of 10 years to two.

The president called on federal agencies to streamline review processes and said during a speech today at the Transportation Department that his administration will penalize agencies that "consistently delay" projects by missing deadlines. Trump announced the creation of a new council to help infrastructure project managers navigate the bureaucracy, in part by creating a new online dashboard for project tracking.

"The excruciating wait time for permitting has inflicted enormous financial pain on cities and states—and has blocked many important projects from ever getting off the ground," Trump said in prepared remarks. "To all our state and local leaders here today, I want you to know that help is

finally on the way."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Live
Sent: Wed 10/4/2017 5:15:19 PM
Subject: You're Invited | The POLITICO 50 Celebration

Invitation intended for: Ryan Jackson

Good afternoon,

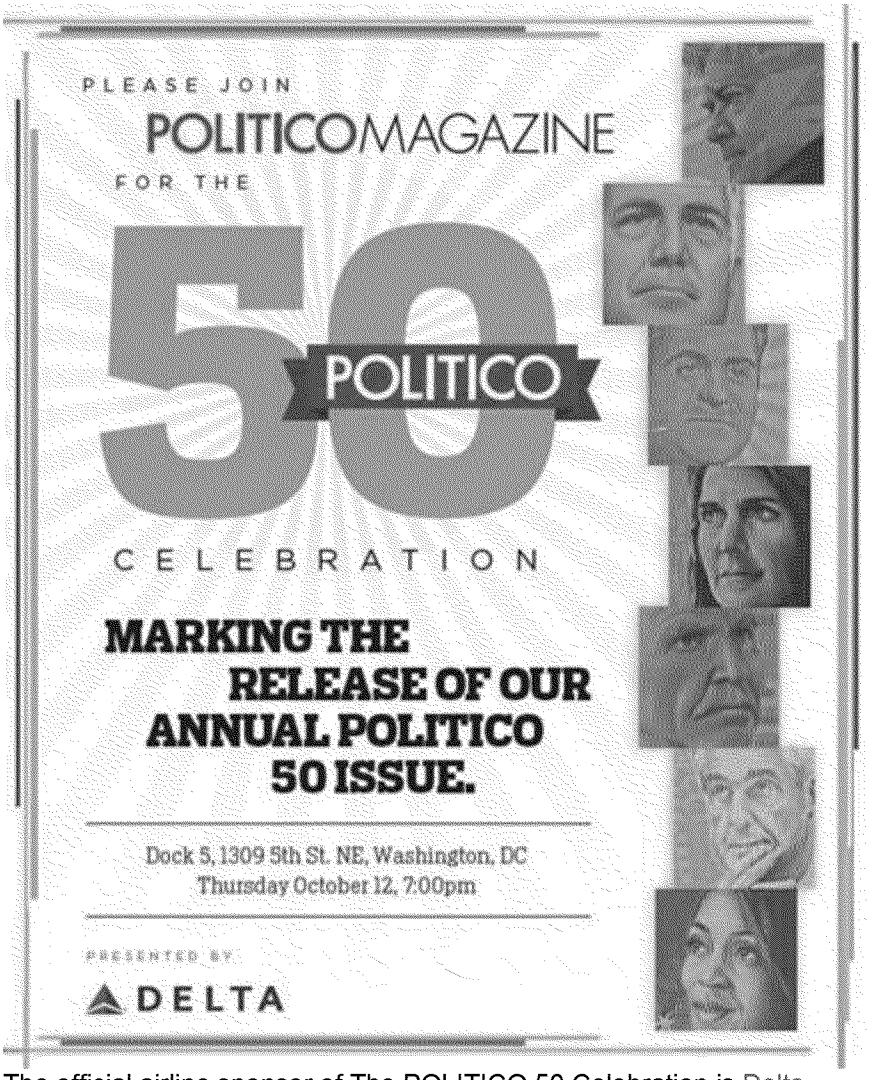
On behalf of POLITICO Magazine, you are invited to this year's POLITICO 50 Celebration, an event to mark the release of The POLITICO 50, our annual list of thinkers, doers and visionaries who are reshaping American politics in 2017 and beyond. Please reply to this email to confirm your attendance.

Look forward to seeing you there.

Best,
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Thur 10/5/2017 5:55:25 PM
Subject: EPA Announces Appointment of Doug Benevento to Region 8 Administrator

CONTACT: press@epa.gov

EPA Appoints Doug Benevento As Region 8 Administrator

WASHINGTON (October 5, 2017) –Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt announced the appointment of Doug Benevento of Colorado to become regional administrator for Region 8. Mr. Benevento will oversee environmental protection efforts in Colorado, Utah, Wyoming, South Dakota, North Dakota and Montana.

Doug Benevento has spent much of his career working to help protect the environment. As executive director for the Colorado Department of Public Health and Environment, he managed the state's environmental and public health programs. He previously served as the Department's director of environmental programs, where he managed the state's air, water, waste, and consumer protection programs. Since 2010, Mr. Benevento has been working on energy and environmental issues in the private sector at Xcel Energy.

"Doug Benevento's personal connection to the Rocky Mountain state and experience working with environmental leaders across the region will greatly benefit the Agency's mission in protecting the environment in Region 8," **said Administrator Pruitt**.

His nomination is receiving high accolades from across the region:

U.S. Senator Cory Gardner: "Doug Benevento is a great choice to serve as EPA Region 8 Administrator and has the requisite experience as the former Executive Director of the Colorado Department of Public Health and Environment. I look forward to working with Doug to make the communities whole in Southwest Colorado that were impacted by the EPA-born Gold King Mine spill, ensuring the expeditious cleanup of Colorado's Superfund sites remain a top priority for the EPA, and protecting Colorado's environment across all four corners of the state."

Colorado Governor John Hickenlooper: "Doug Benevento has an extensive background working on important environmental issues in the State of Colorado. He provided leadership at the Colorado Department of Public Health and Environment under former Governor Bill Owens and as a staffer to former Senator Wayne Allard. I look forward to working with Doug and the rest of EPA to improve the health of Coloradans and protect the natural resources we treasure as we live, work, and play in this beautiful state."

U.S. Congressman Mike Coffman: "I first met Doug Benevento when he worked for Governor Bill Owens and I've been inspired by his dedication to his community and the State of Colorado ever since. I know that he will do an outstanding job for EPA."

U.S. Congressman Scott Tipton: "I'm pleased with Doug Benevento's appointment as Region VIII EPA administrator. His record of service to the State of Colorado is distinguished, both as the former executive director of CDPHE and on the staff of Senator Wayne Allard. More importantly, he understands western issues and will bring that important perspective to the position, both in the Region and in Washington, D.C.; I applaud the appointment."

U.S. Congressman Ken Buck: "I'm excited to see Doug Benevento appointed as EPA Region VIII administrator. Doug's experience and faithfulness to the law and Constitution will benefit EPA and the people he serves. I'm eager to work him to better steward Colorado's land and resources."

Colorado Attorney General Cynthia Coffman: "Doug Benevento was a valued colleague and leader at the Colorado Department of Public Health and Environment. He brings to EPA's Region 8 a public health perspective that is important to all Westerners who care about protecting natural resources and the environment."

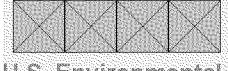
Former U.S. Senator Wayne Allard: "Doug Benevento is an excellent choice for Region VIII EPA Administrator. During my years in Congress I valued Doug's sound and thoughtful guidance on environmental issues. He was particularly helpful to me as we worked towards an early cleanup and closure of Rocky Flats. I was also impressed with his leadership at the Colorado Department of Public Health and Environment during the Owens Administration. I'm confident that in this role he will bring a broad base of knowledge and experience of western issues to EPA."

Former Colorado Governor Bill Owens: "Administrator Pruitt made a sound choice in choosing Doug Benevento to lead EPA Region VIII. During my two terms as Governor he served my administration well at the Colorado Department of Public Health and Environment. He provided effective leadership at a large organization while implementing the policy direction of my administration. More importantly, I've also known Doug as a friend for over 20 years; and EPA is also getting a fine person as well as an effective leader."

Alan Matheson, Utah Department of Environmental Quality Executive Director: "I'm optimistic that Doug Benevento's experience will serve him well in building the collaborative state-EPA partnership needed to protect public health and the environment. Having run Colorado's health and environment agency, Mr. Benevento appreciates the state interest in meeting environmental standards in ways that reflect local conditions, economies, and values. I'm also encouraged that his experience in industry has fostered a practical approach to ensuring environmental compliance."

James Martin, former Region 8 Administrator: "Doug Benevento is a sound choice to lead EPA Region VIII. As a former regional administrator, I understand the challenges of the position and Doug is well suited to take on those challenges. Over the almost 20 years I've known Doug he's brought a thoughtful approach to environmental policy and regulation. This was evidenced during his tenure at CDPHE in the Owens administration. I'm confident he will provide strong and effective leadership at EPA."

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Subject: July 10 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

July 10, 2017 - Number 130

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Summaries

AIR
Energy Conservation Standards/Walk-In Cooler and Walk-In Freezer Refrigeration Systems
AIR

Final rule of the Energy Department, Office of Energy Efficiency and Renewable Energy, establishes energy conservation standards for certain refrigeration systems used in walk-in cooler and walk-in freezer refrigeration systems. The rule establishes standards for medium temperature, indoor and outdoor dedicated condensing systems manufactured on or after June 5, 2017. The rule also establishes standards for low-temperature, indoor and outdoor dedicated condensing systems and low- and medium-temperature unit coolers manufactured on or after July 10, 2020. The rule is effective Sept. 8, 2017. Contact: Ashley Armstrong; DOE, Office of Energy Efficiency and Renewable Energy; 202-586-6590; walkin_coolers_and_walk-in_freezers@ee.doe.gov. Citations: 10 CFR 431.306

82 FR 31808 (07/10/2017)

Regulatory Update

AIR
Indiana SIP/Muncie Area 2008 Lead Standards
AIR

Notice of the EPA announces the withdrawal of a May 30, 2017, direct final rule (82 FR 24553) that would have approved revisions to the Indiana SIP and the redesignation of the Muncie nonattainment area in Delaware County to attainment for the 2008 lead NAAQS. The revisions address the plan for maintaining the 2008 lead NAAQS through 2030 and the 2013 attainment year emissions inventory for the area. The withdrawal is in response to receipt of an adverse comment, and the agency will instead proceed with a final rule based on the related proposed rule (82 FR 24635; 05/30/2017). The withdrawal is effective July 10, 2017. Contact: Anthony Maietta; EPA Region 5, Air Programs Branch; 312-353-8777; maietta.anthony@epa.gov. Citations: 40 CFR 52.770, 52.797, 81.315

82 FR 31722 (07/10/2017)

Regulatory Update

AIR
Kentucky SIP/Louisville Metro Air Pollution Control District
AIR

Proposed rule of the EPA would approve revisions to the Kentucky SIP concerning the Louisville Metro Air Pollution Control District's air quality regulations. The revisions add acronyms and abbreviations for consistency with EPA definitions, update open records procedures to reflect current technology options for delivering submissions, and update public hearing procedures to conform to the Strategic Toxic Air Reduction program. In addition, the revisions update restrictions on open burning and solvent cleaning and modify board member obligations and procedures for board hearings. Finally, the revisions modify the volatile organic compounds emissions reduction strategy and combine two performance standards for solvent metal cleaning equipment. Comments are due Aug. 9, 2017. Contact: Sean Lakeman; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9043; lakeman.sean@epa.gov. Citations: 40 CFR 52

82 FR 31736 (07/10/2017)

Regulatory Update

AIR
Minnesota SIP/Prevention of Significant Deterioration
AIR

Proposed rule of the EPA would approve revisions to the Minnesota SIP that incorporate by reference federal prevention of significant deterioration requirements. The approval will not apply to sources located within Indian country. Comments are due Aug. 9, 2017. Contact: Rachel Rineheart; EPA Region 5, Air Programs Branch; 312-886-7017; rineheart.rachel@epa.gov. Citations: 40 CFR 52

82 FR 31741 (07/10/2017)

Regulatory Update

AIR
North Carolina/Concrete Batch Plant and Portable Crusher Permit Exemptions
AIR

Proposed rule of the EPA would approve revisions to the North Carolina SIP concerning exclusionary rules and permit exemptions. The revisions add exclusionary provisions for concrete batch plants to exclude from Title V permitting requirements facilities that operate below a certain annual production rate. The revisions also add permit exemptions for portable crushers under certain operating criteria and for certain non-Title V construction sources. Comments are due Aug. 9, 2017. Contact: Sean Lakeman; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9043; lakeman.sean@epa.gov. Citations: 40 CFR 52

82 FR 31739 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Alabama/Demopolis Lock and Dam Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of a draft environmental assessment for the Demopolis Lock and Dam Hydroelectric Project at the U.S. Army Corps of Engineers' Demopolis Lock and Dam on the Tombigbee River in Marengo and Sumter counties in Alabama. The project, proposed by Birch Power Co., of Idaho Falls, Idaho, includes construction and operation of an excavated intake channel, two trash racks, a powerhouse containing two 24-megawatt (MW) turbines with a total installed capacity of 48 MW, a substation, a forebay oxygen diffuser line system, an excavated tailrace channel, a retaining wall, a transmission line, and appurtenant facilities. The project has an estimated annual generation of 213,000 MW-hours. The draft EA concludes that constructing and operating the project, with appropriate environmental protection measures, would not constitute a major federal action that would significantly affect the quality of the human environment. Comments are due July 31, 2017. Contact: Adam Peer; FERC; 202-502-8449; adam.peer@ferc.gov

82 FR 31768 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Arthritis Advisory Committee Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Arthritis Advisory Committee to address supplemental new drug application 203214 supplement 17 for Xeljanz (tofacitinib) tablets and 208246 supplement 3 for Xeljanz XR (tofacitinib) extended release tablets submitted by Pfizer Inc., of New York, for treatment of adult patients with active psoriatic arthritis. The meeting will include discussion of the efficacy and safety data and benefit-risk considerations. The meeting is scheduled for Aug. 3, 2017 in Silver Spring, Md. Comments are due Aug. 2, 2017. Contact: Philip Bautista; Center for Drug Evaluation and Research; 301-796-9001; AAC@fda.hhs.gov

82 FR 31781 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Emergency Use Authorization/In Vitro Diagnostics for Detection of Zika Virus
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a correction to a June 30, 2017, notice (82 FR 29886) regarding the issuance of emergency use authorizations for two in vitro diagnostic devices for detection of the Zika virus. The authorizations provide conditions for emergency use of the Gene-RADAR® Zika Virus Test, requested by Nanobiosym Diagnostics Inc., of Cambridge, Mass., and for the LIAISON® XL Zika Capture IgM Assay, requested by DiaSorin Inc., of Stillwater, Minn. The secretary of Health and Human Services previously declared that circumstances exist justifying the authorization of emergency use of in vitro diagnostic devices for detection of the Zika virus

(81 FR 10878; 03/02/2016). The authorization for Gene-RADAR® is effective March 20, 2017, and the authorization for LIAISON® XL is effective April 5, 2017. The correction revises the docket number. Contact: Lisa Granger; FDA, Office of Policy and Planning; 301-796-9115

82 FR 31783 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Maine/Barker's Mill Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of an application for a hydroelectric application from KEI Power Management LLC, of Lewiston, Maine, for a subsequent minor license for the Barker's Mill Hydroelectric Project located on the Little Androscoggin River in Auburn, Maine. The existing project consists of a dam, a reservoir, a 1.5 megawatt generating unit, and an underground power line generating an average of 5,087 megawatt-hours per year. Comments, protests, and motions to intervene are due Aug. 29, 2017. Contact: Karen Sughrue; FERC; 202-502-8556; karen.sughrue@ferc.gov

82 FR 31772 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
South Carolina/Line A Abandonment Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of an environmental assessment for the Line A Abandonment Project proposed by Dominion Carolina Gas Transmission LLC, of Cayce, S.C. The project includes the abandonment of approximately 60 miles of natural gas pipeline in Chester, Kershaw, Lancaster, and York counties in South Carolina. The agency concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment. Comments are due July 31, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 31773 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Texas/Bakersfield Compressor Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a prior notice request by Northern Natural Gas Co., of Omaha, Neb., to install and operate certain natural gas facilities in Peco County, Texas. The project involves a new compressor station, 1.5 miles of 20-inch diameter pipeline, and an interconnect to the discharge side of the Bakersfield compressor station. The project is intended to facilitate transport of 200,000 dekatherms/day of incremental load. The agency plans to complete an environmental assessment or issue a notice of schedule of environmental review by Oct. 10, 2017. Protests and motions to intervene are due Sept. 1, 2017. Contact: FERC; 866-208-

3676; FERCOnlineSupport@ferc.gov

82 FR 31771 (07/10/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Texas/Border Crossing Project
GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of an environmental assessment for the Border Crossing Project, proposed by Valley Crossing Pipeline LLC, of Houston. The project involves the siting, construction, and operation of 1,000 feet of natural gas pipeline that extends into the Gulf of Mexico in Texas state waters to the international boundary between the U.S. and Mexico. The project would connect the Valley Crossing System with the Mexican Marina Pipeline and facilitate the delivery of up to 2.6 billion cubic feet per day of natural gas to Mexico. The agency concluded that approval of the proposed project with appropriate mitigating measures would not constitute a major federal action significantly affecting the quality of the human environment. Comments are due July 31, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 31774 (07/10/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Electronic Logging Device Exemption Request
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the receipt of an application from the Pipe Line Contractors Association for an exemption for pipeline contractor vehicle drivers. The applicant requests an exemption from the installation and driver use requirements for electronic logging devices designed to record driver hours-of-service. The requested exemption is for a period of five years. Comments are due Aug. 9, 2017. Contact: Tom Yager; FMCSA, Office of Carrier, Driver and Vehicle Safety Standards; 614-942-6477; MCPSD@dot.gov

82 FR 31796 (07/10/2017)

Regulatory Update

MINING
Pennsylvania Surface Mining Regulatory Program
MINING

Final rule of the Office of Surface Mining Reclamation and Enforcement approves revisions to the Pennsylvania surface coal mining regulatory program. The revisions provide a current list of alternate bonding system (ABS) legacy sites, a process for moving sites from the list of potential ABS legacy sites to the list of ABS legal sites, and mechanisms for adding sites to the list of ABS legacy sites if bond release was improperly granted. The revisions also establish criteria for mines to be removed from the ABS legacy site list and require the Pennsylvania Department of Environmental Protection to request concurrence from OSMRE when adding or removing sites

from the ABS lists. The rule is effective Aug. 9, 2017. Contact: Ben Owens; OSMRE, Pittsburgh Field Division; 412-937-2827; bowens@osmre.gov. Citations: 30 CFR 938.15

82 FR 31715 (07/10/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Advisory Board on Radiation and Worker Health Meeting
OCCUPATIONAL SAFETY AND HEALTH

Notice of the National Institute for Occupational Safety and Health announces a meeting of the Advisory Board on Radiation and Worker Health to provide program updates concerning NIOSH, Department of Labor, Energy Department, and SEC petitions. The meeting also will include site profile reviews for the Pantex Plant, the Pacific Proving Grounds, the Feed Materials Production Center, and the Nevada Test Site. The meeting is scheduled for Aug. 23-24, 2017, in Santa Fe, N.M., and via conference call. Comments are due Aug. 23, 2017. Contact: Theodore Katz; CDC, National Institute for Occupational Safety and Health; 513-533-6800; dcas@cdc.gov

82 FR 31780 (07/10/2017)

Regulatory Update

PESTICIDES
Pesticide Tolerance/Buprofezin
PESTICIDES

Final rule of the EPA establishes tolerances for residues of the insecticide buprofezin in or on rice grain at 1.5 parts per million. The rule is issued in response to a petition filed by Nichino America Inc., of Wilmington, Del., which proposed a tolerance level of 0.3 ppm. The rule is effective July 10, 2017. Objections and hearing requests are due Sept. 8, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 180.511

82 FR 31722 (07/10/2017)

Regulatory Update

PESTICIDES
Washington State/Lambda-Cyhalothrin Emergency Exemption
PESTICIDES

Notice of the EPA announces the receipt of a request from the Washington State Department of Agriculture for a specific emergency exemption to use the pesticide lambda-cyhalothrin (CAS No. 91465-08-6) on up to 7,000 acres of asparagus to control the European asparagus aphid between June 15 and Oct. 30, 2017. The use is supported by the Interregional Research Project Number 4 program and has been requested in five or more previous years. Comments are due July 25, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 31777 (07/10/2017)

Regulatory Update

RADIATION

Environmental Management Advisory Board/Northern New Mexico

RADIATION

Notice of the Department of Energy announces a meeting of the Environmental Management Site-Specific Advisory Board, Northern New Mexico. The tentative agenda includes an update from federal officers and the executive director, presentations from the New Mexico Environment Department, a presentation on radioactive waste units and measure, and updates from the Los Alamos Field Office. The meeting is scheduled for July 26, 2017, in Santa Fe, N.M. Comments are requested, but a due date is not specified. Contact: Menice Santistevan; DOE, Northern New Mexico Citizens' Advisory Board; 505-995-0393; Menice.Santistevan@em.doe.gov

82 FR 31766 (07/10/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 11/15/2017 1:16:29 PM
Subject: Nov. 15 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

November 15, 2017 - Number 219

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Summaries

AIR
Illinois/Clean Air Act Settlement Agreement
AIR

Notice of the EPA announces a proposed settlement agreement with Veolia ES Technical Solutions LLC regarding a Clean Air Act Title V renewal permit issued Jan. 18, 2017, by the EPA for the Veolia facility in Sauget, Ill. The settlement resolves a petition by Veolia with the Environmental Appeals Board (EAB) challenging the operating permit. The agreement requires Veolia to install activated carbon injection systems on two of its incinerators to control emissions of vapor phase mercury in exchange for the EPA requesting a voluntary remand from the EAB of the renewal permit. If the settlement agreement is finalized, the EPA will issue a draft permit that also includes changes to Veolia's procedures for analyzing hazardous wastes burned in the incinerators. Comments are due Dec. 15, 2017. Contact: John Krallman; EPA, Office of General Counsel; 202-564-0904; krallman.john@epa.gov

82 FR 52901 (11/15/2017)

Regulatory Update

AIR
Washington State/Clean Air Act Consent Decree
AIR

Notice of the Justice Department announces a proposed consent decree in United States v. U.S. Seafoods LLC (Civil Action No. 17-civ-01677), lodged on Nov. 9, 2017, with the U.S. District Court for the Western District of Washington. The consent decree resolves claims for alleged violations of the Clean Air Act regarding refrigeration equipment owned and operated by the defendants on two commercial fishing vessels. The consent decree requires the defendants to pay a civil penalty of $135,000 and to take measures to prevent future violations. Comments are due Dec. 15, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 52942 (11/15/2017)

Regulatory Update

ENDANGERED SPECIES
Double-Crested Cormorant Depredation
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the availability of an environmental assessment and finding of no significant impact for issuance of depredation permits for double-crested cormorants. The EA concerns a proposal to make decisions on depredation permit applications for annual take of up to 51,571 double-crested cormorants in 37 central and eastern states and the District of Columbia. The finding provides for lethal take of cormorants to alleviate damage at or near aquaculture facilities, to protect human health and safety, to protect threatened and endangered species, and to alleviate damage to property. Contact: Ken Richkus; USFWS, Division of Migratory Bird Management; 703-358-1730; Ken_Richkus@fws.gov. Citations: 50 CFR 21.41

82 FR 52936 (11/15/2017)

Regulatory Update

FOOD SAFETY
Genetically Engineered Soybean/Determination of Status
FOOD SAFETY

Notice of the Animal and Plant Health Inspection Service announces the receipt of a petition from Verdeca LLC, of Dover, Del., requesting a determination of nonregulated status for the new plant variety HB4 soybean designated as IND-00410-5, which has been genetically engineered for increased yield. Comments are due Jan. 16, 2018. Contact: John Turner; APHIS, Biotechnology Regulatory Services; 301-851-3954; john.t.turner@aphis.usda.gov. Citations: 7 CFR 340

82 FR 52873 (11/15/2017)

Regulatory Update

FOOD SAFETY
Infant Formula Requirements
FOOD SAFETY

Notice announces the intention of the FDA to seek OMB approval for a continuing information collection request regarding infant formula requirements. The collection addresses requirements for manufacturers to establish and adhere to quality control procedures, to notify the FDA when a batch of infant formula that has left the manufacturers' control may be adulterated or misbranded, and to keep records of distribution. The collection also addresses labeling requirements to provide nutrient information and directions for use. The FDA provides an electronic form that allows manufacturers to submit reports and notifications in a standardized format (FDA 3978). Comments are due Jan. 16, 2018. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov. Citations: 21 CFR 106, 107

82 FR 52927 (11/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
District of Columbia/Smithsonian Institution South Mall Campus Master Plan
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Capital Planning Commission announces the availability of a draft environmental impact statement for the Smithsonian Institution's South Mall Campus Master Plan in Washington, D.C. The plan addresses opportunities over a 20- to 30-year period to preserve and protect buildings and the campus, to improve and expand visitor services and education, to create accessible entrances and connections between the museums and gardens, and to replace aging building systems to better protect collections and reduce the Smithsonian's carbon footprint. Meetings are scheduled for Dec. 11 and 18, 2017, in Washington, D.C. Comments are due Jan. 16, 2018. Contact: Matthew Flis; National Capital Planning Commission; 202-482-7236; matthew.flis@ncpc.gov

82 FR 52943 (11/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
EPA Consent Agreement/ENEL Green Power
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces a proposed final order and proposed consent agreement with ENEL Green Power North America Inc. (EGPNA) for voluntary disclosure of violations of the CWA, CAA, RCRA, and EPCRA. EGPNA, of Andover, Mass., is an electric energy producing company specializing in producing clean energy from renewable sources. The agreement addresses the respondent's failure to prepare and implement spill prevention, control, and countermeasure plans under the CWA and to maintain records or report significant losses of isobutane during routine maintenance during operation under a Class II air quality operating permit in Nevada. The agreement also addresses the respondent's failure to conduct waste accumulation and storage inspections, to maintain universal waste disposal and handling practices for spent fluorescent lamps and tubes, and to maintain waste oil at 60 facilities in various states. In addition, the agreement addresses the respondent's failure to provide emergency planning notifications, to submit material safety data sheets, and to submit emergency and chemical inventory forms under EPCRA. The agreement requires the respondent to pay a civil penalty of $76,997. Comments are due Dec. 15, 2017. Contact: Peter Moore; EPA, Office of Civil Enforcement; 202-564-6014; Moore.peter@epa.gov. Citations: 40 CFR 22 through 370

82 FR 52899 (11/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Marine and Hydrokinetic Applications Forum
GENERAL ENVIRONMENT AND SAFETY

Notice of the Energy Department, Water Power Technologies Office (WPTO), announces a marine and hydrokinetic (MHK) distributed and alternate applications forum. The forum is intended to gather information on potential high-priority alternative markets for MHK technologies and will

bring together representatives from such markets, MHK technology developers and academia, and department and national laboratory staff. The agenda includes presentations and discussions concerning biofuels and aquaculture; potential markets for subsea sensors, autonomous underwater vehicle recharging, and subsea data centers; and desalination of seawater and seawater mineral extraction. The WPTO will produce a report summarizing potential market opportunities after the forum has concluded. The forum is scheduled for Dec. 5-7, 2017, in Washington, D.C. Comments are due Dec. 5, 2017. Contact: Alexsandra Lemke; DOE, Office of Energy Efficiency and Renewable Energy; 720-648-4381; Alexsandra.lemke@EE.DOE.Gov

82 FR 52896 (11/15/2017)

Regulatory Update

MINING
Use and Occupancy under the Mining Laws
MINING

Notice announces the intention of the Bureau of Land Management to seek OMB approval for a revised information collection request regarding use and occupancy of unpatented hardrock mining claims under the mining laws. The collection gathers information from mining claimants in connection with activities for locating a mining claim or mill site. Comments are due Jan. 16, 2018. Contact: Adam Merrill; BLM; 202-912-7044; amerrill@blm.gov

82 FR 52938 (11/15/2017)

Regulatory Update

RADIATION
ACRS Planning and Procedures Subcommittee Meeting
RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Planning and Procedures to discuss proposed ACRS activities and related matters. The meeting is scheduled for Dec. 6, 2017, in Rockville, Md. Comments are due Dec. 6, 2017. Contact: Quynh Nguyen; NRC; 301-415-5844; Quynh.Nguyen@nrc.gov

82 FR 52944 (11/15/2017)

Regulatory Update

RADIATION
Emergency Preparedness for Small Modular Reactors and New Technologies
RADIATION

Notice of the NRC announces the availability of a regulatory basis to support establishing new emergency preparedness requirements for small modular reactors (SMRs) and other new technologies (ONTs), including nonlight-water reactors and medical isotope production facilities. The regulatory basis concludes that there is sufficient justification to develop standards and guidance for emergency preparedness for SMRs and ONTs and that the principle of using a dose-at-distance and consequence-oriented approach to determine the appropriate size of an emergency planning zone can be applied to SMRs and ONTs. Contact: Andrew Carrera; NRC,

Office of New Reactors; 301-415-1078; Andrew.Carrera@nrc.gov. Citations: 10 CFR 50, 52

82 FR 52862 (11/15/2017)

Regulatory Update

RADIATION
NRC Management, Organization, and Procedure
RADIATION

Final rule of the NRC makes nonsubstantive corrections to agency provisions concerning licensing, recordkeeping, and practice and procedure. The rule updates terminology for gender neutrality and corrects references and an address. The rule also inserts inadvertently omitted provisions concerning standard design approvals for certain reactor applicants. The rule is effective Dec. 15, 2017. Contact: Dawn Forder; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-3407; Dawn.Forder@nrc.gov. Citations: 10 CFR 2, 9, 40, 50, 61, 71, 73, 110

82 FR 52823 (11/15/2017)

Regulatory Update

RADIATION
Spent Fuel Dry Storage Systems and Facilities
RADIATION

Notice of the NRC announces the availability of a draft standard review plan for spent fuel dry storage systems and facilities (NUREG-2215). The plan provides guidance to NRC staff on reviewing safety analysis reports for certification of compliance for dry storage systems used at general license facilities and specific licenses for dry storage facilities that are independent spent fuel installations or monitored retrievable storage installations. The document will replace two previous standard review plans (NUREG-1536 and -1567) and various interim staff guidances on the same subjects. Comments are due Jan. 2, 2018. Contact: Jeremy Smith; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-7308; Jeremy.Smith@nrc.gov. Citations: 10 CFR 72

82 FR 52944 (11/15/2017)

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From: POLITICO
Sent: Sat 5/27/2017 1:16:07 PM
Subject: BREAKING NEWS: Trump abstains from G7 declaration on Paris climate accord

TAORMINA, Sicily - President Donald Trump refused to join his counterparts in the G7 Saturday in a pledge to uphold the 195-nation Paris accord on climate change, breaking the unified front of the world's most exclusive geopolitical club.

Trump, posting on Twitter, said he would make a decision on whether the U.S. would remain in the climate change next week, after he returns to Washington. The other six members of the G7 - Canada, France, Germany, Italy, Japan and the U.K. - reaffirmed "strong commitment" to the agreement, which former President Barack Obama signed in 2015.

While the declaration included remarkable language, highlighting that the U.S. stood apart, the other allies expressed some relief that Trump had not outright rejected the accord and said they remained hopeful he would come around to supporting the Paris agreement in the coming days.

Full story: http://www.politico.com/story/2017/05/27/trump-paris-climate-deal-238883

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From: InsideEPA/climate
Sent: Wed 6/7/2017 6:01:16 PM
Subject: Latest News from InsideEPA/climate

June 7, 2017
The latest update from *InsideEPA/climate* – from the editors of InsideEPA.com, delivering daily news, analysis and perspective on the renewed debate over climate change policies.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 7/6/2017 9:59:12 AM
Subject: Morning Energy, presented by ExxonMobil: Energy big focus for Trump in Poland — Proposed RFS has something for everyone — Perry tours West Virginia coal site today

By Anthony Adragna | 07/06/2017 05:56 AM EDT

With help from Sara Stefanini, Anca Gurzu and Eric Wolff

TRUMP'S LNG PITCH: President Donald Trump is in Warsaw, Poland, this morning, where he said in a press conference alongside Polish President Andrzej Duda that the U.S. "stands ready to help Poland and other European nations diversify their energy supplies so that you can never be held hostage to a single supplier, or as we sometimes we call it, a monopoly."

Poland received its first shipment of U.S. LNG last month and Trump said there are "many more coming." Asked when more LNG shipments should be expected to arrive in Poland, the U.S. president said the two nations could sign a contract "within the next 15 minutes." Duda, however, pointed out that the contract won't be signed by the Polish and U.S. presidents, but by companies.

Trump later used a meeting of the 12 countries on the Baltic, Adriatic, and Black Seas to make a pitch for U.S. gas exports, saying the U.S. would be a "faithful and dependable partner" in helping the nations achieve energy security. "We are sitting on massive reserves of energy and we are now an exporter of energy, so whenever you need energy just give us a call," he told the Three Seas Initiative conference.

He took another shot at Russia there, though he never mentioned the country by name. "Let me be very clear about one crucial point: The United States will never use energy to coerce your nations, and we cannot allow others to do so. You don't want to have a monopoly or a monopolistic situation," he said.

Thomas Wright, a senior fellow at the Brookings Institution, writes in POLITICO Agenda the Three Seas meeting is an effort by those nations to figure out how to create the regional infrastructure to reduce their energy dependence on Russia, and that there are hopes for a deal on exports of LNG that could undermine the proposed Nord Stream 2, the controversial German-Russian energy pipeline. Look for Trump to again make the case for U.S. energy dominance and LNG exports during an outdoor speech in Warsaw at about 7:15 a.m. Washington time.

After he finishes up his whirlwind 16 hour-trip to Poland, Trump heads over to Hamburg where he'll meet with German Chancellor Angela Merkel ahead of the two-day G-20 summit that starts Friday. Both leaders held an "extensive" conversation earlier this week on topics including climate change, and Merkel has warned previously that the gathering will "not be easy talks," a not-so-veiled jab at the U.S.

EU reaffirms Paris commitment: The EU will reassure its G-20 partners it "remains steadfastly determined" to implement the Paris Accords and speed up efforts to cut emissions and move

toward green energy, the heads of the European Council and Commission said in a letter to EU heads of state and government Wednesday. For the EU, the Paris deal is a "corner stone" of global efforts to fight climate change and implement the U.N.'s Sustainable Development Goals, and "cannot be renegotiated," Council President Donald Tusk and Commission President Jean-Claude Juncker said. The EU will also support an ambitious joint action plan on climate and energy that was prepared in the run-up to the summit, and welcome further work on green finance and ways to improve resource efficiency.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and the Bagley Group's Jack Bagley was the first of many to identify Columbia as the state capital that shares its name with a NASA space shuttle. For today: Which state capital shares its name with a tunnel underneath the Hudson River, an American luxury automobile brand, and a DC restaurant? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

SOMETHING FOR EVERYONE TO CHEER/WORRY ABOUT RFS PROPOSAL: EPA gave a little bit to everyone when it proposed how much biofuel would go into the nation's fuel system in 2018 on Wednesday. Big RFS backer Iowa Sen. Chuck Grassley called the proposal "a mixed bag" in his statement. Pro's Eric Wolff breaks down who got what.

Ethanol gets...15 billion gallons! All ethanol producers wanted for Independence Day was a continuation of the Obama administration's requirement that 15 billion gallons of ethanol go into the nation's fuel system, and EPA Administrator Scott Pruitt gave it to them. "It's a strong signal to the marketplace, and it reaffirms the commitment the president made on ethanol," Growth Energy's Chris Bliley told ME. Team Ethanol is banking on a major market opening up in China, so a stable domestic market promises to keep it on stable footing.

Oil gets... a 40 million gallon reduction!: Pruitt, a long time ally of the oil industry, made one change since June when the volumes were supposed to go out: Instead of increasing the required volume of advanced biofuels, he decided to cut them by 40 million gallons, reducing the overall amount of biofuel required under the program. Oil interests decided to score that shift (of about four days' worth of gasoline consumption) as a win. "We are pleased the Environmental Protection Agency has, for the first time in the history of the RFS, proposed a reduction in the amount of biofuels that must be used in the U.S.," Chet Thompson, CEO of American Fuel and Petrochemical Manufacturers, said in a statement.

Advanced biofuels get... rocks: Pruitt reduced overall advanced biofuels in 2017, kept advanced biodiesel steady in 2019, and cut by about a quarter the cellulosic ethanol mandate for fuels from agricultural products that have a much smaller carbon footprint. That set off alarm bells for advanced biofuel promoters like Brooke Coleman, who said EPA risked "fumbling the cellulosic ball."

Shadows on the horizon: Eric reports that Pruitt also opened the door to significant changes down the road, launching an analysis for a "reset" of the volumes allowed under the law, asking for comment on imported ethanol and biodiesel, and for an examination of the market for zero percent ethanol.

It's only a proposal: EPA often modifies its proposed volumes when it issues a final rule. Now the agency has until Nov. 30 to take comment and produce a final rule. The clock is ticking.

TAKING THE LONGVIEW: Energy Secretary Rick Perry makes his first official to West Virginia today where he'll tour the 700-megawatt Longview power plant and the National Energy Technology Laboratory in the Morgantown area. But he won't be alone on his tour: West Virginia Sens. Joe Manchin (D) and Shelley Moore Capito (R), as well as Rep. David McKinley (R), are expected to participate as well.

Manchin previewed the visit on West Virginia radio Tuesday. "We will show him a clean power plant and what it can do and why it works so well with the energy mix that we need," he told MetroNews Talkline with Hoppy Kercheval. Manchin added that while the Trump administration has been "very good on energy, trying to find a pathway forward," the U.S. has "got to be careful to find that balance between the environment and economy. You can't throw caution to the wind with either one." (Discussion occurs around 55:30 mark of the recording here).

TWO STATES SUE OVER BLM'S METHANE STAY: The attorneys general of California and New Mexico sued Interior Wednesday over what they said is the "illegal" postponement by BLM earlier in June of certain portions of its methane waste rule. Both states argue the Trump administration violated the Administrative Procedure Act in delaying certain compliance dates associated with the rule indefinitely because the overall regulation had already taken effect in January 2017. The Senate came up short in its bid to block the regulation using the Congressional Review Act back in May.

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ME FIRST — LAWSUIT FILED FOR NOAA RECORDS: Cause of Action Institute, a non-profit that advocates for limited government, is filing a lawsuit this morning seeking NOAA guidance on retention of instant messaging records, as well as specific employee communications during an April New England Fishery Management Council meeting. The group argues the agency has failed to adequately respond to two FOIA requests within statutory deadlines. "NOAA appears to have created an internal messaging platform to hide records from public disclosure," Julie Smith, the group's vice president, said in a statement. "Any directive to make certain communications be considered 'off-the-record' clearly violates transparency laws."

ZINKE'S SCHEDULE RELEASED: Glancing through Interior Secretary Ryan Zinke's calendar shows a bevvy of meetings with fossil fuel industry groups and companies, members of Congress and governors, Pro's Esther Whieldon reports. Among the highlights: a half-hour May 22 meeting with officials from the American Petroleum Institute and sessions with nearly a dozen lawmakers, including Senate Environment and Public Works Chairman John Barrasso (R-Wyo.), House Energy and Commerce Chairman Greg Walden (R-Ore.). Zinke also met with

Oregon Gov. Kate Brown, a Democrat, and Sens. Angus King (I-Maine), Susan Collins (R-Maine) and Catherine Cortez Masto (D-Nev.), among others.

LCV HITS GOP ON MONUMENT REVIEW: The League of Conservation Voters is launching a $75,000 campaign across various media, including Snapchat, Instagram and Facebook, urging Republican Sens. Dean Heller, Jeff Flake, Jim Risch and Mike Crapo to reject efforts to alter national monuments in their states. Samples of the Instagram and Facebook ads here and here.

MAIL CALL! GROUPS URGE CLEAN SPENDING BILLS: A broad coalition of 173 groups, including environmental advocates Oceana, Defenders of Wildlife, Clean Water Action and Union of Concerned Scientists, sent a letter to members of Congress Wednesday urging them to pass spending bills without policy riders. "Contentious poison pill riders are intended to advance the priorities of special interest donors and supporters and should not be included in funding bills," they wrote.

HAPPY BIRTHDAY! The National Renewable Energy Laboratory celebrates its 40th anniversary this week. "Your work shows it's possible to grow our economy and protect natural resources at the same time," Perry tweeted Wednesday. NREL released a list of its accomplishments in honor of the anniversary.

SHOULD I STAY OR SHOULD I GO NOW? New York Magazine published an interesting look from six federal employees, including one from EPA, about how they're handling their duties and whether they've considered leaving in the Trump era. "Kind of surprisingly, nobody has said, 'I can't take it,' and left," the EPA employee involved in research and policy matters said. "I really love my job, and I thought I would just stay. But now that I've started interviewing for stuff, it just feels like, if I don't really sell myself and get out sooner rather than later, I might be stuck." A DOE employee described the situation as "quite depressing" and warned of "hearing about the potential for losing the next generation of scientists and engineers."

EXPLORING CASE STUDIES ON COAL'S DECLINE: The Wilderness Society is out with a report this morning examining four cases studies of what it says are the social and environmental costs of burning publicly owned coal and why it's unlikely the industry can ever recover. The report looks at the Reid Gardner Generating Station in Nevada, the Valley Power Plant in Milwaukee, the J.T. Deely Station in San Antonio, and C.P. Crane Generating Station in Baltimore. "The reduction in demand for coal from plants like these, coupled with cost competitiveness from alternative forms of energy like solar, wind and natural gas, propels an inevitable decline in coal mining on our public lands," it concludes.

MOVERS, SHAKERS: David Asmus has joined Sidley Austin LLP as co-leaders of the firm's energy practice. He's past president of the Association of International Petroleum Negotiators and a past chair of the Institute for Energy Law. Also joining the firm as a partner is Brian Bradshaw. "Their reputations in the energy field globally bring an important added dimension to our energy practice," Kevin Lewis, co-managing partner of Sidley's Houston office, said in a statement.

QUICK HITS

— Democrat Tackles Climate Change Issues, Defying GOP Leadership. Scientific American.

— Millions in environment settlements could be diverted under Christie's stealth veto. NorthJersey.com.

— Oil pipeline developer ends private security in North Dakota. AP.

— Interior chief: New offshore drilling funds should pay for parks. The Hill.

— Two Nations, One Aquifer: 'I am going to be out of water'. Albuquerque Journal.

— 'There is no way back': China seeks to move away from coal as leaders embrace the science of climate change. Seattle Times.

HAPPENING TODAY

9:00 a.m. — "Clean Power in Latin America," Inter-American Dialogue, 1155 15th Street NW, Suite 800

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https://www.politicopro.com/tipsheets/morning-energy/2017/07/energy-large-focus-for-trump-in-poland-023608

Stories from POLITICO Pro

EPA releases text of proposed biofuel volume mandate Back

By Eric Wolff | 07/05/2017 05:04 PM EDT

EPA has published its proposed biofuel volume mandate for 2018 under the Renewable Fuel Standard. You can read it here.

To view online click here.

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EPA proposes trimming advanced biofuel volumes for 2018 Back

By Eric Wolff | 07/05/2017 04:09 PM EDT

EPA today proposed reducing its volume mandate for use of advanced biofuels under the Renewable Fuel Standard next year, but kept the requirements for ethanol at the maximum level set under the law.

The agency put the overall 2018 biofuel volume mandate at 19.24 billion gallons, with 15 billion gallons of that in conventional biofuels, or ethanol, and 4.24 billion gallons in advanced biofuels. That put the reduction in advanced fuels at 40 million barrels from the level set for this year.

"Increased fuel security is an important component of the path toward American energy dominance," EPA Administrator Scott Pruitt said in a statement. "We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace."

The mandate for cellulosic ethanol, which is included in the advanced biofuel figure, was cut to 228 million gallons, down 23 percent from 2017.

Volumes for advanced biodiesel, also an advanced biofuel, were previously set at 2.1 billion gallons for 2018 and would stay at that level in 2019.

An executive summary attached to the Renewable Volume Obligations said the reduction in advanced biofuels was a move to enhance domestic production at the expense of foreign.

Pruitt also reiterated his promise to get the final rule out by Nov. 30.

WHAT'S NEXT: The agency will take public comment and then try to finalize the rule before the Nov. 30 statutory deadline.

To view online click here.

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Pruitt signals new effort to start biofuel rule reset Back

By Eric Wolff | 07/05/2017 04:28 PM EDT

EPA Administrator Scott Pruitt's announcement laying out the proposed 2018 biofuel volumes today appears to foreshadow a forthcoming shakeup of the Renewable Fuel Standard.

In his statement, Pruitt said that EPA will conduct a technical analysis to "inform a future rule"

for a reset. The RFS allows EPA to reset volumes when targets set in statute are missed by 20 percent or more two years in a row, or by 50 percent in one year. While conventional biofuels — mostly corn-based ethanol — have kept pace with EPA demand, advanced biofuels, such as cellulosic ethanol, have not.

"The Clean Air Act requires EPA to reset volume targets when certain conditions are met. We expect those conditions to be met in the near future, so we are conducting technical analysis now, to inform future reset rules," Pruitt said.

The announcement also said the agency will be "assessing higher levels of ethanol free gasoline," although the announcement did not make clear what that entailed. Opponents of the RFS have argued that gasoline blended with ethanol poses a danger to small engines like lawnmowers, snow mobiles and small boat motors.

EPA is also taking comment to "address concerns" that some RFS obligations are met with imported fuel from Brazil, Argentina and Indonesia. The National Biodiesel Board, a trade association for biodiesel producers, has lodged a trade complaint against Argentina and Indonesia.

The agency will also seek to "bolster" cooperation between EPA and the Commodities Futures Trading Commission to help manage transactions in RFS credits. RFS opponents, notably including Trump adviser Carl Icahn, have complained about fraud in the credits market.

To view online click here.

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Senate fails to overturn Obama-era methane rule Back

By Nick Juliano, Darius Dixon and Ben Lefebvre | 05/10/2017 12:12 PM EDT

Republicans' last chance to block an Obama-era energy rule may have just evaporated into thin air.

The Senate on Wednesday unexpectedly failed to advance a filibuster-proof resolution that would have allowed them to prevent the Interior Department from cracking down on the amount of methane oil and gas companies release from their wells and pipelines. Three Republicans — John McCain, Lindsey Graham and Susan Collins — joined all Democrats in blocking the resolution.

Had the vote succeeded, it would have been the 15th time this year that lawmakers deployed the Congressional Review Act to help President Donald Trump erase his predecessor's late-term regulations. The CRA, which had only been used once before this year, gives Congress a short amount of time to block rules completed since about the middle of last year, but that clock runs out on Thursday

The methane resolution narrowly passed the House last February, but John Barrasso, who sponsored the Senate companion, had been unable to round up the votes he needed from his colleagues. It was the only such measure to come to a vote and fail, although Republicans targeted numerous other Obama rules with CRA resolutions that never made it to the floor of either chamber.

For now, the Bureau of Land Management's methane rule remains in place, but Trump has directed his administration to consider repealing it.

"It's disappointing but I'm going to call on the secretary of Interior to withdraw the rule immediately," Barrasso said after the vote.

While Collins and Graham had announced their opposition weeks ago, McCain's vote came as a surprise. Other closely watched GOP moderates, including Jeff Flake (Ariz.) and Dean Heller (Nev.), who are up for reelection next year, backed the resolution. But there was no aisle-crossing from Democrats facing tough races in energy-producing states, such as Heidi Heitkamp and Joe Manchin.

In a statement, McCain said he voted no over concerns that Interior would not be able to rewrite a new version of the rule.

"While I am concerned that the BLM rule may be onerous, passage of the resolution would have prevented the federal government, under any administration, from issuing a rule that is "similar,' according to the plain reading of the Congressional Review Act," he said.

McCain, who labelled methane emissions an "important public health and air quality issue," called on Interior to "revise and improve the BLM methane rule."

John Hoeven, who had been helping whip votes for the measure, said McCain had told Barrasso Tuesday night that he had concerns with the resolution. But Hoeven said they took a chance, hoping that some undecided Democrats would join them in voting for it.

"We had to go because May 11 — that's the last day we could do it. So, we had to go. ... And we had some Ds that were undecided so we thought we might still get it," Hoeven told reporters after the vote.

Tom Carper, the top Democrat on the Environment and Public Works Committee, said he was not completely surprised by McCain's maverick vote.

"I think the Republican leader was looking at that time running out on the ability to bring up the CRAs and decided to roll the dice," Carper said. "I applaud those who saw the issues as we did and voted with us."

The methane rule adjusts how the government collects royalties for oil and gas extracted from public land to prevent drilling companies from wasting excess gas by flaring it off or venting

methane straight into the atmosphere. Environmentalists and other rule supporters say the rule helps limit emissions of a powerful greenhouse gas and ensures taxpayers get a fair return for oil and gas extracted from public lands, though the energy industry argued that collecting the gas increases costs and could impede oil production.

"While it is disappointing that the Senate did not act to correct the rule more quickly, we look forward to working with the administration on policies that continue our commitment to safely produce the energy that Americans rely on, help consumers, create jobs, strengthen our national security, and protect our environment," said Erik Milito, of the American Petroleum Institute.

Democrats were elated at the resolution's failure.

"Today's vote is a win for American taxpayers, a win for public health and a win for our climate," Ed Markey (D-Mass.) said in a statement. "When it comes to natural gas production on public lands, the oil industry should embrace the slogan 'waste not, want not.' These commonsense rules issued by the Obama administration ensure that we can reduce methane emissions that contribute to climate change and ensure that taxpayers receive their fair share for their precious natural resources."

The Sierra Club and other green groups said they had been surprised by McCain's vote though they had been lobbying the Arizona senator as part of its campaign against the CRA in western states.

"We had high hopes on McCain, given his past history of action on climate change," said Lena Moffitt, director of the group's Dirty Fuels campaign. "But he remained mum" on his vote.

The resolution was briefly hung-up this month by requests from corn-state Republicans for help securing an EPA waiver that would benefit sales of higher-blend ethanol in exchange for their support. But John Thune (R-S.D.) said those lawmakers relented after receiving assurances from leadership.

While the result was disappointing for the oil industry, one lobbyist took solace in the diminished likelihood of an ethanol deal taking shape.

"Looks like we won't have to do the [ethanol waiver] circus at EPW after all," said Stephen Brown, with refining company Tesoro.

Rob Portman, (R-Ohio) another longstanding holdout, surprisingly announced his support for the resolution on Monday, after Secretary Ryan Zinke sent him a letter promising to look for ways to limit methane emissions that would not have as large of an economic impact on the industry. But experts said that reassurance rested on shaky ground given the untested nature of the Congressional Review Act's prohibition on re-issuing regulations that are overturned.

First enacted in 1996, the CRA had been used just once before this year, to block a Clinton-era ergonomics rule in the first year of George W. Bush's presidency. The law prevents agencies from writing new rules that are "substantially the same" as those Congress overturns, but courts

have never tested those limits nor weighed in on how to address a conflicting law telling an agency to write a rule Congress has blocked.

While Congress managed to block 14 Obama regulations so far this year, Democrats took solace in the fact that their last attempt came up short.

Carper plans to thank McCain the next time he sees him.

"He and I served in the Vietnam War together — both Navy veterans," Carper said. "When I see him I'll give him a hug. If not that, a salute."

Alex Guillen, Eric Wolff and Esther Whieldon contributed to this report.

To view online click here.

Back

Zinke in May met with fossil industry, lawmakers Back

By Esther Whieldon | 07/05/2017 04:52 PM EDT

Interior Secretary Ryan Zinke in May met with fossil fuel industry groups and companies, members of Congress and governors, among others, according to a copy of his calendar released today.

Zinke on May 22 met for a half an hour in his office with officials from the American Petroleum Institute. Earlier that day, he welcomed representatives of White Stallion Energy Center, a company that in 2013 abandoned efforts to build a 1,200-megawatt, coal-fired power project in Texas. White Stallion Energy also contributed $175,000 toward President Donald Trump's inauguration.

With Trump's encouragement, Zinke has taken steps to promote the fossil-fuel industry including by ending the agency's moratorium on new coal leases on federal lands. The calendar item does not say what topics were discussed at both meetings, nor did it list the names of non-agency attendees.

Zinke in May also met or held calls with nearly a dozen U.S. lawmakers and governors, including Senate Environment and Public Works Chairman **John Barrasso (R-Wyo.), House Energy and Commerce Chairman Greg Walden (R-Ore.). He also met with Oregon Gov. Kate Brown, a Democrat, and Sens. Angus King (I-Maine), Susan Collins (R-Maine) and Catherine Cortez Masto (D-Nev.), among others.**

Zinke met on May 4 with NRA CEO Wayne LaPierre and the gun rights' group's top lobbyist, Chris Cox. Zinke has met with Cox before, including in March, and Zinke spoke in April at the NRA-ILA's leadership forum in Atlanta.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 7/13/2017 6:57:24 PM
Subject: EPA methane rule back on ice as court gives agency time to appeal

By Alex Guillén

07/13/2017 02:52 PM EDT

Key leak requirements under EPA's methane emissions rule for new oil and gas wells are once again on hold after a federal court temporarily granted EPA's plea to reinstate Administrator Scott Pruitt's stay.

A split panel of the D.C. Circuit Court of Appeals on July 3 sided with environmentalists in declaring Pruitt's 90-day stay of key regulatory requirements unlawful. The judges at that time ordered EPA to immediately reinstate the full methane rule, but EPA argued that it should have been given more time to appeal that decision before the requirements went back into effect.

The panel today agreed with EPA on the timing issue, and said it would not order EPA to enforce the methane rule for at least two more weeks. That gives the agency time to mount some kind of appeal, but it is significantly less than the 45 days or more that EPA sought.

"To stay issuance of the mandate for longer would hand the agency, in all practical effect, the very delay in implementation this panel determined to be" unlawful, the court said in its order.

The court has not reversed its earlier decision that Pruitt's stay is unlawful. EPA is now free to seek a rehearing before the three-judge panel or before the full D.C. Circuit, or to "pursue other relief," the court said.

WHAT'S NEXT: EPA has two weeks to decide whether and how to appeal the matter. Meanwhile, EPA is working to establish a two-year stay of the rule that is expected to face its own legal challenge.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/epa-methane-rule-back-on-ice-as-court-gives-agency-time-to-appeal-090499

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Subject: BREAKING NEWS: House passes disaster aid package with debt ceiling increase, stopgap spending

The House cleared a package Friday to provide more than $15 billion in disaster aid for victims of Hurricane Harvey, raise the debt ceiling and fund the government for three months.

President Donald Trump is expected to swiftly sign the bill, which delivered on the fiscal deal he struck with Democrats earlier this week. The House passed the bill 316-90, a day after the Senate passed it, 80-17.

Read more: http://www.politico.com/story/2017/09/08/house-passes-disaster-aid-package-debt-ceiling-increase-stopgap-spending-242486

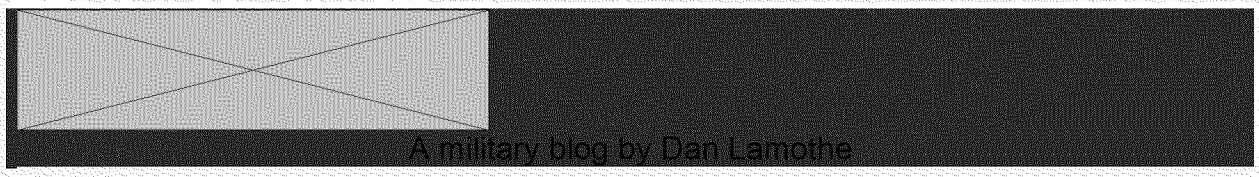
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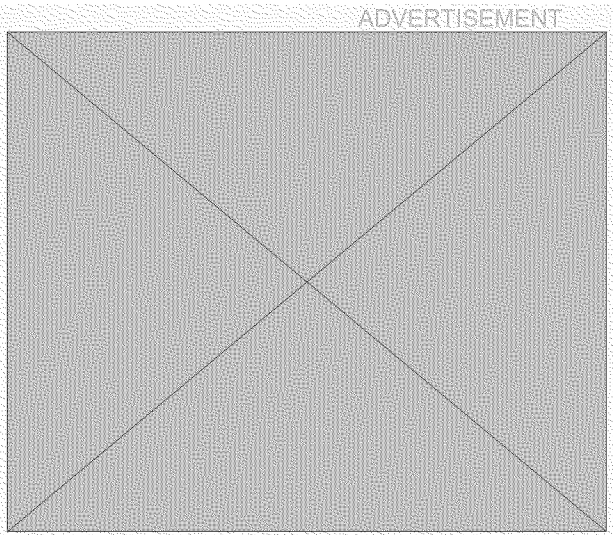
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From: The Washington Post
Sent: Fri 7/14/2017 5:01:11 PM
Subject: [SPAM] Checkpoint: Marine Corps aircraft crashes in Mississippi, killing at least 16, including Special Operations troops



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Multiple impact sites point to midair disaster in Marine Corps plane crash

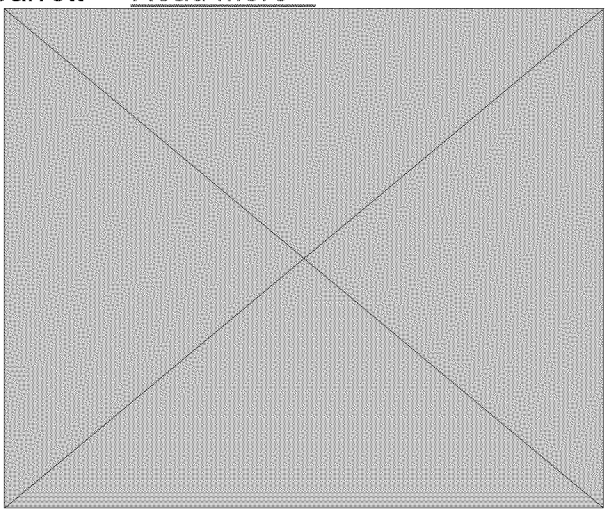
The two crash sites were roughly a mile apart.
By Thomas Gibbons-Neff • Read more »

Two Americans killed battling ISIS in Syria
It brings the number of Americans killed fighting alongside Kurdish forces to roughly a dozen.
By Thomas Gibbons-Neff • Read more »

Marine Corps aircraft crashes in Mississippi, killing at least 16, including Special Operations troops
Elite Marine Raiders were among the service members killed.
By Thomas Gibbons-Neff • Read more »

Soldier in Hawaii arrested in terrorism probe, charged with providing support to Islamic State
Ikaika Kang, 34, "contributed to the purchase of a drone with the intention that it would be provided to, and used by, ISIS during fighting," the charging document says.
By Devlin Barrett • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 11/16/2017 4:17:04 PM
Subject: BREAKING NEWS: Franken apologizes after woman alleges he groped her

A female radio broadcaster said Thursday that Sen. Al Franken groped and kissed her without her consent during a 2006 trip abroad.

Leeann Tweeden, a radio anchor for Los Angeles' KABC, wrote Thursday that Franken's misconduct came while they toured the Middle East to entertain military personnel in 2006. After they returned from the trip, she discovered a picture of the senator groping her as she slept.

In response, Franken said in a statement, "I certainly don't remember the rehearsal for the skit in the same way, but I send my sincerest apologies to Leeann. As to the photo, it was clearly intended to be funny but wasn't. I shouldn't have done it."

Read more: https://www.politico.com/story/2017/11/16/franken-apologizes-after-woman-alleges-he-groped-her-244976

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: EPA Press Office
Sent: Fri 6/9/2017 7:41:13 PM
Subject: EPA's Weekly Round-Up For 06/09/17

EPA's Weekly Round-Up

From discussing how President Trump's decision to leave the Paris Accord puts America First, to announcing brownfield grants and clearing out the chemical backlog it's been a successful week at the EPA.

NATIONAL NEWS …

On ABC's This Week, Pruitt discussed how small businesses across the country are celebrating President Trump's decision to pull out of the Paris accord. "Well, when you look at, even The New York Times had an article, I think, within the last couple of days that talked about small business celebrating, euphoria with respect to the president's decision."

On Fox News Sunday, Pruitt explained how the U.S. is the energy technology leader of the world and that if China and India want to reduce their CO2 footprint, they should follow us. "If China and India want to reduce their CO2 footprint, they should learn from us," Pruitt told Fox News' Chris Wallace."

Administrator Scott Pruitt was on MSNBC's Morning Joe where he said the Paris Accord put our economy at a disadvantage. "When you look at what was agreed to in Paris, it put this country, our country at a disadvantage economically."

Breitbart reports that Pruitt was on SiriusXM radio where he said the Paris Accord would have driven more regulation through litigation. "Regulation through litigation, if you will, which, I think, is an abuse of executive authority, an abuse of the rulemaking process," Pruitt said."

The Huffington Post reports that President Trump's EPA is doing a good job at regulating new chemicals. "The Environmental Protection Agency plans by next month to clear its backlog of hundreds of new chemicals waiting to be deemed safe enough to sell to the public."

- **Additionally, Scientist Richard Denison penned an op-ed for the Environmental Defense Fund saying the EPA has made enormous progress regarding the chemical backlog.** "The Environmental Protection Agency (EPA) yesterday updated its website to provide a current snapshot of the status of new chemical reviews it has been conducting under last year's amendments to the Toxic Substances Control Act (TSCA). The statistics show that, despite being faced immediately with a substantial increase in responsibilities and workload as

a result of the major changes made to TSCA, EPA has made enormous progress in implementing the new requirements."

The Washington Free Beacon reports that the EPA is responding to inquiries from Senate EPW Committee in a timely manner. "The Environmental Protection Agency has responded to half of a Senate oversight committee's information requests, undermining a top Democrat's claim that he is blocking nominees because the agency has not answered his letters."

- **Additionally, the Washington Examiner reports the EPA has been incredibly responsive to inquires received for the Senate EPW Committee.** "Normally, that's a perfectly reasonable way for the Senate to exercise oversight of a stonewalling administrative agency. Except that's not happening. According to EPA records shared with the Washington Examiner, the agency has received 20 letters from Carper, responded to 10 already, and just mailed another Friday."

The Daily Caller reports that the Trump Administration delayed one of the most expensive EPA regulations ever. "The Trump administration announced Tuesday evening it would delay the implementation of a smog rule that's been called one of the costliest clean air regulations ever."

- **Senate Majority Leader Mitch McConnell applauded the EPA's move to delay this rule.** "I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015."

- **Additionally, members of the House Western Caucus praised the EPA for their action.** "When pristine national parks like the Grand Canyon, Yosemite and Rocky Mountain are in danger of being in nonattainment under the proposed Obama standard, there is a serious problem with the numbers," said Chairman Paul Gosar. "I am glad to see common sense finally prevail at the EPA with the announcement that the agency is postponing and reevaluating the job-killing Ozone Rule promulgated by President Obama."

TO THE STATES ...

In Georgia, the Atlanta Journal-Constitution reports that the EPA awards Atlanta with $300,000 for the community-wide brownfield cleanup activity. "The U.S. Environmental Protection Agency recently selected the city of Atlanta to receive a brownfields revolving loan fund grant totaling $300,000. This is in addition to the more than $1.7 million in grant funding for community-wide brownfields assessment activities and cleanup planning that seven communities in Georgia were selected to receive on May 31."

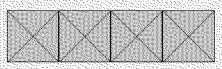
In Indiana, the Greensburg Daily News reports that the EPA has given $475,000 for potential brownfield assessments. "The Southeastern Indiana Regional Planning Commission (SIRPC) will receive a $475,000 grant to investigate environmental conditions at vacant and unused properties with redevelopment potential in the Greensburg industrial commercial district as well as other locations in the state, Environmental Protection Agency (EPA) officials said."

In Texas, the Gilmer Mirror reports that students from Pearland received the President's Environmental Youth Award. *"Teenagers from Pearland, Katy and Houston, Texas, are*

among the national winners of the 2016 U.S. Environmental Protection Agency (EPA) and the White House Council on Environmental Quality's President's Environmental Youth Award (PEYA)."

In Utah, NPR Utah reports that Pruitt is giving flexibility to comply with this regulation from the Obama Administration. "Federal regulators are giving states like Utah another year to sort out their ozone-pollution solutions. The U-S Environmental Protection Agency is extending a deadline for states that are have been poised to write ozone cleanup plans. … EPA's Pruitt said he wants more "flexibility" for communities struggling with ozone, and he's creating a task force to review the ozone limits set during the Obama administration."

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 10/4/2017 5:02:41 PM
Subject: Playbook Power Briefing, presented by Koch Industries: TILLERSON responds to NBC report -- MICK MULVANEY walks back POTUS' comments on bailing out P.R. -- JOHN ALLEN named next president of BROOKINGS

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Today's Playbook Power Briefing presented by Koch Industries

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Good Wednesday afternoon. WALK BACK WEDNESDAY ...

-- REX TILLERSON, after an NBC report that he considered resigning and that he called the president a moron: "The vice president has never had to persuade me to remain as secretary of state because I have never considered leaving this post." When asked if he called the president a "moron," he said "We don't deal with that kind of petty nonsense." ***The NBC report*** http://nbcnews.to/2fQsbmY

-- @realDonaldTrump at 6:25 a.m.: "A great day in Puerto Rico yesterday. While some of the news coverage is Fake, most showed great warmth and friendship." ... **at 7:29 a.m.:** "Wow, so many Fake News stories today. No matter what I do or say, they will not write or speak truth. The Fake News Media is out of control!" ... **at 10:47 a.m.:** "NBC news is #FakeNews and more dishonest than even CNN. They are a disgrace to good reporting. No wonder their news ratings are way down!" ... **at 11:18 a.m.:** "The @NBCNews story has just been totally refuted by Sec. Tillerson and @VP Pence. It is #FakeNews. They should issue an apology to AMERICA!"

-- V.P. MIKE PENCE pushes back, via Jarrod Agen: "The Vice President values the service of the Secretary of State Rex Tillerson and is grateful for his strong affirmation of President Trump's America First foreign policy agenda. The Vice President can also confirm that, as the Secretary of State asserted, at no time did he and the Secretary discuss the prospect of resignation. Any reporting to the contrary is categorically false. In addition, any assertion that the Vice President questioned Ambassador Nikki Haley's value to the Trump Administration is also categorically false. The Vice President has known Ambassador Nikki Haley for many years and holds her in the highest personal and professional regard. The Vice President appreciates her strong contribution and service to the administration at the United Nations."

-- MICK MULVANEY on bailing out Puerto Rico: "I think what you heard the president say is that Puerto Rico is going to have to figure out a way to solve its debt problem. ... We are not going to bail them out. We are not going to pay off those debts. We are not

going to bail out those bond holders." https://bloom.bg/2fQTZI9

-- THAT'S not what Trump said, though.

HMM -- RICHARD HAASS, president of the Council on Foreign Relations (@RichardHaass): "Rex Tillerson has been dealt a bad hand by the Potus & has played it badly. For both reasons he cannot be effective SecState & should resign".

PRESIDENT TRUMP is wheels down in Las Vegas. He will meet with patients, doctors and first responders this afternoon.

TRUMP INC. -- "Ivanka and Donald Trump Jr. Were Close to Being Charged With Felony Fraud: New York prosecutors were preparing a case. Then the D.A. overruled his staff after a visit from a top donor: Trump attorney Marc Kasowitz," by ProPublica's Jesse Eisinger and Justin Elliott and WNYC's Andrea Bernstein and Ilya Marritz: "In the spring of 2012, Donald Trump's two eldest children, Ivanka Trump and Donald Trump Jr., found themselves in a precarious legal position. For two years, prosecutors in the Manhattan District Attorney's office had been building a criminal case against them for misleading prospective buyers of units in the Trump SoHo, a hotel and condo development that was failing to sell. Despite the best efforts of the siblings' defense team, the case had not gone away.

"An indictment seemed like a real possibility. The evidence included emails from the Trumps making clear that they were aware they were using inflated figures about how well the condos were selling to lure buyers. ... On May 16, 2012, Kasowitz visited [Manhattan District Attorney Cyrus Vance Jr's] office at One Hogan Place in downtown Manhattan -- a faded edifice made famous by the television show, 'Law & Order.' Dan Alonso, the chief assistant district attorney, and Adam Kaufmann, the chief of the investigative division, were also at the meeting, but no one from the Major Economic Crimes Bureau attended. Kasowitz did not introduce any new arguments or facts during his session. He simply repeated the arguments that the other defense lawyers had been making for months. Ultimately, Vance overruled his own prosecutors." http://bit.ly/2xgCWqb

SENATE INTELLIGENCE COMMITTEE CHAIR RICHARD BURR and vice chair Mark Warner held a press conference on the committee's Russia investigation. Burr said they "hit a wall" on the infamous Steele dossier because they have not received a response from the author. They said the investigation is ongoing.

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MIDDLE EAST PEACE ALERT -- "Trump to UN Chief: Netanyahu Proving More

Difficult Than Abbas in Peace Efforts," by Haaretz's Barak Ravid: "In a meeting last month with UN Secretary-General Antonio Guterres, U.S. President Donald Trump termed Prime Minister Benjamin Netanyahu the harder side to convince in his efforts to broker an Israeli-Palestinian peace deal, according to seven Western and Israeli sources who were either present at or briefed on the meeting. 'Trump said both leaders are problematic,' said one Western diplomat who was briefed on the meeting. 'But the general context was that from the two of them, Netanyahu is the bigger problem.'

"A senior White House official disputed the account of the meeting, saying, 'This was a short but productive meeting that primarily focused on UN reforms and the great job [U.S. Ambassador to the UN Nikki] Haley has been doing.'" http://bit.ly/2xfoqyR

THE LATEST ON PUERTO RICO -- "Puerto Rico's schools struggle to recover from hurricane destruction," by Mel Leonor: "Among 1,112 public schools, just over 450 are accounted for, which means more than half haven't yet been surveyed as to their condition. Teachers and school administrators in the U.S. territory are struggling to get back on track, following the devastating landfall of Hurricane Maria on Sept. 20. ... In an attempt to kick start the recovery, education officials have asked students near the approximately 22 schools with running water and basic supplies to report back to school on Wednesday for informal classes." ***More for Pros*** http://politico.pro/2fPsePU

NUMBERS TRUMP WON'T LIKE -- "AP-NORC Poll: Low marks for Trump's Puerto Rico response," by the AP's Laurie Kellman and Emily Swanson: "Americans are more likely to disapprove than approve of President Donald Trump's handling of the Puerto Rico hurricane relief effort. According to a poll by the Associated Press-NORC Center for Public Affairs Research, just 32 percent approve of how Trump is handling disaster relief in the U.S. territory, while 49 percent disapprove. ...

"Trump drew better marks for his handling of the recoveries after hurricanes Harvey and Irma. Forty-eight percent of Americans approve and just 27 percent disapprove of Trump's handling of recoveries in U.S. states, including Texas and Florida. The poll was conducted before Trump on Tuesday made his first trip to Puerto Rico, an island 1,000 miles from the mainland, after Hurricane Maria roared ashore Sept. 20 and knocked out all power." http://bit.ly/2xfpu5Z

HOT DOC -- FORMER FLORIDA GOP REP. CLIFF STEARNS, who has been out of Congress since 2012, paid his wife $1,000 in both July and August, and $2,000 in September using campaign funds.

ROBOCALLS -- AMERICAN ACTION NETWORK is launching 1 million robocalls today targeting 45 districts (http://bit.ly/2fKAltG) on tax reform. Their message: the Republican plan will help put money in the middle class's pockets, will bring bring jobs back from overseas and help grow the economy. ***Audio example of the robocall*** http://bit.ly/2wxL418

THINK TANK NEWS -- RETIRED GEN. JOHN ALLEN has been named the next

president of the Brookings Institution. ***Release*** http://brook.gs/2fQU0f2

WHAT ABOUT THE EMAILS? -- "Jared Kushner's personal email re-routed to Trump Organization computers amid public scrutiny," by USA Today's Brad Heath: "President Trump's son-in-law Jared Kushner and daughter Ivanka Trump re-routed their personal email accounts to computers run by the Trump Organization as public scrutiny intensified over their use of private emails to conduct White House business, internet registration records show. The move, made just days after Kushner's use of a personal email account first became public, came shortly after special counsel Robert Mueller asked the White House to turn over records related to his investigation of Russia's interference in the 2016 election and possible collusion with Trump associates." https://usat.ly/2fQG3he

EDUCATION WATCH -- "DeVos Keeps Higher Ed -- and Reporters -- at Arm's Length," by the Chronicle of Higher Education's Adam Harris: "Since being confirmed as education secretary, [Betsy DeVos] has rarely given interviews. But that changes when she gets outside of the Washington, D.C., bubble, where she sits down for local television news, chats with columnists, and appears at gaggles with reporters. Journalists outside of the northeast corridor are 'more balanced and fair,' she told The Detroit News last month.

"She has, on occasion, granted interviews to national outlets -- CBS News, the Associated Press, and Fox News, among them -- but for higher-ed observers looking for details on the daily administration of federal policy, few are to be found. " http://bit.ly/2xha6pW

MEDIAWATCH -- "Rupert Murdoch Is The Media's Unlikely Hero In The War Against Facebook And Google," by BuzzFeed's Steven Perlberg and Mark Di Stefano: "Murdoch and his chief newspaper lieutenant, News Corp CEO Robert Thomson, have taken a central role in the news industry's corporate war against Facebook and Google, technology leviathans that have eaten journalism's business model and forever changed how readers consume information. ...

"Now media executives are sensing blood in the water -- hoping that Facebook and Google's legitimate public relations nightmare might give news outlets more leverage in business negotiations, and that Washington lawmakers and the public at large will come to see tech giants as public utilities that require regulation. As the most well-connected media mogul in Washington, the news industry might need Murdoch now more than ever." http://bzfd.it/2xh6sfC

-- "Los Angeles Times Newsroom, Challenging Tronc, Goes Public With Union Push," by NYT's Sydney Ember http://nyti.ms/2xg4njW

TODAY'S BEYOND THE BELTWAY -- Illinois Republican congressional delegation slams Rauner -- Murphy leads Guadagno by 14 in new N.J. gubernatorial poll http://politi.co/2xfA8cN

AFTERNOON READ -- "They thought they were going to rehab. They ended up in chicken plants," by Reveal's Amy Julia Harris and Shoshana Walter: "Across the country, judges increasingly are sending defendants to rehab instead of prison or jail. These diversion courts have become the bedrock of criminal justice reform, aiming to transform lives and ease overcrowded prisons.

"But in the rush to spare people from prison, some judges are steering defendants into rehabs that are little more than lucrative work camps for private industry, an investigation by Reveal from The Center for Investigative Reporting has found. The programs promise freedom from addiction. Instead, they've turned thousands of men and women into indentured servants." http://bit.ly/2fPtfaG

SPOTTED: John Boehner smoking while crossing Louisiana Ave this morning ... Geraldo Rivera this morning at DCA.

TRANSITIONS -- J. Toscano has started at 76 Words, a Democratic media firm. He spent 20 years at GMMB. ... **Christopher Hill** was appointed chief adviser to the chancellor for global engagement and professor of the practice in diplomacy at the University of Denver. Hill, the former U.S. ambassador to Iraq and South Korea, was previously dean of the university's international studies school. ... **Christian Marrone** has been named senior fellow at GW's Center for Cyber & Homeland Security. He is currently CSRA's senior vice president and chief of staff.

WELCOME TO THE WORLD - Ayesha Rascoe, White House correspondent at Reuters, and **Patrick Trice** on Tuesday evening welcomed Annalise Iman Trice. "She is 6lbs, 14 oz and a total sweetheart. Her father and I are over the moon about our latest addition. She joins a brother and sister at home." ***Pics*** http://politi.co/2yYrv3V ... http://politi.co/2hLprYw

--Miami Beach Mayor **Philip Levine** and **Caro Murciano,** a clothing designer, have welcomed Henry Joel Levine. ***Pic*** http://bit.ly/2yWKwDv

WEEKEND WEDDING -- Sarah Hodgkins, a legislative assistant for Rep. Mario Diaz-Balart (R-Fla.), got married this weekend to **Austin Ankney,** a data scientist for the government. "The ceremony was at Bethany United Methodist Church in Somerset, Pennsylvania and the reception was a good old-fashioned barn party at Horizon View Farms in Rockwood, Pennsylvania. Sarah and her now husband met at Juniata College 2 months before they graduated in 2012." ***Pics*** http://politi.co/2xYRMAW ... http://bit.ly/2hL7Z6J

****** **A message from Koch Industries:** According to the World Health Organization, 633 million people lack access to safe water worldwide. At Koch, we are addressing this global crisis with innovative membrane filtration technologies to help turn surface and wastewater back into clean drinking water. It's already making a difference in places such as São Paulo, Brazil, one of the world's largest cities. This is one of the many

challenges that our more than 70,000 employees across America are working on each day. From water and agriculture, to renewable fuels, energy efficiency and other advancements that help people improve their lives, our team members are encouraged to think like entrepreneurs and challenge the status quo. Here, everyone is encouraged to speak up with ideas to create greater long-term value for society, our customers and businesses, while also reducing waste so more natural resources are available to meet future needs. Go behind the scenes at **ChallengeAccepted.com**. ******

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Subject: Sep. 14 -- EHS State Regulatory Alert

EHS State Regulatory Alert

September 14, 2017 - Number 177

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Illinois

HAZARDOUS MATERIALS TRANSPORTATION
Hazardous Materials Transportation Procedures
Illinois HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Department of Transportation announces the recodification of regulations under 92 IAC 107.1 through 107.601 and Appendix A as 92 IAC 107.1000 through 107.1020 and Appendix A concerning procedures for hazardous material transportation. The rule reorganizes general provisions and enforcement standards and deletes previously repealed provisions concerning exemptions. Contact: IDOT; 217-782-7820

—Illinois Register (09/08/2017)

Regulatory Update

WATER
Combined Sewer Overflow Exception Criteria and First Flush Determination
Illinois WATER

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 375.101 through .404 and Appendix A to eliminate obsolete provisions concerning the combined sewer overflow exemption criteria and first flush determination. Comments are due Oct. 23, 2017. Contact: Sara Terranova; IEPA, Division of Legal Counsel; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/08/2017)

Regulatory Update

WATER
Public Water Supply Loan Program
Illinois WATER

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 664.110 through .1110 and Appendices A and B regarding the Public Water Supply Loan program. The rule deletes provisions concerning federal capitalization grants to reflect that the agency has discontinued distributing loans under the American Recovery and Reinvestment Act. Comments are due Oct. 23, 2017. Contact: Sara Terranova; IEPA; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/08/2017)

Regulatory Update

WATER
Time Limited Water Quality Standards
Illinois WATER

Proposed rule of the Pollution Control Board adopts regulations under 35 IAC 104.500 through .590 regarding time limited water quality standards (TLWQS), a regulatory relief mechanism for adoption of federally approvable water quality standard variances. The rule establishes the applicability and uses of a TLWQS, the different parties to a TLWQS proceeding, and the types of notice and service required for such proceedings. The rule also provides that a TLWQS may be sought for multiple uses and multiple parameters and allows for stay from the effectiveness of a standard from which relief is sought. In addition, the rule establishes provisions concerning petition criteria, agency response, board-established classes and deadlines, substantial compliance assessments, and recommendations and response. Finally, the rule addresses hearings, burden of proof, opinion and order, federal EPA review, coverage, reevaluation, appeal rights, and extensions. Comments are due Oct. 23, 2017. Contact: PCB; 312-814-3620

—Illinois Register (09/08/2017)

Regulatory Update

WATER
Water Pollution Control Loan Program
Illinois WATER

Proposed rule of the Illinois EPA repeals regulations under 35 IAC 369.110 through .1120 and Appendices A and B regarding the Water Pollution Control Loan program. The rule deletes provisions concerning federal capitalization grants to reflect that the agency has discontinued distributing loans under the American Recovery and Reinvestment Act. Comments are due Oct. 23, 2017. Contact: Sara Terranova; IEPA, Division of Legal Counsel; 217-782-5544; sara.terranova@illinois.gov

—Illinois Register (09/08/2017)

Regulatory Update

Montana

WATER

Water Right Permitting
Montana WATER

Proposed rule of the Department of Natural Resources and Conservation amends regulations under ARM 36.12.101 through .1801 (nonconsecutive) and repeals regulations under ARM 37.12.106 to update water rights permitting standards and procedures. The rule adds notice requirements for temporary appropriations of water for emergency fire training and clarifies that no filing fee refunds will be authorized after the department has issued a deficiency letter to applicants. The rule also adds requirements for objections concerning adverse effects to instream flow rights for fish, wildlife, and recreation; clarifies aquifer testing requirements; and adds permit application requirements for projects in sage grouse habitats. In addition, the rule clarifies deficiency letter timelines and outcomes and acceptable surface water measurement data and removes duplicative provisions concerning testing and monitoring. Finally, the rule updates the definition of "combined appropriation" and removes the definition of "municipal use" to conform with judicial decisions. A hearing is scheduled for Oct. 6, 2017, in Helena. Comments are due Oct. 6, 2017. Contact: Millie Heffner; DNRC; 406-444-0581; mheffner@mt.gov

—Montana Administrative Register (09/08/2017)

Regulatory Update

North Carolina

WATER
Waste Not Discharged to Surface Waters/Reclaimed Water
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Environmental Management Commission, amends regulations under 15A NCAC 02T.0101 through 02U.1401 (nonconsecutive); adopts regulations under 15A NCAC 02T.0608, 02T.0807, 02T.0808, 02T.1310, 02U.0118, and 02U.0404; and readopts regulations under 15A NCAC 02T.0109 through 02U.0601 (nonconsecutive) concerning reclaimed water and permitting for certain waste systems that do not discharge to surface waters. The rule establishes requirements for operation and maintenance of single-family residence wastewater irrigation systems and residual management requirements for other nondischarge wastewater systems. The rule also establishes requirements for animal waste residuals management, design criteria for closed-loop water recycling systems, and standards for demonstration of future wastewater treatment capacities. Hearings are scheduled for Oct. 10, 17, and 24, 2017, in Wilmington, Hickory, and Raleigh, respectively. Comments are due Nov. 22, 2017. Contact: DEQ, Division of Water Resources; 919-431-3000

—North Carolina Register (09/15/2017)

Regulatory Update

Virginia

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Quality/Public Participation Procedures
Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Quality amends regulations under 9 VAC 15-11-50 regarding public participation procedures. The rule allows interested persons submitting data, views, and arguments on a regulatory action to be accompanied by and represented by counsel or other representatives. The rule, which is proposed for fast-track processing, is proposed to be effective Nov. 2, 2017. Comments are due Oct. 18, 2017. Contact: Melissa Porterfield; DEQ; 804-698-4238; melissa.porterfield@deq.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Water Control Board/Public Participation Procedures
Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Quality, Water Control Board, amends regulations under 9 VAC 25-11-50 regarding public participation procedures. The rule allows interested persons submitting data, views, and arguments on a regulatory action to be accompanied by and represented by counsel or other representatives. The rule, which is proposed for fast-track processing, is proposed to be effective Nov. 2, 2017. Comments are due Oct. 18, 2017. Contact: Melissa Porterfield; DEQ; 804-698-4238; melissa.porterfield@deq.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Virginia Occupational Safety and Health Program
Virginia OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor and Industry announces a hearing on a Sept. 4, 2017, proposed rule to amend regulations under 16 VAC 25-60-10, -20, -30, -260, -270, and -280 regarding administrative regulations for the Occupational Safety and Health Program. The rule establishes procedures for the application of penalties to state and local government employers for willful, repeat, and failure-to-abate violations as well as serious violations that cause a fatal accident or are classified as "high gravity." The hearing is scheduled for Oct. 26, 2017, in Richmond. Contact: Regina Cobb; DLI; 804-786-0610; regina.cobb@doli.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

RADIATION
Radiation Protection Regulations
Virginia RADIATION

Final rule of the Department of Health, State Board of Health, amends regulations under 12 VAC 5-481-10 through -3770 (nonconsecutive) regarding radiation protection standards. The rule implements amendments to federal standards under 10 CFR from 2015, including reporting requirements for safety events involving special nuclear material. The rule also removes the safeguards information-modified handling designation of the security-related information for large irradiators, manufacturers and distributors, and transport of category 1 quantities of radioactive material. In addition, the rule updates requirements for packaging and transportation of radioactive material based on the International Atomic Energy Agency's 2009 standards for the international transportation of radioactive material. The rule is effective Oct. 18, 2017. Contact: Steve Harrison; Department of Health, Office of Radiological Health; 804-864-8151; steve.harrison@vdh.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

TOXIC SUBSTANCES
Asbestos Licensing Regulations
Virginia TOXIC SUBSTANCES

Notice of the Department of Professional and Occupational Regulation, Board for Asbestos, Lead, and Home Inspectors, announces a correction to a Sept. 4, 2017, proposed rule to amend regulations under 18 VAC 15-20-10 through -459.4 (nonconsecutive) and adopt regulations under 18 VAC 15-20-33.1, -33.2, and -456.1 regarding asbestos licensing. The rule revises the definition of "person" to clarify requirements for entities required to obtain a license for asbestos-related work, revises licensure requirements for asbestos analytical laboratories with multiple locations, updates the asbestos firm entry requirements for consistency with similar standards applicable to firms, and revises the information required for licensure of applicants. The rule also specifies the transferability and validity of certain firm licenses and expands the responsibilities of asbestos project monitors to include changes to air sample reporting requirements. In addition, the rule adds provisions concerning specific entry requirements for asbestos contractors and asbestos analytical laboratories and conduct during onsite analysis. The correction revises a reference to the renewal fee for asbestos analytical laboratory branch offices. Contact: Trisha Henshaw; DPOR, Board for Asbestos, Lead, and Home Inspectors; 804-367-8595; alhi@dpor.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

WATER
Water Quality Standards
Virginia WATER

Proposed rule of the Department of Environmental Quality, Water Control Board, amends regulations under 9 VAC 25-260-140, -155, and -170 regarding water quality standards. The rule updates the ammonia criteria for the protection of freshwater aquatic life, including implementation and impacts to regulated dischargers, and revises the bacteria criteria for human health protection in recreation waters. The rule also updates the cadmium criteria for the protection of freshwater and saltwater aquatic life and updates 94 human health criteria parameters. Comments are due Nov. 17, 2017. Contact: David Whitehurst; DEQ; 804-698-4121; david.whitehurst@deq.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

Wisconsin

OIL AND GAS INDUSTRY
Gas Safety
Wisconsin OIL AND GAS INDUSTRY

Final rule of the Public Service Commission amends regulations under WAC PSC 135.019 to incorporate by reference updated federal pipeline safety standards under 49 CFR 192, 193, and 199 as of Oct. 1, 2017, regarding transportation of natural gas by pipeline, liquefied petroleum gas facilities, and drug and alcohol testing. The rule is scheduled to be effective Oct. 1, 2017. Contact: Thomas Stemrich; PSC; 608-266-2800; Tom.Stemrich@wisconsin.gov

—Wisconsin Administrative Register (09/11/2017)

Regulatory Update

WATER
Runoff Management/Animal Feeding Operations
Wisconsin WATER

Notice of the Department of Natural Resources announces an extension of the comment period for a Sept. 5, 2017, proposed rule to amend regulations under WAC NR 151.015 and adopt regulations under WAC NR 151.075 and 243.143 to establish performance standards for mechanical application of manure by crop and livestock producers to Silurian bedrock cropland and pasture areas. The rule specifies Silurian bedrock maximum liquid manure application rates based on soil depth and texture; requires manure to be applied in conformance with a nutrient management plan; and prohibits application of manure for soils with less than two feet to Silurian bedrock, where application will cause fecal contamination of water in a well, and within certain distances of water systems and groundwater conduits. The rule also requires concentrated animal feeding operations in Silurian bedrock areas to comply with performance standards through their Wisconsin Pollutant Discharge Elimination System permit regardless of any local ordinance and absent cost sharing. In addition, the rule requires nonpermitted farms in Silurian bedrock areas to comply with performance standards in specified circumstances. Comments now are due Oct. 4, 2017. Contact: Mike Gilbertson; DNR; 608-267-7628; mike.gilbertson@wisconsin.gov

—Wisconsin Administrative Register (09/11/2017)

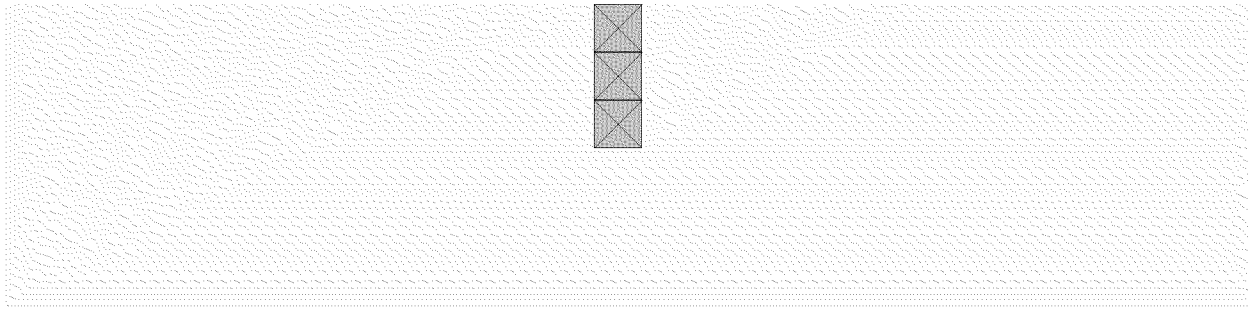
Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Mon 7/10/2017 11:33:55 AM
Subject: AK-47 Bandit Indicted, CA Wildfires, Threats to US Sen, Team Navy, TSA Top 10 Unusual Finds





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 11/15/2017 1:16:11 PM
Subject: Nov. 15 -- EHS State Regulatory Alert



EHS State Regulatory Alert

November 15, 2017 - Number 219

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

California Regions

WATER
Waiver of Waste Discharge Requirements/Disaster-Related Wastes
California Regions WATER

Notice of the North Coast Regional Water Quality Control Board announces a proposed order (R1-2017-0056) concerning conditional waiver of waste discharge requirements for emergency disposal of disaster-related wastes. The waiver also addresses temporary waste piles at regulated and nonregulated facilities, temporary surface impoundments at nonregulated facilities, discharges of diseased mass mortality wastes to emergency landfills, and emergency wastes not from emergency-declared disaster areas. The waiver is intended to facilitate prompt disposal of waste generated during the emergency response and cleanup of federally- or governor-declared disaster areas and local state of emergencies. A hearing is scheduled for Dec. 13, 2017, in Santa Rosa. Comments are due Nov. 27, 2017. Contact: North Coast RWQCB; 707-576-2220

—California RegionsRegulations (11/10/2017)

Regulatory Update

Mississippi

WATER
Primary Drinking Water Regulation
Mississippi WATER

Proposed rule of the Department of Health would amend regulations under Title 15, Part 20, Subpart 72, Chapter 1, Rules 1.1.2, 1.3.1, and 1.5.1, to align primary drinking water requirements to the federal Revised Total Coliform Rule. The rule would revise coliform sampling, analyses, treatment technique triggers, and assessment requirements to update references to federal

standards. The rule also would update the definition of "clean compliance history" and update reporting requirements. A hearing is scheduled for Dec. 11, 2017, in Jackson. Comments are due Dec. 4, 2017. Contact: Mitchell Adcock; DOH; 601-576-7847; madcock@msdh.ms.gov

—Mississippi Regulations (11/13/2017)

Regulatory Update

Rhode Island

GENERAL ENVIRONMENT AND SAFETY
Expedited Permit Process
Rhode Island GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Management repeals regulations regarding the expedited permit process because they are obsolete. The rule is effective July 27, 2017. Contact: Sarah Gousie; DEM, Office of Legal Services; 401-222-6607; sarah.gousie@dem.ri.gov

—Rhode Island Regulations (11/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
RIDEM Uniform Appeal Period
Rhode Island GENERAL ENVIRONMENT AND SAFETY

Direct final rule of the Department of Environmental Management amends various regulations to comply with the statutory uniform appeal period of 20 days for enforcement appeals and 30 days for denial of license or permit. The rule updates provisions concerning requests for adjudicatory hearings, administrative penalties, individual sewage disposal systems, composting and solid waste management facilities, freshwater wetlands, sewage sludge, water quality, and fish and wildlife. The rule is effective July 27, 2017. Contact: Sarah Gousie; DEM, Office of Legal Services; 401-222-6607; sarah.gousie@dem.ri.gov

—Rhode Island Regulations (11/07/2017)

Regulatory Update

Washington

AIR
Puget Sound Clean Air Agency/Public Records
Washington AIR

Final rule of the Puget Sound Clean Air Agency amends Regulation 1, Sections 14.03 through

14.07, regarding the availability of public records. The rule allows the agency to request customized service charges in the amount of actual cost of service used. The rule also clarifies that members of the public may request records orally or through the agency's website. In addition, the rule provides that the agency may request members of the public to prioritize requests if more than one is submitted within a 30-day period and adds requirements concerning response burden estimates. Finally, the rule updates the list of exemptions applicable to public records and fees. The rule is effective Dec. 1, 2017. Contact: Kyle Ponton-Welty; PSCA; 206-689-4040

—Washington State Register (11/15/2017)

Regulatory Update

AIR
Spokane Regional Clean Air Agency/Intimidation of Staff
Washington AIR

Proposed rule of the Spokane Regional Clean Air Agency would adopt regulations under Regulation I, Section 2.15, to allow for the issuance of a notice of violation if agency staff are directly or indirectly assaulted, intimidated, threatened, coerced, harassed, or unlawfully imprisoned. The rule would allow the notices to be issued regardless of any criminal charges or convictions related to the conduct and allow a civil penalty of $5,000 to be assessed for violations. The rule also would add related definitions. A hearing is scheduled for Dec. 7, 2017, in Spokane. Comments are due Dec. 7, 2017. Contact: Margee Chambers; SRCAA; 509-477-4727; publiccomment@spokanecleanair.org

—Washington State Register (11/15/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Citation and Notice Appeals
Washington OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Industries amends regulations under WAC 296-900-17005 to update procedures for appealing a citation and notice for workplace safety and health violations. The rule increases the appeal extension period to up to 45 working days and increases the total reassumption time period to up to 75 working days if all parties agree to the 45-day extension. The rule also allows appeals to be filed electronically. The rule is effective Jan. 1, 2018. Contact: Chris Miller; DLI; 360-902-5516; christopher.miller@lni.wa.gov

—Washington State Register (11/15/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Safety Standards, Permissible Exposure Limits for Airborne Contaminants/Crystalline Silica
Washington OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Industries would amend regulations under WAC296-307-62625 and -841-20025 and adopt regulations under WAC 296-840-095 through -165

regarding air contaminant standards and permissible exposure limits for respirable crystalline silica. The rule would incorporate June 23, 2016, federal amendments to standards under 29 CFR 1910 and 1926 regarding occupational exposure to respirable crystalline silica for construction, general industry, and maritime workers. The amendments establish workplace exposure limits and requirements for exposure control methods, respiratory protection, hazard communication, and medical surveillance. A hearing is scheduled for Dec. 15, 2017, in Tumwater. Comments are due Dec. 22, 2017. Contact: Chris Miller; DLI; 360-902-5090; christopher.miller@lni.wa.gov

—Washington State Register (11/15/2017)

Regulatory Update

RADIATION
Radiation Protection/Air Emissions
Washington RADIATION

Proposed rule of the Department of Health would amend regulations under WAC 246-247-010 through -120 (nonconsecutive) and repeal regulations under WAC 246-247-045 to incorporate national emission standards for hazardous air pollutants for radionuclides under 40 CFR 61, Subparts H and I. The rule also would update agency contact information, make technical corrections, and remove a discontinued national publication. A hearing is scheduled for Dec. 5, 2017, in Tumwater. Comments are due Dec. 5, 2017. Contact: John Martell; DOH; 509-946-3798

—Washington State Register (11/15/2017)

Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Sat 5/27/2017 2:49:53 AM
Subject: BREAKING NEWS: Carter adviser Zbigniew Brzezinski dies at 89

Zbigniew Brzezinski, former national security adviser to President Jimmy Carter, died on Friday, his daughter announced.

Brzezinski was a Polish-born American who served in both the Carter and Lyndon Johnson administrations as a strategic theorist through the Iran hostage crisis and the Cold war. He was 89.

"My father passed away peacefully tonight," Mika Brzezinski, a host of MSNBC's "Morning Joe," announced on Instagram late Friday. "He was known to his friends as Zbig, to his grandchildren as Chief and to his wife as the enduring love of her life."

She added: "I just knew his as the most inspiring, loving and devoted father any girl could ever have."

Read more: http://www.politico.com/story/2017/05/26/zbigniew-brzezinski-dies-238879

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Please click here and follow the steps to unsubscribe.

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro
Sent: Tue 5/23/2017 7:57:00 PM
Subject: EPA sues Fiat Chrysler over emissions cheating allegations

By Alex Guillén

05/23/2017 03:49 PM EDT

The Justice Department and EPA today sued Fiat Chrysler, contending the automaker sold almost 104,000 diesel vehicles equipped with software designed to cheat on emissions testing, threatening the Italian-owned company with billions of dollars in fines.

The agencies first went public with their allegations in January, when Obama-era officials demanded Fiat Chrysler explain whether its "auxiliary emission control devices" were acting as defeat devices on Ram 1500 and Jeep Grand Cherokee models.

Those defeat devices, consisting of at least eight software features that were undisclosed to EPA during the company's certification process, boost performance under real-world driving conditions by increasing nitrogen oxide emissions, according to DOJ.

Fiat Chrysler faces fines of $37,500 to $45,268 per vehicle sold, along with further penalties for each undisclosed software device and for reporting violations, which could add up to billions of dollars.

Fiat last week said it was in talks with the DOJ to settle the allegations, though today's filing does not indicate the parties have reached a deal. DOJ said in a release the talks continued but that timing was unclear.

Fiat on Friday announced it has taken a first step toward getting its 2017 model year diesel vehicles approved by EPA and the California Air Resources Board, and will install updated emissions software in 2014-2016 vehicles.

The Fiat allegations come after Volkswagen settled its own emissions cheating scandal for a record $4.3 billion.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/epa-sues-fiat-chrysler-over-emissions-cheating-allegations-088196

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Wed 6/7/2017 5:58:24 PM
Subject: Playbook Power Briefing, presented by Samsung: COMEY's opening statement for tomorrow -- TRUMP picks CHRISTOPHER WRAY for FBI director -- Rogers, Coats say they never felt pressured -- WHAT BOEHNER said in Old Town last night -- HORNE to Twitter -- TIM...

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by Samsung
06/07/2017 01:54 PM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

BREAKING -- JIM COMEY'S opening statement from tomorrow is up. http://bit.ly/2rMG1bK

PLAYBOOK SCOOP -- GREAT INTRIGUE -- FORMER SPEAKER JOHN BOEHNER was hanging out at CXIII REX, the private cigar bar in Old Town last night, and was riffing on politics. **BOEHNER** said he would "rather be dead than run for the Senate." He also said President Donald Trump would have to "grow ears and listen" for him to go to the White House and serve as chief of staff.

SPOTTED lunching this afternoon: **KELLYANNE CONWAY** and **COREY LEWANDOWSKI** at Bobby Van's on 15th Street, NW.

Good Wednesday afternoon. TRUMP'S PICK FOR FBI -- "Trump taps Christopher Wray to head FBI," by Louis Nelson: "Wray served as an assistant attorney general from 2003 to 2005 during the tenure of former President George W. Bush. He is currently a partner at the law firm King & Spalding, where he chairs its special matters and government investigations practice group.

"At the Justice Department, Wray was the assistant attorney general in charge of the department's criminal division. He was a member of Bush's corporate fraud task force and led the task force charged with investigating the Enron scandal. More recently, Wray acted as New Jersey Gov. Chris Christie's personal attorney during the federal investigation into lane closures on the George Washington Bridge that were put in place by members of Christie's administration as political retribution for a mayor who did not support the governor's reelection campaign." http://politi.co/2sDUQNB ... ***Wray's law firm bio*** http://bit.ly/2s4tT8G

-- Former Obama DOJ spokesman @matthewamiller: "Wray probably the best choice from the WH short list. His record in the Bush DOJ deserves scrutiny, but he's a serious, respectable pick."

GET SMART FAST -- "5 things to know about Trump's FBI pick Christopher Wray," by Josh Gerstein http://politi.co/2sDUXsP

-- NO SENIOR REPUBLICANS OR DEMOCRATS, that we can tell, were given a heads up on this selection. Speaker Paul Ryan said this morning he doesn't know Wray but he seems good. **CHUCK GRASSLEY (R-IOWA)** and **DIANNE FEINSTEIN (D-CALIF.)**, the top two senators on the Senate Judiciary Committee, were not told about Wray's nomination in advance, our colleague Seung Min Kim (**@seungminkim)** tweeted.

TODAY'S HEARING -- ROSENSTEIN, MCCABE, ROGERS AND COATS -- LOTS OF 'WE WON'T DISCUSS THAT' -- Admiral Mike Rogers, director of the National Security Agency: "Today I am not going to talk about theoreticals. I am not going to discuss the specifics of any interactions or conversations that I may or may not have had with the president was United States, but I will make the following comment. In the three-plus years that I have been director of the National Security Agency, to the best of my recollection, I have never been directed to do anything I believe to be illegal, immoral, unethical or inappropriate and to the best of my recollection during that same period of service I do not recall ever feeling pressured to do so."

-- DNI DAN COATS was asked about today's Washington Post story (http://wapo.st/2rTQxjk), which said Trump asked him to intervene with the FBI about its Russia investigation. He said he would not discuss it in open session, but if you read between the lines, it seemed that he might discuss it in the closed session that's happening this afternoon.

JUST ASKING ... Which senator is going to spill the beans on the non-classified info said in the closed session.

-- WORTH NOTING: On several occasions, the witnesses cited the special counsel's investigation as a reason for not being able to answer questions.

-- SEN. JOHN MCCAIN (R-ARIZ.), after being told by Coats he would not discuss the Washington Post story, but might in a closed session: "You know, it is just showing what kind of an Orwellian existence that we live in. It is detailed -- as you know -- from reading the story as to when you met, what you discussed, et cetera et cetera, yet here in a public hearing before the American people we can't talk about what was described in detail in this morning's Washington Post. Do you want to comment on that?" ... Chair **RICHARD BURR (R-N.C.),** closing out the hearing: "At no time should you be in a position where you come to Congress without an answer." ***More key moments from Nolan McCaskill*** http://politi.co/2sT5eAs

****** **A message from Samsung:** Samsung is committed to creating high-skilled jobs, investing in cutting-edge manufacturing and R&D, and forming trusted partnerships nationwide. Samsung's footprint in the U.S. has been growing for nearly 40 years, with 18,500 employees across the country. Our Austin, TX semiconductor facility is one of the single-largest U.S. FDI's. Visit Samsung.com/VisionForTomorrow for more. ******

POTUS IN OHIO -- President Trump avoided mentioning his new pick for FBI director -- or James Comey's testimony tomorrow -- in a speech in Cincinnati. By this president's standards, this was a fairly standard speech. He talked up America's history of great infrastructure projects and said that "the future is going to be beautiful and the future is going to be bright" with his infrastructure plan, while decrying the decay of America's infrastructure. He promoted Saudi Arabia taking the lead in the fight against terrorism and "radical Islam." He also slammed Obamacare, saying it is in a "death spiral" and called Democrats obstructionists.

COMING ATTRACTIONS -- "3 senior FBI officials can vouch for Comey's story about Trump," by Murray Waas in Vox: "One by one this winter, then-FBI Director James B. Comey pulled aside three of the bureau's top officials for private chats. In calm tones, he told each of them about a private Oval Office meeting with President Trump - during which, Comey alleged, the president pressed him to shut down the federal criminal investigation of Trump's then-national security adviser, Michael Flynn.

"Those three officials, according to two people with detailed, firsthand knowledge of the matter, were Jim Rybicki, Comey's chief of staff and senior counselor; James Baker, the FBI's general counsel; and Andrew McCabe, then the bureau's deputy director, and now the acting director, following Trump's firing of Comey last month. Comey spoke to them within two days of his Oval conversation with Trump, the sources said, and recounted the president's comments about the Flynn investigation." http://bit.ly/2sTokXm

THE PIVOT -- @realDonaldTrump at 8:17 a.m.: "Getting ready to leave for Cincinnati, in the GREAT STATE of OHIO, to meet with ObamaCare victims and talk Healthcare & also Infrastructure!"

HOT DOC -- The Office of Government Ethics disclosed Wednesday roughly two dozen ethics waivers given to top executive branch officials. http://bit.ly/2r2Fe9u

THINGS PUTIN SAYS - per Bloomberg's Jake Rudnitsky, Ilya Arkhipov, and Henry Meyer: "While Putin expounds on favorite subjects including U.S. geopolitical overreach, he's also shown staring stone-faced at the classic Cold War doomsday satire Dr. Strangelove. He explained that he never has an off day as president because he's a man. 'I am not a woman, so I don't have bad days,' he tells [Oliver] Stone while giving a tour of the Kremlin's gilded throne room. 'I am not trying to insult anyone. That's just the nature of things. There are certain natural cycles.'" https://bloom.bg/2rKLCPy

NEW POLLS -- "Post-ABC Poll: Most say Trump is interfering with Russia investigations," by WaPo's Scott Clement and Emily Guskin: "A 56 percent majority of U.S. adults say Trump is interfering with such investigations rather than cooperating, while 61 percent say Trump fired Comey to protect himself rather than for the good of the country. Comey also faces serious credibility problems ahead of his highly anticipated Senate testimony Thursday, with 36 percent of Americans saying they trust

what he says about Russia and the election 'a great deal' or 'a good amount,' while 55 percent trust him less or not at all. The poll finds substantial skepticism across party lines, evidence that his role investigating the campaigns of Hillary Clinton and Donald Trump has taken a toll." http://wapo.st/2sDpbfr

-- A new Quinnipiac poll found that 31 percent of American voters say Trump did something illegal in his relationship with Russia, while 29 percent said he did something unethical but not illegal. 32 percent said he did nothing wrong. ***More on climate change and Trump and the media*** http://politi.co/2sEb6OL

BIG BUSINESS -- FORTUNE has released its 63rd edition of the Fortune 500, its annual list of the largest corporations in the U.S. Combined, the companies have a total market value of $19.4 trillion dollars and employ 28.2 million people. Wal-Mart takes the top spot for the fifth year in the row, followed by Berkshire Hathaway, Apple, Exxon Mobil, McKesson, UnitedHealth Group, CVS Health, General Motors, AT&T and Ford. ***The list*** http://for.tn/2s3Xn6W ... ***The cover*** http://bit.ly/2s4eSDX

BIPARTISAN KUMBAYA- "Former VP Joe Biden to headline Mitt Romney summit in Park City," by AP's Steve Peoples: "Just days after launching a new political action committee, former Democratic Vice President Joe Biden will join Republican officials and donors at a weekend retreat hosted by former GOP presidential nominee Mitt Romney. Biden will be interviewed by Romney during a Friday evening event in Park City, at the invitation-only summit, according to a Biden spokesman and participants briefed on the schedule." http://bit.ly/2sCH91E

D.C. MAYOR MURIEL BOWSER SPEAKS -- A big thank you to D.C. Mayor Muriel Bowser for joining us last night at the first Playbook University event at Howard University's IN3 space. Bowser touched on everything from the honoring the Paris climate deal to her message to Trump and Congress to leave D.C. alone. And, the **HOT TOPIC** for many of our readers -- yes, she addressed the D.C. rat problem. ***Videos -- Paris*** http://politi.co/2rB3lLa ... ***Her message to Trump, Congress*** http://politi.co/2sSYJh6 ... ***And on D.C. rats*** http://politi.co/2sDEZia **... *The full event*** http://politi.co/2s4uxTZ

IN THE ROOM WHERE IT HAPPENS -- "A Look Inside the Senate Hearing Room Where James Comey Will Testify Thursday," by NBC4 Washington's Scott MacFarlane and Andrea Swalec http://bit.ly/2sDzT5w

BRAD PARSCALE PROFILE - "Donald Trump's Michael Bay," by BuzzFeed's Henry J. Gomez: "Brad Parscale isn't a mysterious strategist like Steve Bannon. He doesn't live on TV like Kellyanne Conway. He's not even all that into politics. But the digital marketing specialist's loyalty to Donald Trump, his children, and his brand earned Parscale a central role in a winning White House campaign. How far will loyalty lead him?" http://bzfd.it/2qVYktG

TIM MILLER HEADS WEST - "Republican political operatives want to sell the dark

arts of opposition research to tech companies," by Recode's Tony Romm: "The newest startup setting up shop in the Bay Area is Definers Public Affairs, a Washington, D.C.-based outfit that seeks to apply the dark science of political opposition research to the business world. ... To the GOP-led political venture, Silicon Valley is a natural target for their so-called 'oppo' efforts. The tech industry is characteristically hyper-competitive, with boardroom squabbles, takeover attempts, and legal wars over employees and patents and regulations. ... [T]he firm's new Oakland-based operative [is] Tim Miller, who previously served as communications director to GOP presidential contender Jeb Bush." http://bit.ly/2r2DzAG

TODAY'S BEYOND THE BELTWAY -- Cuomo rallies with Pelosi -- AFL-CIO endorses J.B. Pritzker in Illinois gubernatorial race http://politi.co/2s4s0J9

MEDIAWATCH -- "Why Breitbart Fired an Editor for a Tweet," by The Atlantic's Rosie Gray: Katie "McHugh's termination primarily reflects the site's change in leadership. The fact that under [Alex] Marlow, the site has to some extent bowed to public pressure, further underscores Bannon's absence at the helm." http://theatln.tc/2sEcP6G

ON THE HILL -- "Inside the heaving, jostling Capitol media mob: 'We are one tripped senator away' from disaster," by WaPo's Elise Viebeck and Ben Terris: "Once thought to be going the way of the dodo bird or zeppelin repairman, journalists of the Trump era are crowding legislative hallways at such a startling density that the endangered species is starting to seem like ... an invasive one. ... While events like the Comey hearing naturally limit the number of reporters present - only so many people can actually fit into the room - the Capitol itself does not. Anyone with an active press credential can roam the grounds and the building. To a visiting White House reporter, the recent typical day on Capitol Hill might seem like anarchy." http://wapo.st/2sT0uL5

-- @pkcapitol: "So it begins. They're setting up corrals to pen in reporters in Senate basement. We did this to ourselves & deserve this treatment." http://bit.ly/2sTqUwi

TRANSITIONS -- FIRST IN PLAYBOOK -- EMILY HORNE is joining Twitter as its global policy communications director. She is going to be the top spokesperson on topics like data, privacy and advocacy initiatives. She'll be based in D.C. Horne (@emilyjhorne) was the assistant press secretary and director for strategic communications at the National Security Council. She's a State Department alumna, and worked for Gen. John Allen. Emily is a GW alum.

WELCOME TO THE WORLD - Alexa Marrero, director of operations for corporate comms at Boeing and alum of the House Energy and Commerce Committee and House Education and Labor committees, and **Miguel Marrero,** director of technology development for REM-Fit, email friends and colleagues: "José Callin (Cal) Marrero arrived at 10:29 [Tuesday] morning, clocking in at 22 inches and 10 lb. 3 oz. He spent his first day at NorthShore Evanston hospital winning top honors for best hair and entertaining NFL scouts. He is an aviation and tech enthusiast like his father with a type

A, schedule-driven personality like his mother. We are thrilled to welcome this big little man, named for his father and both his grandfathers, to the world." ***Pics*** http://bit.ly/2r1wb8F ... http://bit.ly/2r5aZKb

OUT AND ABOUT -- From Jewish Insider: "American Friends of Lubavitch (Chabad), led by Rabbi Levi Shemtov, held their annual Lamplighter Awards dinner at the Andrew W. Mellon Auditorium in DC. Honorees included House Speaker Paul Ryan, World Bank CEO Kristalina Georgieva, and former DC Mayor Anthony Williams. One notable bipartisan highlight of the evening featured Democratic Whip Steny Hoyer introducing Speaker Ryan. Hoyer thanked Ryan for his service and leadership to the country and noted that both he and the Speaker are 'institutionalists' who respect the traditions and decorum of the Congress. Ryan returned the compliment explaining that 'among both Republicans and Democrats, Steny Hoyer's word is gold.' Israeli Ambassador Ron Dermer also delivered remarks focusing on the change in US policy towards Iran and at the UN."

SPOTTED: UAE Ambassador Yousef al-Otaiba, Veterans Affairs Secretary David Shulkin, Sen. James Lankford (R-Okla.), Reps. Jan Schakowsky (D-Ill.), Debbie Wasserman Schultz (D-FL), Josh Gottheimer (D-NJ), and David Kustoff (R-Tenn.), Rhoda Dermer, Howard Friedman, Dov Zakheim, Nancy Jacobson, Lisa and Charlie Spies, Tevi and Kami Troy, William Daroff, Steve Rabinowitz, Aaron Keyak, Dan Glickman, Bill Knapp, Azerbaijan's Ambassador Elin Suleymanov, Bulgarian Ambassador Tihomir Stoytchev.

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Subject: [SPAM] June 6 -- Energy and Climate Report - Afternoon Briefing



Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Senate Panel Advances FERC, Interior, Energy Nominees

Posted June 06, 2017, 12:39 P.M. ET

By Alan Kovski

A Senate committee voted June 6 to advance two nominations for the Federal Energy Regulatory Commission, a step toward restoring the quorum the commission needs to make basic decisions on electric grid regulation, natural gas pipeline projects and more.

The votes of the Senate Energy and Natural Resources Committee for Neil Chatterjee and Robert Powelson to be FERC commissioners were by identical lopsided margins of 20-3, possibly reflecting the commission's relatively unpoliticized nature.

The committee also voted 14-9 to support the nomination of David Bernhardt to be deputy secretary of the Interior Department and 17-6 for Dan Brouillette to be a deputy secretary of energy.

Welcoming the FERC nomination votes, Don Santa, president of the Interstate Natural Gas Association of America, said in a statement, "We estimate that about $14 billion in private capital—ready to be deployed on energy infrastructure projects—is being held on the sidelines while FERC lacks a quorum and cannot act on major projects."

Votes by the full Senate have not yet been scheduled for the nominees.

Cantwell Opposes Bernhardt

Sen. Maria Cantwell (D-Wash.), ranking member of the committee, opposed Bernhardt out of concern for what she called the risk, or at least the appearance, of conflicts of interest because of his work as an attorney for energy, water and mining companies.

He has represented energy companies including Noble Energy Inc., Cobalt International Energy Inc., NRG Energy Inc. and Sempra Energy (parent of San Diego Gas & Electric utility and Southern California Gas Co.), among others. Their work intersects Interior regulation in various ways, such as when Noble Energy or Cobalt seek to produce oil and gas in the Interior-regulated federal offshore.

Cantwell criticized him for having helped sue the Interior Department on behalf of clients, including the Westlands Water District, a large water distribution district that relies on contractual water

supplies controlled by the Bureau of Reclamation, an Interior agency.

Bernhardt has promised to avoid participation in decisions affecting former clients for two years, Cantwell said, but she took the position that the revolving door of government and private-sector employment made the two-year restraint inadequate.

Cantwell also reminded listeners that Bernhardt had been Interior counselor during the administration of President George W. Bush, during which controversies emerged over staff misbehavior and a political appointee tampering with the wording of scientific assessments.

"I know there is no evidence Mr. Bernhardt personally participated in these activities," Cantwell added.

Murkowski Likes Four, Seeks More

Sen. Lisa Murkowski (R-Alaska), chairman of the committee, had brief words of praise for all of the nominees. She and Cantwell were the only senators who spoke at the hearing.

"I believe all four of these nominees are capable, competent, and well-qualified for the roles that they have been selected for," Murkowski said.

She was critical of the slow pace of nominations from the Trump administration, however. "I don't think that's an acceptable pace," she told reporters after the votes.

Chatterjee, a long-time energy staffer for Senate Majority Leader Mitch McConnell (R-Ky.), and Powelson, the president of the National Association of Regulatory Utility Commissioners and a member of the Pennsylvania Public Utility Commission, were nominated for FERC terms expiring in 2021 and 2020, respectively.

Brouillette is senior vice president of the United States Automobile Association, an organization providing financial services to military personnel, veterans, and their families. Before that he was a vice president of Ford Motor Co. He served in the Energy Department in the George W. Bush administration as an assistant secretary of energy for congressional and intergovernmental affairs from 2001 to 2003.

He previously worked in Congress for the House Energy and Commerce Committee and for lobbying firms, including FleishmanHillard Inc. His clients at that firm included Entergy Corp., Allegheny Energy Inc. and Peabody Energy Corp., according to OpenSecrets.org, a project of the Center for Responsive Politics that tracks money in politics.

Paris Climate Deal Needs New Rules and Clarity, Scientists Say

Posted June 06, 2017, 11:33 A.M. ET

By Jonathan Tirone

The Paris climate accord needs to be strengthened through new negotiations and national commitments to transparency, scientists argued in a report.

Uncertainty about the pledges made by almost 200 countries in the landmark climate deal means the world could fail to mitigate runaway global warming, according to the report by six scientists

published June 6 in the journal Nature Communication.

"In many cases the actions described in these pledges are ambiguous or imprecise," wrote Joeri Rojelj, the lead author of the paper titled "Understanding the Origin of Paris Agreement Emission Uncertainties." The scientists urged countries to implement a "robust process that keeps track of where emissions are heading."

While President Donald Trump expressed willingness to negotiate a new version of Paris the agreement, the steps urged in the study are unlikely to gain traction in Washington. Trump derided the agreement's framework of voluntary emission cuts as being unfair to American workers. The scientific study wants the accord strengthened by imposing even more accountability.

To keep temperature rises well below 2 degrees Celsius (3.6 degrees Fahrenheit), the scientists argue that countries need to streamline and remove uncertainties from pledges called "nationally determined contributions."

"Some pledges focus on improving 'emissions intensity,' meaning reducing the emissions per dollar of economic output, but assumptions about socioeconomic growth are often implicit or unknown," said Rojelj, who advises the United Nations and researches at the International Institute for Applies Systems Analysis outside of Vienna.

"Other countries focus on absolute emissions reductions, which are simpler to understand, or propose renewable energy targets, which can be expressed in different ways," he said. "Questions also remain about how much land-use-related climate mitigation will contribute, such as reducing deforestation or preserving forests."

Countries will need to improve their reporting by 2030 or risk having to increase emission reduction targets by factors of four to 25 thereafter, according to the report.

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Google, Facebook Join Cities in Challenging Trump on Climate

Posted June 06, 2017, 8:40 A.M. ET

By Joe Ryan

Alphabet Inc.'s Google, Microsoft Corp. and Facebook Inc. are among dozens of companies that pledged their support for policies combating climate change following President Donald Trump's decision to withdraw from the Paris accord.

The "We Are Still In" coalition also features nine states, including California and New York, scores of universities, and leaders of 125 cities from Los Angeles to Chicago, according to a statement released June 5.

The initiative is an attempt to coordinate the widespread backlash to Trump's withdrawal from the landmark environmental agreement. Many of the companies and politicians who signed up have been advocating for months for the U.S. to uphold its climate change commitments. The statement is intended to demonstrate to other nations that U.S. businesses and local governments remain on board, no matter what the president does.

"We remain steadfastly committed to the sustainability, carbon and energy goals that we have set as a company and to the Paris Agreement's ultimate success," Microsoft President Brad Smith said in the statement.

UN Letter

Former New York City Mayor Mike Bloomberg, founder and majority owner of Bloomberg LP, the parent company of Bloomberg BNA, submitted a letter June 5 to UN Secretary General Antonio Guterres, expressing support for the Paris accord on behalf of the group. Bloomberg also plans to work with cities, states and businesses to set a collective emissions-cutting goal to submit to the UN as "America's Pledge" under the Paris accord.

Trump, who has called climate change a "hoax," campaigned on the pledge to exit the 2015 pact, saying it damaged America's economic competitiveness. Last week, he announced his intention to withdraw, saying the deal favors other nations at the expense of American workers.

In response, the governors of New York, California and Washington state announced plans to form a coalition to fight global warming and more have since signed up. Dozens of mayors from cities including Boston, Seattle and Cleveland vowed to do the same.

The Paris accord is broader than any previous climate agreement. It calls for nations to voluntarily reduce carbon dioxide emissions in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the Industrial Revolution.

—With assistance from Dave Merrill.

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California Biodiesel Credits on Hold as Court Orders New Analysis

Posted June 06, 2017, 7:01 A.M. ET

By Carolyn Whetzel

Biodiesel producers are going to have to wait a little longer to get more California credits under the state's low-carbon fuel standard.

That's because California's analysis of biodiesel-related emissions associated with the fuel standard still falls short, leaving the state in violation of its environmental review law, a state appellate court ruled, ordering a redo of the analysis—again.

But, companies can still get federal credits for selling their fuel in California, an environmental attorney said.

The decision comes in a lawsuit challenging the California Air Resources Board's 2015 effort to correct the same flaw the state's Fifth Appellate District found in 2013.

CARB's re-adoption and revisions to the low-carbon fuel standard "did not cure" the California Environmental Quality Act violation it was ordered to correct the first time, the court said. The California Superior Court shouldn't have "discharged the writ of mandate," the May 30 majority opinion said.

The May 30 ruling means the biodiesel portion of the low-carbon fuel standard is blocked until CARB does the nitrogen oxide analysis again, David Pettit, a Natural Resources Defense Council attorney and intervenor in the case, told Bloomberg BNA June 5 (POET LLC v. CARB, Cal. Ct. App., F073340, 5/30/17).

The court wants CARB to look at the nitrogen oxide emissions since 2009, and identify how much of the increase in emissions is due to the low-carbon fuel standard and then attributable to the federal biodiesel incentives, Pettit said.

"That means California credits for biodiesel are on ice until then," Pettit said.

POET LLC, a South Dakota corn ethanol producer, filed the lawsuits challenging the initial fuel standard and the 2015 replacement regulation.

"This decision will require regulators to sit down, take a look at the science and finally get this right so there is a full range of renewable options available to California drivers who care deeply about their health and their climate," the company said in a prepared statement.

CARB didn't respond to Bloomberg BNA's request for comment on the court order.

NuScale CEO: Energy Department Must Keep Funding Small Reactor

Posted June 06, 2017, 11:32 A.M. ET

By Rebecca Kern

The Energy Department must keep its public-private funding commitment to NuScale Power LLC, which is developing the country's first small modular nuclear reactor, the company's CEO said June 6.

"We need our government on our side to finish what we started in 2013 with the SMR licensing and technical support program award," NuScale CEO John Hopkins said at the U.S. Nuclear Infrastructure Council's Global Nuclear Energy Markets summit in Washington.

But the Trump administration's fiscal year 2018 budget proposal doesn't include any Energy Department funding to research small modular reactors or advanced nuclear reactors.

NuScale's small light-water nuclear technology is under review at the Nuclear Regulatory Commission. The company received a $217 million funding award from the Energy Department in 2013, which will last until fiscal year 2017. Fluor Corp., which bought NuScale in 2011, has invested approximately $400 million to date in the technology.

"So I need to figure out how to get through 2018," Hopkins said. "This is a public-private partnership. We've got to keep things moving forward."

"As long as the business model continues to stay, I just met with the Fluor board, and they're willing to invest," but we need the government to stay behind it as well, he said.

NuScale submitted its design certification application to the NRC in January, and expects an approximately 3.5-year review. The company aims for its first reactor to licensed and operational in

2025-2026 at the Idaho National Lab, Hopkins said.

NuScale's small, 50-megawatt reactors can be scaled up to 12 reactors generating up to 600 megawatts of electricity. The company says they will be quicker to build and potentially less costly than traditional large-scale nuclear reactors now on the market.

Hopkins said Energy Secretary Rick Perry told him in a recent meeting that he supported the technology.

David Vitter Tackles Energy Issues at New Orleans Law Firm

Posted June 06, 2017, 11:30 A.M. ET

By Rachel Leven

Former Sen. David Vitter (R-La.) has joined Butler Snow LLP to work on energy issues, the law firm announced June 6.

Vitter, who served as ranking member of the Senate Environment and Public Works Committee from 2013 to 2015, will practice law in the firm's New Orleans office. He will also keep his job as co-chairman of Mercury Public Affairs, where he is registered to lobby the Trump administration on behalf of the American Chemistry Council and others.

"David has a long and successful track record as a legislator and political leader," Donald Clark, Jr., chairman of Butler Snow, said in a statement. "His significant experience, especially in helping lead major public policy and economic development initiatives, makes him a really valuable addition to Butler Snow in Louisiana."

Vitter left the Senate following a failed run to be Louisiana's governor. He served in the House from 1999 to 2005 and Senate from 2005 to 2017, and is known for his leading role in helping pass legislation including a landmark chemical law—the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Pub. L. No. 114-182)—and for holding up then-President Barack Obama's nominee to be EPA administrator, Gina McCarthy, for more than 100 days due to transparency concerns.

Historic California Gas Leak Spurs Boom in Big Batteries

Posted June 06, 2017, 9:13 A.M. ET

By Joe Ryan

Installations of large-scale energy-storage systems surged to record levels during the first quarter as power companies and state officials pushed to better incorporate electricity from wind and solar farms.

U.S. homes and businesses—mostly utilities—installed storage systems with 234 megawatt-hours of capacity during January, February and March—more than 50 times the amount installed a year earlier, according to a study released Tuesday by GTM Research and the Energy Storage Association.

The lion share of installations were in Arizona, Hawaii and California. A key driver in the Golden

State was the continued closure of the Aliso Canyon gas field—site of the biggest leak in U.S. history—which prompted Sempra Energy's San Diego Gas & Electric Co. and Edison International's Southern California Edison to installed powerful batteries to make up for anticipated electricity shortfalls. Despite the robust start, storage installations appear to have already their high-water mark for the year, Ravi Manghani, GTM Research's director of energy storage, said in a statement.

"The industry shouldn't get too comfortable," Manghani said. "There aren't that many 10+ megawatt-hour projects in the 2017 pipeline, indicating that the first quarter may be the largest quarter this year."

Leading States

California, which has a goal to install 1.3 gigawatts worth of batteries by 2020, remains the national leader in energy storage, with 238 megawatts installed. It's followed by Arizona, Hawaii, Massachusetts, New York and Texas.

Nearly all the systems installed in the last year used lithium ion batteries, according to GTM. The study didn't include pumped-storage hydroelectricity systems, which draw water to hilltop reservoirs and then release it later to power electric generators.

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U.K. Election Results, Emissions Plan Are Up in the Air

Posted June 06, 2017, 02:55 P.M. ET

By Ali Qassim

The only thing certain about the U.K.'s general election this week is nobody's sure what's going to happen.

Will the June 8 election put a party in power that will nimbly plot the nation's path on major issues, including climate change, or will voters once again surprise London oddsmakers and go a different route?

It wasn't so long ago that things were on course. Less than a week after the U.K. shocked the world and voted to leave the European Union last June, the government approved the Fifth Carbon Budget, legally restricting the total amount of greenhouse gases the country can emit.

But Brexit also sparked the resignation of Prime Minister David Cameron, leaving in charge a new government headed by Theresa May that came under fire for disbanding the Department of Energy and Climate Change, appointing an energy minister who questioned the reality of climate change, and failing to decide on a plan to cap the country's escalating emissions.

The new Conservative government's initial promise to produce a nationwide plan to cut greenhouse gas emissions by the end of 2016 was pushed to March 2017, then April. May took everyone by surprise that month and called a snap general election—three years ahead of schedule.

The government that's formed after the U.K.'s June 8 snap election will be charged with publishing a long-awaited plan to meet its long-term emissions targets.

The plan must not only fulfill the U.K.'s commitment to the Paris Agreement on climate change but also include a framework to attract investors for renewable energy projects for at least the next decade, representatives from business, the low-carbon sector and environmental groups told Bloomberg BNA.

Last Chance?

The U.K.'s previous failure to produce an emissions reduction plan, now dubbed the Clean Growth Plan (CGP), has "potentially significant legal consequences," Frank Gordon, policy manager at the Renewable Energy Association, told Bloomberg BNA.

Under the 2008 Climate Change Act, the government must pass carbon budgets every five years that set out plans on how it intends to cut emissions by 57 percent by 2032 compared to 1990 levels.

The CGP "may realistically be our last good chance to get back on track, otherwise there is a serious risk we will miss our future emissions targets," Jonathan Church, a lawyer at activist organization ClientEarth, told Bloomberg BNA.

The U.K. has achieved big emissions reductions, but they're due in some part to the 2008 recession and downturn in manufacturing, Church said.

And that bump won't be enough as 2016 projections show that without the full push of the government behind it, the U.K. could miss its Fourth Carbon Budget for 2023–2027 by 146 metric tonnes of carbon dioxide-equivalent and the Fifth Carbon Budget for 2028–2032 by 247 metric tonnes, he said.

This is raising concern among business and environmental organizations in the U.K.

Call for Clarity

Nick Molho, executive director of the Aldersgate Group, a coalition of businesses and environmentalists, said, "Given that there is currently no policy clarity on energy efficiency and very little clarity on policy support for renewable energy outside of offshore wind, it would be concerning if the plan did not come out by the end of 2017."

The government is not allowed on-the-record statements during an election campaign under a practice known as purdah. Just before campaigning was launched, Nick Hurd, minister of state for climate change and industry, said before a Department of Business, Energy and Industrial Strategy committee that work to deliver a Clean Growth Plan was "well-advanced."

Plan Must Attract Investors

The linchpin to a Clean Growth Plan is ensuring that policies are detailed and long-term enough to attract the higher levels of affordable private-sector investment the U.K. needs in the next 15 years, according to Molho.

"It's a very complex task as the plan needs to be sufficiently detailed to attract affordable private-sector investment in the energy efficiency, low-carbon energy and low-carbon transport infrastructure the U.K. needs to meet its Fifth Carbon Budget," he said.

Michelle Hubert, head of infrastructure and energy at the Confederation of British Industry, agreed. Companies need clarity on what 2030 as it's only an investment cycle or two away, she told Bloomberg BNA.

Businesses also "want to see a fresh approach to the emissions reduction plan, to deliver policies fit for the future. In an increasingly interconnected world—where we might see homes and businesses generate, store, and use their energy in new innovative ways—the economy should be more joined up, with cross-cutting technologies being put to greater use," she said.

The government also should commit to promoting the Enterprise Investment Scheme, which offers tax relief to investors that buy shares in smaller higher-risk trading companies for renewable power projects, according to the Renewable Energy Association's Gordon.

"It can be removed if desired, once successor funding schemes are introduced but would provide certainty and allow for continuity in planning project pipelines," he said.

Power and Heat

There is a "strong consensus" among groups on how a CGP should work for the power sector, said Dustin Benton, acting deputy director of the think tank Green Alliance.

"The good news is this will mostly be cheaper than fossil fuel alternatives. The challenge is that government needs to support zero carbon flexibility to enable this to work, including via interconnection to the U.K.'s EU neighbors," he said.

There's also some disagreement about the picture after 2025, with policy still assuming nuclear will be cheap and available by then, but complications related to, for instance, U.K.'s probable exit from the European Atomic Energy Community "raises serious questions about this assumption."

Speaking for the renewables industry, Gordon said the next government should lay out a clear plan in 2018 to reduce carbon emissions from heating and cooling by 40 percent by 2030 and achieve the U.K.'s 2020 renewable energy target, which includes 12 percent of heat produced from low-carbon sources.

If the new government starts focusing on the Clean Growth Plan soon after the election, there still would be "time to do large-scale experiments on the three core technology families: district heating, heat pumps, and hydrogen heat. We think it should do low-carbon heat trials involving tens of thousands of consumers before 2020, to figure out what works and to provide an incentive for cost reduction," Benton said.

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Energy and Climate Report

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Subject: The Morning Headlines from InsideEPA.com -- June 15, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 15, 2017

Latest News

EPA Advances TSCA Guide For Industry-Led Chemical Risk Evaluations

EPA has sent for White House review a guidance document for companies that want to conduct their own chemical risk evaluations of chemicals for EPA to consider in addition to or rather than the agency performing the reviews under its new Toxic Substances Control Act (TSCA) authority, a further step in the Trump EPA implementing the revised law.

Divisions Among Senators, Biofuels Groups Create Uncertainty Over E15 Bill

Divisions among Republican and Democratic senators, as well as between advanced biofuels groups, are creating uncertainty over the fate of Senate legislation that would lift summertime restrictions on the sale of 15-percent ethanol (E15), with lawmakers downplaying prospects for the bill after a Senate hearing that highlighted the splits.

Groups Spar Over E15 Fuel As EPA, Congress Consider Lifting Restriction

Ethanol industry groups and their oil sector opponents are clashing over a biofuels industry push to lift summertime restrictions on sales of 15 percent ethanol (E15) fuel, as EPA considers the legality of the move and the Senate's Environment & Public Works Committee (EPW) debated the question at a June 14 hearing.

Pruitt Faces Questions Over Use Of Special SDWA Power To Speed Hiring

EPA Administrator Scott Pruitt has been seeking to speed his hiring of senior personnel using a special statutory provision that allows a limited number of “administratively determined” (AD) hires under expedited procedures, but the effort is facing intensifying concern because the authority appears to allow these hires to be temporarily exempt from the Trump administration's ethics requirements.

Scope Of 'Use' In TSCA Revision Seen Driving New Industry Data-Sharing

If EPA opts to narrowly consider chemicals' "uses" when it reviews their safety under the reformed Toxic Substances Control Act (TSCA), it could prompt manufacturers to enter data-sharing deals on how their products are used and disposed of, and even

limit some uses, in order to ensure they stay within the assessments' scope, an industry attorney says.

EPA Urges District Court To Uphold Novel Anacostia River Trash TMDL

EPA is defending its approval of a novel total maximum daily load (TMDL) trash cleanup plan for the Anacostia River that flows through Maryland and the District of Columbia, urging a federal district court to uphold the TMDL because the approval is based on "a reasoned explanation with solid support in the administrative record."

Emissions Control Makers Ready Voluntary Aftermarket Catalyst Program

SARATOGA SPRINGS, NY -- Makers of aftermarket catalytic converters that cut vehicle emissions are preparing a voluntary industry program to improve the catalysts' performance in reducing emissions in the event that the Ozone Transport Commission (OTC) fails in its push for EPA to issue stricter federal standards for catalysts.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
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Subject: BREAKING NEWS: Scalise readmitted to hospital

House Majority Whip Steve Scalise, who was severely injured in a shooting last month at a suburban Washington baseball field, has been readmitted to intensive care because of concerns related to infection, according to a statement late Wednesday from MedStar Washington Hospital Center.

"Congressman Steve Scalise has been readmitted to the Intensive Care Unit at MedStar Washington Hospital Center due to new concerns for infection," read the statement, released by the Louisiana Republican's office. "His condition is listed as serious. We will provide another update tomorrow, July 6."

Scalise was critically wounded in the June 14 shooting along with two police officers, a congressional aide and a lobbyist during a GOP practice in advance of the annual congressional baseball game. The third-ranking House Republican had been transferred out of the ICU on June 22, and MedStar said at the time that Scalise was in "fair condition."

Read more: http://www.politico.com/story/2017/07/05/scalise-readmitted-to-hospital-240251

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Today's Playbook Power Briefing presented by Better Medicare Alliance

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

PRESIDENT DONALD TRUMP and **FRENCH PRESIDENT EMMANUEL MACRON** gave joint statements after a series of meetings and photo opportunities. Macron said Trump's visit was "both a symbol and very important that the president of the United States could be with us tomorrow" for Bastille Day and thanked Trump for visiting.

-- Macron, giving his statement in French, said the pair talked about implementing "free and fair trade" and pledged to tackle international security challenges, including "fighting against propaganda" online and continuing "the fight against terrorism." Macron briefly addressed climate change, saying "I think it is important that we can continue to talk about it" and that he remains committed to the Paris accords.

TRUMP thanked Macron and commented that the buildings he saw on his tour included "some of the most incredible buildings anywhere in the world." He said the relationship between the two nations are "very good" and talked about the war on terror. He praised Macron for his "chant" of "less bureaucracy" and said "we can use it too." Trump said, "The friendship between our two nations -- and ourselves, I might add -- is unbreakable. Our occasional disagreements are nothing compared to the immortal bonds of culture, destiny, and liberty that unite us."

-- @maggieNYT: "'France helped us secure our independence, a lot of people forget,' Trump says."

IN RESPONSE to a question from a French journalist, Trump said "something could happen with respect to the Paris accord." He also reiterated his past statement that "if it doesn't, that'll be okay too."

-- TRUMP, responding to a question on Russia, said that his "son is a wonderful young man" and that "most people would have taken that meeting. It's called opposition research. ... That's very standard in politics."

-- OPPOSITION RESEARCH from someone who is an agent of another government is

not standard, from people we've spoken to.

TRUMP also praised Macron and Chinese President Xi Jinping in response to other questions.

TRUMP AND MACRON also earlier held bilateral meetings and had a pool spray in Macron's office. More on the office spray, from NYT's Maggie Haberman, one of the day's poolers: "POTUS asked your pooler why she didn't use what he has said last night [on Air Force One]. Your pooler reminded him last night was off the record. POTUS asked if I had heard him say it could be on-record; your pooler replied truthfully no (co-poolers also were not under impression it was on-record, since Sarah Sanders had declared it off record).

"Macron and Trump posed for another picture, and shook hands again (Gary Cohn reminded them to shake hands before they sat down). ... The grip by both was less feral than the initial handshake weeks ago. POTUS unclasped hands first."

BANNON'S GUY? -- YAHOO'S JON WARD and **OLIVER KNOX:** "[T]he admiration for Macron inside the White House goes beyond symbolism. [Steve] Bannon told Yahoo News that while Macron ran as a 'globalist,' he has made a number of nationalist gestures, all in the name of positioning France as the preeminent nation in Europe.

"'Populist nationalist is the right side of history,' Bannon said in a phone interview, and asserted that the only question is whether the leftist version of nationalism championed by Jeremy Corbyn in Britain and Sen. Bernie Sanders in the U.S. wins the day - or something closer to Trump and Bannon's version. Bannon said Macron, a centrist, is closer to Trump's philosophy than he is to the progressive version because he does not want the state to run the economy." https://yhoo.it/2vgqiCl

THE NEW HEALTH CARE BILL -- "Senate Republicans release new Obamacare repeal bill," by Burgess Everett, Jen Haberkorn and Sarah Karlin-Smith: "Senate Republicans released a new draft of their bill to repeal Obamacare Thursday, which tentatively includes a controversial amendment from Ted Cruz. The change is aimed at building enough GOP support to open debate on the bill next week, but it's not clear the votes will be there. Some senators aren't even sure the bill will get a vote next week given opposition from a cross-section of Republicans. 'I don't even know that it's going to get to a vote,' said GOP Sen. John McCain of Arizona.

"Senate Majority Leader Mitch McConnell unveiled the plan on Thursday morning at a closed-door, GOP members-only meeting before posting the text online. Unlike their previous bill, which faced stiff resistance across the conference, it would maintain some Obamacare taxes on the wealthy, provide new financial support to help low-income people purchase health insurance, allow people to pay for insurance with pre-tax money and spend billions more to fight opioid addiction. The amendment from Cruz (R-Texas) could be altered or removed later, sources said. The amendment would allow the sale of cheap, deregulated insurance plans as long as Obamacare-compliant plans are still

sold. ...

"Some Republican senators now believe it will be a victory to even open debate on the legislation passed by the House, one senator familiar with the negotiations said. If that procedural vote is successful, a freewheeling amendment process will begin. At some point, McConnell will introduce a substitute that will represent the Senate's draft bill. It may be different than what is introduced on Thursday and could be subject to amendment on the Senate floor next week. The bill, in other words, will be a work-in-progress until the final vote." http://politi.co/2ungFW2 ... ***The full 172 pages*** http://politi.co/2un4vwj

-- **@burgessev**: Cruz: "'if this is the bill, I will support it'"

-- **@arogDC:** "Portman is a no on motion to proceed on revised Senate health care bill, says he's in the same position as he's been and reviewing language"

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

WHAT YOU NEED TO KNOW -- "Revised Senate repeal bill keeps Obamacare taxes, adds funding for poor and opioid epidemic," by Paul Demko: "Senate Republicans' latest health bill keeps some Obamacare taxes on the wealthy and directs more than $100 billion in new spending to help low-income Americans buy coverage and combat the opioid epidemic.
A revised Obamacare repeal plan also includes a proposal, designed to mollify conservatives, that would allow insurers that sell plans meeting Obamacare's coverage requirements to also sell skimpier, less expensive plans that don't comply with the law.

"The new proposal seeks to thread the needle between conservatives and moderates after the Senate's original repeal package sparked opposition from all corners of the GOP caucus. Republicans hope to vote on the new bill next week.It would keep Obamacare's net investment income tax and an additional Medicare Health Insurance Tax, and it would no longer scrap a tax break for high-earning health insurance executives.

"The latest draft, however, doesn't make any significant changes to the Medicaid overhaul proposed in the original plan, which would cut nearly $800 billion from the entitlement by rolling back Obamacare's expansion of the program and capping payments for each enrollee." http://politi.co/2un4RmK

GOOD POINT BY JMART, that we wanted to echo and amplify**:** "Landmark healthcare vote days away, zero public salesmanship or pressure by Trump in any state (and VP is in Ky, home of a sure-fire 'no')"

WITH THE HEALTH CARE VOTE JUST A FEW DAYS AWAY, President Donald Trump told Pat Robertson he'll be mad if the Senate doesn't pass the bill. But we aren't seeing an all-out push from the White House to get the legislation passed. VP Mike Pence has been up on the Hill -- but he always is. Reince Priebus is in Paris. Anyone hear from Tom Price? Jared and Ivanka are en route to Sun Valley.

-- "Graham, Cassidy unveil details of alternative health care plan," by CNN's Dana Bash: "With the prospects for passing the current Senate Republican health care bill still in jeopardy, Sen. Lindsey Graham, R-South Carolina, and Sen. Bill Cassidy, R-Louisiana, are working with their GOP colleagues on an alternative approach to replacing Obamacare: keeping much of the federal taxes in place and sending that money to the states to control. Graham and Cassidy, who have been working closely with former Sen. Rick Santorum, argue that one of the main reasons that Republicans are having such a hard time agreeing is because they are working from the Obamacare template -- particularly federal control of health insurance.

"Graham told CNN that he believes their new idea would address the problems found in the original bill. First, it would maintain taxes on wealthy Americans put in place by Obamacare, taxes intended to help pay for insurance subsidies. That revenue, which they estimate to be about $500 billion, would be sent to the states ... The Obamacare tax levied on medical device makers would be repealed, as would the financial penalty for individuals who don't comply with the mandate to have insurance and for employers to provide affordable coverage. Graham and Santorum say that would amount to about $220 billion in revenue cuts. Graham and Santorum argue those tax penalties not only funded the Affordable Care Act mandate conservatives despise, but they also ended up hitting working people." http://cnn.it/2uVxd4c

BUT BUT BUT -- "Despite doomsday rhetoric, Obamacare markets are stabilizing," by Paul Demko: "Reports of [Obamacare's] demise appear to be premature. For the first time ever this year, insurers selling plans in Obamacare's markets appear to be on a path toward profitability. And despite the drumbeat of headlines about fleeing insurers, only about 25,000 Obamacare customers live in communities facing the prospect of having no insurer next year. Insurers in the Obamacare marketplaces spent 75 percent of premiums on medical claims in this year's first quarter, an indication the market is stabilizing and insurers are regaining profitability, according to a Kaiser Family Foundation study released this week. By comparison, in the prior two years, insurers spent more than 85 percent of premiums on medical costs during the same period, which translated into huge losses. 'We're not seeing any evidence of a death spiral or a market collapse,' said Cynthia Cox, Kaiser's associate director of health reform and private insurance. 'Rather, what it looks like is insurers are on track to have their best year since the [Affordable Care Act] began.'" http://politi.co/2vgA47m

CBO VS. WHITE HOUSE, CONTINUED -- "Trump budget request doesn't balance, CBO says," by AP's Andy Taylor: "Thursday's [CBO] report says that Trump's budget, if

followed to the letter, would result in a $720 billion deficit at the end of 10 years instead of the slight surplus promised. CBO said Trump's budget would reduce the deficit by a total of $3.3 trillion over 10 years instead of the $5.6 trillion deficit cut promised by the White House. The nonpartisan scorekeeper estimated that deficits in each of the coming 10 years will exceed the $585 billion in red ink posted last year." http://bit.ly/2umXVpu

TWEET DU JOUR -- @VP: "Back at Capitol w/ @SpeakerRyan & @cathymcmorris & said hello to visitors. @POTUS & I are working for a stronger US for all Americans." ***Pic*** http://bit.ly/2tjr2VO

ON RUSSIA -- "Pence did not meet with Russians during campaign, spokesman says," by Matt Nussbaum http://politi.co/2umQZJ1

THE DOUGH -- TEAM RYAN the speaker's joint fundraising account, raised $10.5 million in the second quarter, including $494,400 from Robert and Diana Mercer. *Other big donors:* Nike's Phil Knight ($100,000), Sam Zell ($100,000), Jimmy Haslam ($75,000), Daniel Loeb ($50,000), Sheldon and Miriam Adelson ($67,800) ... **PAUL RYAN**'s campaign committee raised $3.4 million in the second quarter of 2017, per an FEC report. He has $11 million on hand ... **THE RYAN MCCARTHY VICTORY** account -- a joint-fundraising account -- pulled in $385,100. Sixteen of the 20 donations were from Goldman Sachs employees. Seven of the checks were for $44,300.

BEYOND THE BELTWAY -- "Illinois braces for most expensive election in U.S. history," by Natasha Korecki and Alex Isenstadt: "The Illinois governor's race is on pace to be the most expensive statewide election in U.S. history, a spending bonanza expected to cost more than a quarter-billion dollars next year. Some Illinois and Washington party officials think the contest might run well in excess of $300 million, blowing away the current record-holder for statewide office - the $280 million California governor's race between former eBay executive Meg Whitman and Jerry Brown in 2010. Consider this: The various campaigns on both sides have already raised upward of $90 million - and the general election is still 16 months away." http://politi.co/2tiQz1u

-- BETO O'ROURKE's Texas senatorial campaign raised $2.1 million in the second quarter with over 46,000 individual donations (average contribution: $44) and 81 percent of the money coming from within Texas. ***Video of Beto*** http://bit.ly/2udvKc5

-- JASON KANDER's group grows: Voting rights group iVote, founded by Ellen Kurz and former Obama field director Jeremy Bird, will now be a "special project" of Let America Vote, started by former Missouri Sec. of State and U.S. Senate candidate Jason Kander. iVote says it plans to use its IE to focus on 2018 secretary of state races in Iowa, Michigan, Nevada, New Mexico and Ohio and continue its push for automatic voter registration in states like Nevada. http://politi.co/2sUmW79

SUNDAY SO FAR -- NBC'S "MEET THE PRESS": Senate Majority Whip John Cornyn (R-Texas) will be on NBC's "Meet the Press" this Sunday.

ABOUT DON JR. -- MOLLY BALL in The Atlantic **-- "The Troublemaker":** "Many years ago, when his eldest son was still a boy, Donald Trump was interviewed by Barbara Walters, along with his family. Which child, she asked the real-estate mogul, did he consider the troublemaker in the family? Trump didn't hesitate for a moment. 'Don,' he shot back, according to the story Don himself-Donald Trump Jr., now a 39-year-old businessman-loves to tell. Don Jr. told me the story with a grin when I interviewed him for a profile last year. 'I was the wild one of the three,' he said of his siblings. 'I always made good grades and did well, but I had a lot of fun.'

"Brash, strong-willed, risk-taking: These qualities made Don Jr. the most visible of the Trump children during the campaign. But this week's revelations-the June 2016 email exchange, published Tuesday, in which Don, presented with potential campaign assistance from a supportive Russian government, replied, 'I love it'-cast those same qualities in a different light. Once again, Don Jr. is his father's troublemaker, but this time the trouble is much more than fun and games. On Wednesday, I texted Don and asked how he was doing. 'Fantastic,' he wrote back-followed by the 'laughing crying' emoji. He declined to comment further." http://theatln.tc/2vgSYuW

-- "Donald Trump Jr. invited to testify before Congress as early as next week," by Austin Wright and John Bresnahan: "President Donald Trump's eldest son has been invited to testify as early as next week before the Senate Judiciary Committee amid a growing scandal over a meeting he attended last year with a Russian lawyer. Senate Judiciary Chairman Chuck Grassley told reporters Thursday he was sending Donald Trump Jr. a letter asking him to testify - and that he was willing to subpoena him if necessary." http://politi.co/2uncrxB

-- "How Donald Trump Jr. Got Stuck In His Father's Shadow," by Trump biographer Gwenda Blair in POLITICO Magazine http://politi.co/2vgB8bk

HAPPENING TONIGHT -- Former Presidents George W. Bush and Bill Clinton will participate in a conversation on leadership that's moderated by David Rubenstein at the George W. Bush Presidential Center. ***Livestream at 6 p.m.*** http://bit.ly/2unbVQj

REMEMBER THIS? -- "White House opioid commission to miss deadline for second time," by CBS News' Jacqueline Alemany: "President Trump's commission to fight the opioid epidemic will miss a deadline to file an interim report on the crisis for a second time, according to a notice set to be released Friday. ... The executive order set a deadline of 90 days, or June 27, for the commission to file an interim report outlining a federal strategy to combat the epidemic. The commission failed to issue the report before the initial deadline, announcing instead it would issue its interim assessment during a conference call on July 17. According to a notice scheduled to appear in the Federal Register on Friday, the commission is rescheduling the July 17 call until 31, missing the extended deadline." http://cbsn.ws/2un9xsl

NOBEL PEACE WINNER LIU XIAOBO DEAD AT 61 -- NYT's Chris Buckley: "Liu Xiaobo, the renegade Chinese intellectual who kept vigil on Tiananmen Square in 1989

to protect protesters from encroaching soldiers, promoted a pro-democracy charter that brought him an 11-year prison sentence and was awarded the Nobel Peace Prize of 2010 while locked away, died on Thursday. He was 61. ... The Chinese government revealed he had liver cancer in late June only after it was virtually beyond treatment. Officially, Mr. Liu gained medical parole. But even as he faced death, he was kept silenced and under guard in a hospital, still a captive of the authoritarian controls that he had fought for decades." http://nyti.ms/2vgr5DI

-- Katie Stallard (@skystallard): "Shenyang judicial website confirms Liu Xiaobo has died. The last Nobel Peace Prize winner to die in custody was in Nazi Germany in 1938."

COMING ATTRACTIONS -- @jacobkornbluh of Jewish Insider: "NEW in #KafeKnesset: @jdgreenblatt45 says in meetings that U.S. plan & goal is to renew peace process 'in the fall'" http://bit.ly/2uea9jX

TWEET US! -- Want a signed Matt Wuerker cartoon? Tweet at us or post on Facebook using the hashtag #PlaybookLoyal. Each time you post with the hashtag will increase your chances of winning! Post as often as you can until tomorrow! So get to sharing and tell us why you're #PlaybookLoyal and include this link http://politi.co/2IBIFIV

REMEMBER THE DRESS CODE KERFUFFLE? -- @AlexNBCNews: "Wow... Speaker Ryan announces that his office is working with SAA office to modernize dress code rules in Speaker's Lobby" ... **@NancyPelosi:** "Glad to see @SpeakerRyan is updating the dress code for the House Floor. These unwritten rules are in desperate need of updates." ... ***Story from Rachael Bade*** http://politi.co/2t7KrxO

DESSERT -- "Here Are Your 2017 Emmy Nominations," from Vulture. ***Westworld and SNL are tied with 22 nominations each*** http://bit.ly/2umZGTB

MEDIAWATCH -- CBS NEWS announced a new partnership with the **BBC** that "allows both organizations to share video, editorial content, and additional newsgathering resources in New York, London, Washington and around the world. The relationship between CBS News and BBC News will also allow for efficient planning of newsgathering resources to increase the content of each broadcaster's coverage of world events." ***The release*** http://cbsn.ws/2vgapf4

-- Dan Oshinsky, the director of newsletters at BuzzFeed, is leaving to join The New Yorker as their director of newsletters next month, a newly created position.

OUT AND ABOUT -- SPOTTED at Third Way's annual summer party at Long View Gallery last night, which featured songs from DJ Soul Call Paul of Showtime fame: Sen. Joe Manchin (D-W.Va.), Reps. Brad Schneider (D-Ill.), Ruben Gallego (D-Ariz.), Tom Suozzi (D-N.Y.), Josh Gottheimer (D-N.J.), Hakeem Jeffries (D-N.Y.), Stephanie Murphy (D-Fla.) and Nanette Barragan (D-Calif.), former Sen. Blanche Lincoln (D-Ark..), Ty Matsdorf, Elizabeth Falcone, Rachel Laser, Leah Chandler, Matt Bennett, and Jim

Kessler.

-- Nobuko Sasae, spouse of Japanese Ambassador, who founded the Nobuko Forum to celebrate when women liberate their talents. strength and intellect held an event at the Japanese ambassador's residence last night. **SPOTTED:** Kate Goodall, Dr. Sachiko Kuno, Capricia Marshall, Coach Kathy Kemper, Gouri Mirpuri, Susan Blumenthal, Jane Cafritz, Tina Tchen, Rosemarie Pauli, Wendy Teramoto, Tracy Bernstein and Emily Lovell, Ambassador Julia Chang Bloch, Eric Branstad, Irene Hirano Inouye, Emily Heil and Annie Totah.

--SPOTTED last night at a screening on the Hill hosted by Rep. Derek Kilmer (D-Wash.) of the new Netflix film "Chasing Coral" (***trailer:*** http://bit.ly/2vh987k) - the documentary about the huge die-off of coral reefs is made by the same director who did "Chasing Ice": Reps. Suzanne Bonamici (D-Ore.), John Delaney (D-Md.), Beto O'Rourke (D-Texas), Kathleen Rice (D-N.Y.), Darren Soto (D-Fla.) and Donald Norcross (D-N.J.)

-- Global Policy Link hosted a reception for Joel Backaler, author of "China Goes West: Everything You Need to Know About Chinese Companies Going Global" (***$33.82 on Amazon*** http://amzn.to/2vgjPaj), at Woodward Table last night. **SPOTTED:** Jamian Ronca Spadavecchia, Marc Ross, Joshua Berlin, Bill Black, Steve Foerster, Ellen Huber, Kimberly Kowal, EJ Thomas and Allen Wolff.

WELCOME TO THE WORLD - Phil Mattingly, CNN congressional correspondent and a Bloomberg alum, and **Chelsea Mattingly,** senior business development manager at Bloomberg, welcomed Carter James Mattingly. ***Pic*** http://politi.co/2vgUxsy ... ***Carter meeting his big brother T.J.*** http://bit.ly/2un3zli ... ***Instapic of the whole family*** http://bit.ly/2udq2qw

WEEKEND WEDDING -- Internet civil-liberties lawyer **Mike Godwin** married hotel leasing manager **Sienghom "Jessy" Ches.** Godwin is a senior fellow at the R Street Institute who was the first staff lawyer for the Electronic Frontier Foundation. Pool report: "Godwin flew halfway around the world in 2015 for Freedom House (and later for R Street Institute) to help Cambodian activists develop an 'internet Bill of Rights' that could be used to frame the country's digital agenda. ... Ches, then working the front desk at Phnom Penh's Sunway hotel near the U.S. Embassy, helped Godwin make color copies in the hotel's business center, and the two struck up a conversation that led to many Facebook messages and emails. And, eventually, to Ches's applying for a visa to come to the United States." ***Pic*** http://politi.co/2uglFcT

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******
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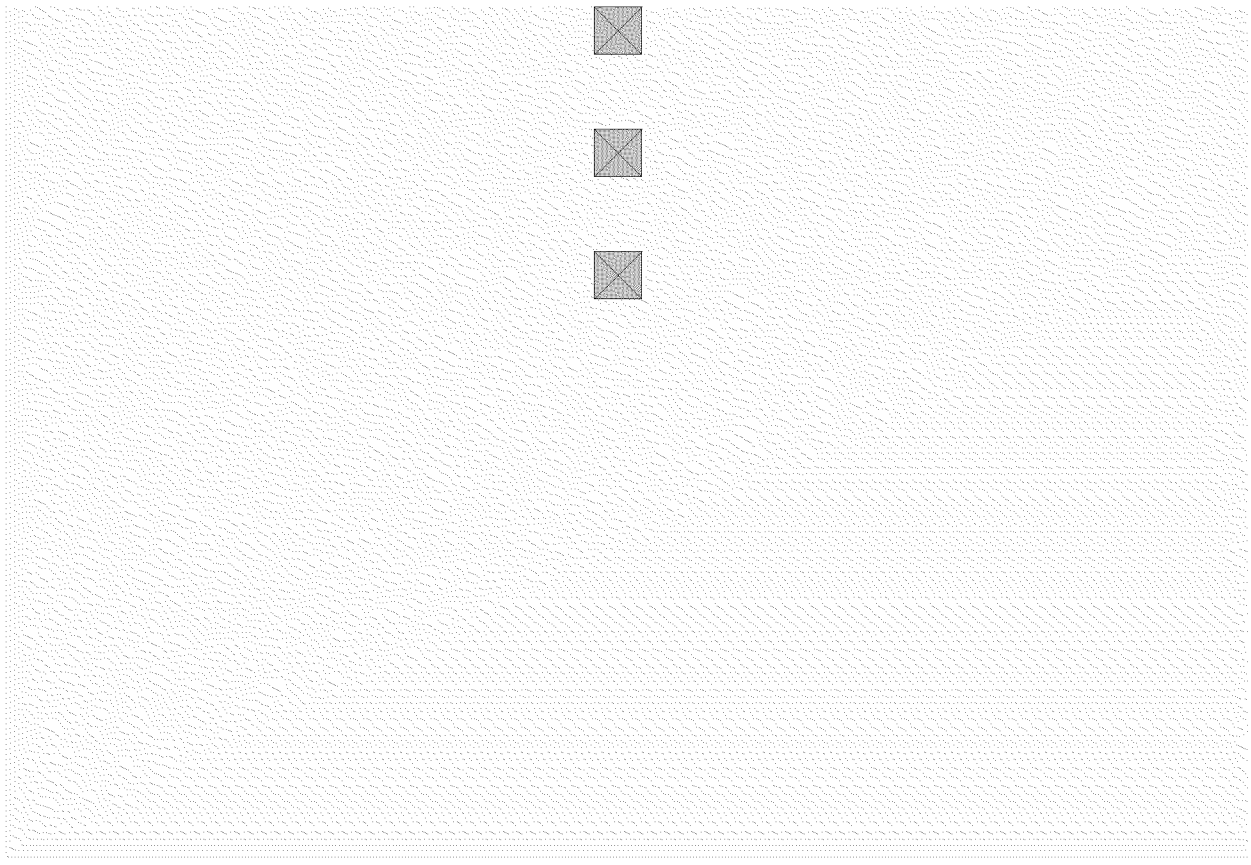
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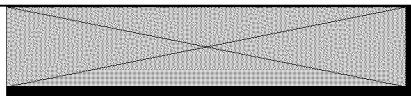
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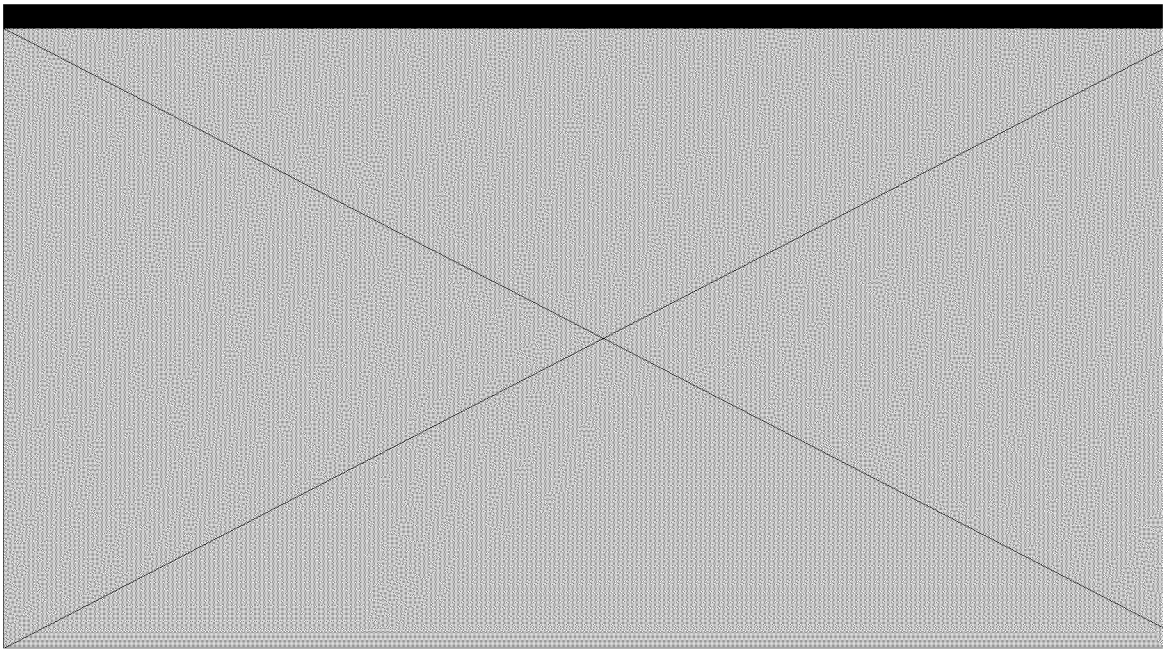




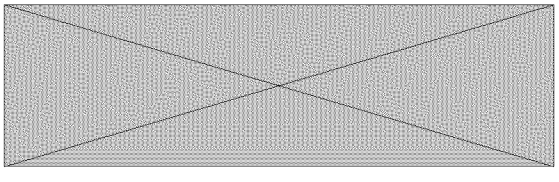
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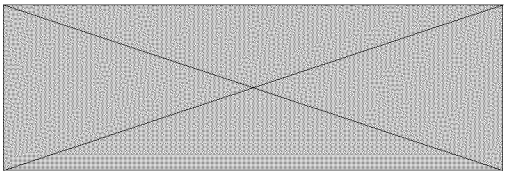


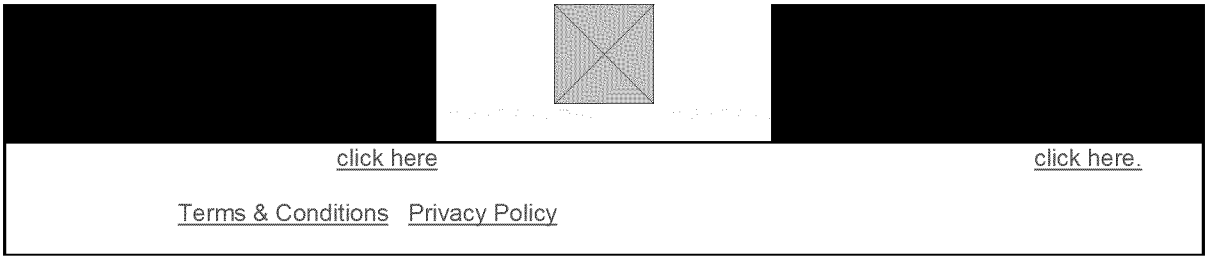
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Subject: BREAKING NEWS: Trump publicly commits to NATO mutual-defense provision

Weeks after omitting any mention of NATO's collective defense provisions during a speech at the treaty organization's headquarters, President Donald Trump on Friday explicitly recommitted the U.S. to its Article 5 obligations.

"Well, I'm committing the United States, and have committed, but I'm committing the United States to Article 5," the president said in response to a question from a Romanian reporter. "Yes, absolutely I'd be committed to Article 5."

Trump been critical of NATO since his presidential campaign, when he labeled the treaty "obsolete" and openly questioned whether the U.S. would make good on the treaty's communal defense obligations for nations who have not spent enough on their own militaries. As president, he has railed against NATO members who do not meet the agreed-upon 2 percent of their gross domestic product on defense and has claimed credit for increasing military spending among member states.

"Certainly we are there to protect and that's one of the reasons that I want people to make sure we have a very, very strong force, by paying the kind of money necessary to have that force," Trump said.

Read more: http://www.politico.com/story/2017/06/09/trump-nato-article-five-239362

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EHS Federal Regulatory Alert

September 14, 2017 - Number 177

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Summaries

AIR
California SIP/Bay Area AQMD Emission Reduction Credit Banking
AIR

Proposed rule of the EPA would conditionally approve a revision to the Bay Area Air Quality Management District (AQMD) portion of the California SIP. The revision concerns the issuance and banking of emission reduction credits for use in the review and permitting of major sources and major modifications. The EPA determined that the Bay Area AQMD rule is deficient in three respects but that conditional approval of the revision would not interfere with the continued attainment of the NAAQS in the area. The approval is conditioned on the district submitting the required measures by Nov. 1, 2018. Comments are due Oct. 16, 2017. Contact: Laura Yannayon; EPA Region 9; 415-972-3534; yannayon.laura@epa.gov. Citations: 40 CFR 52.220, 52.232

82 FR 43202 (09/14/2017)

Regulatory Update

AIR
California SIP/South Coast AQMD
AIR

Final rule of the EPA approves revisions to the South Coast Air Quality Management District portion of the California SIP regarding nitrogen oxide (NOx) and sulfur oxide (SOx) emissions from facilities that emit four or more tons per year of NOx or SOx. The rule approves revisions to the district's Regional Clean Air Incentives Market (RECLAIM) program that lower the NOx emission cap, allow electric generating facilities to exit RECLAIM, add provisions regarding facility shutdowns, and create a regional new source review holding account for existing electricity generating facilities constructed after 1993. The rule is effective Oct. 16, 2017. Contact: Nicole Law; EPA Region 9; 415-947-4126; law.nicole@epa.gov. Citations: 40 CFR 52.220

82 FR 43176 (09/14/2017)

Regulatory Update

AIR
Montana SIP/Missoula Carbon Monoxide Limited Maintenance Plan
AIR

Direct final rule of the EPA approves a revision to the Montana SIP. The revision consists of a second 10-year limited maintenance plan for the eight-hour carbon monoxide NAAQS for the Missoula area. The plan includes an emissions inventory for the base year 2010, an alternative monitoring strategy utilizing average daily traffic vehicle counts, and a contingency plan and demonstrates that the area will maintain the standards into the future. The rule is effective Nov. 13, 2017, unless adverse comments are received by Oct. 16, 2017. Contact: Adam Clark; EPA Region 8, Air Program; 303-312-7104; clark.adam@epa.gov. Citations: 40 CFR 52.1373

82 FR 43180 (09/14/2017)

Regulatory Update

AIR
Montana SIP/Missoula Carbon Monoxide Limited Maintenance Plan
AIR

Proposed rule of the EPA would approve a revision to the Montana SIP. The revision consists of a second 10-year limited maintenance plan for the eight-hour carbon monoxide NAAQS for the Missoula area. The plan includes an emissions inventory for the base year 2010, an alternative monitoring strategy utilizing average daily traffic vehicle counts, and a contingency plan and demonstrates that the area will maintain the standards into the future. A concurrent direct final rule adopts the revisions, effective Nov. 13, 2017. Comments are due Oct. 16, 2017. Contact: Adam Clark; EPA Region 8, Air Program; 303-312-7104; clark.adam@epa.gov. Citations: 40 CFR 52.1373

82 FR 43208 (09/14/2017)

Regulatory Update

AIR
New York SIP/2008 Eight-Hour Ozone NAAQS
AIR

Proposed rule of the EPA would conditionally approve revisions to the New York SIP regarding reasonably available control technology (RACT) requirements under the 2008 eight-hour ozone NAAQS. The conditional approval is contingent on the state submitting revised RACT control techniques guidelines (CTG) requirements for control of volatile organic compounds from industrial cleaning solvents within one year of the rule's effective date. The rule also fully approves revisions concerning RACT for non-CTG major sources and major sources of nitrogen oxides and the state's nonattainment new source review certification. Comments are due Oct. 16, 2017. Contact: Anthony Gardella; EPA Region 2; 212-637-3892; Gardella.Anthony@epa.gov. Citations: 40 CFR 52

82 FR 43209 (09/14/2017)

Regulatory Update

AIR
Utah SIP/Fine Particulate Matter and Fugitive Dust
AIR

Proposed rule of the EPA would approve portions of the Utah SIP regarding fine particulate matter (PM-2.5) and a related fugitive dust control rule. The rule also would approve an associated reasonable available control measures (RACM) determination. The agency is not proposing to determine that the state's PM-2.5 attainment plan has met all requirements regarding RACM. Comments are due Oct. 16, 2017. Contact: Crystal Ostigaard; EPA Region 8; 303-312-6602; ostigaard.crystal@epa.gov. Citations: 40 CFR 52

82 FR 43205 (09/14/2017)

Regulatory Update

ENDANGERED SPECIES
Texas/Incidental Take Permit Application
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces an incidental take permit application and the availability of a conservation plan for the green turtle and Kemp's ridley sea turtle. Barney M. Davis LP, of Corpus Christi, Texas, seeks a 10-year incidental take permit in association with the operation of their power station in Corpus Christi. The station, a natural gas-fired electric power generating facility, monitors the intake canal on Laguna Madre in an effort to intercept sea turtles prior to their fatal contact with the facility's cooling water intake structure. The applicant coordinates with Texas Parks and Wildlife Department to collect and relocate the turtles. Comments are due Oct. 16, 2017. Contact: Ron Dean; NMFS, Office of Protected Resources; 301-427-8445

82 FR 43224 (09/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Biosimilar Biological Product User Fees
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the rates for biosimilar user fees for fiscal year 2018. The fees concern certain activities in connection with biosimilar biological product development, review of certain applications for approval of biosimilar biological products, and each biosimilar biological product approved in a biosimilar biological product application. The fees are effective Oct. 1, 2017, and expire Sept. 30, 2018. Contact: David Haas; FDA, Office of Financial Management; 240-402-9845

82 FR 43241 (09/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Environmental Review and Permitting of Infrastructure Projects/CEQ Initial List of Actions

GENERAL ENVIRONMENT AND SAFETY

Notice of the Council on Environmental Quality announces the availability of the initial list of actions it will take to enhance and modernize the federal environmental review and authorization process, as required under Executive Order 13807 (82 FR 40463; 08/24/2017). The CEQ proposes to develop a framework for the implementation of One Federal Decision for environmental review and refer state projects that qualify for high-priority designation to the Permitting Council, the Transportation Department, and U.S. Army Corps of Engineers, as appropriate. The CEQ also intends to revise its guidance on categorical exclusions under National Environmental Policy Act, preparation of environmental assessments, environmental rule procedures, and use of mitigation and monitoring. In addition, the CEQ intends to review its existing regulations and issue additional guidance to simplify and accelerate the NEPA process for infrastructure projects. Finally, the CEQ proposes to convene an interagency working group to review agency NEPA implementing regulations and other environmental review and authorization procedures and policies. Federal agencies involved in the working group would be required to develop action plans and timelines for completing identified actions and to establish procedures for a regular review and update of categorical exclusions. Contact: Ted Boling; CEQ; 202-395-5750; NEPA@ceq.eop.gov

82 FR 43226 (09/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

FDA-Regulated Product Focus Groups

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the submission of a continuing information collection request to the OMB regarding FDA-regulated product focus groups. The collection addresses data gathered from patients and consumers through focus group interviews on regulated products, including drugs, biologics, devices, food, tobacco, and veterinary medicine. The collection also seeks to obtain patient and consumer information useful in developing variables and measures for quantitative studies, to develop a better understanding of patients' and consumers' attitudes and emotions in response to topics and concepts, and to further explore findings obtained from quantitative studies. Comments are due Oct. 16, 2017. Contact: Amber Sanford; FDA, Office of Operations; 301-796-8867; PRAStaff@fda.hhs.gov

82 FR 43243 (09/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Food Additive Petition/GLA Safflower Oil

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the filing of a food additive petition by Arcadia Biosciences Inc., of Davis, Calif., to provide for the safe use of gamma-linolenic acid (GLA) safflower oil as a nutritional source of omega-6 fatty acids in dry food for adult cats in the maintenance life stage. If the FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. Contact: Carissa Doody; FDA, Center for Veterinary

Medicine; 240-402-6283; carissa.doody@fda.hhs.gov. Citations: 21 CFR 573

82 FR 43197 (09/14/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Prescription Drug User Fees
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the rates for prescription drug user fees for fiscal year 2018. The fees concern certain applications for the review of human drug and biological products and prescription drug program fees for certain approved products. The fees are effective Oct. 1, 2017, and expire Sept. 30, 2018. Contact: Robert Marcarelli; FDA, Office of Financial Management; 301-796-7223

82 FR 43244 (09/14/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Applications for Special Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of PHMSA announces the receipt of 19 new applications for special permits related to specified hazardous materials transportation regulations. Comments are due Oct. 16, 2017. Contact: Ryan Paquet; PHMSA, Office of Hazardous Materials Approvals and Permits; 202-366-4535. Citations: 49 CFR 105, 172, 173, 175, 177, 178, 180

82 FR 43285 (09/14/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Applications for Special Permits
HAZARDOUS MATERIALS TRANSPORTATION

Notice of PHMSA announces the receipt of 20 new applications and 14 modified applications for special permits related to specified hazardous materials transportation regulations. Comments are due Oct. 16, 2017. Contact: Ryan Paquet; PHMSA, Office of Hazardous Materials Approvals and Permits; 202-366-4535. Citations: 49 CFR 3, 171 through 180

82 FR 43286 (09/14/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Electronic Logging Device Exemption/Power and Communication Contractors Association
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the receipt of an application from the Power and Communication Contractors Association for an exemption for all operators of commercial motor vehicles in the power and communications construction industry. The applicant requests an exemption from the installation and driver use requirements for electronic logging devices designed to record driver hours-of-service. Comments are due Oct. 16, 2017. Contact: Tom Yager; FMCSA, Driver and Carrier Operations Division; 614-942-6477; MCPSD@dot.gov

82 FR 43283 (09/14/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Arkansas/Hazardous Waste Management Program
HAZARDOUS WASTE MANAGEMENT

Direct final rule of the EPA grants final authorization of revisions to the Arkansas hazardous waste program under RCRA. The revisions clarify federal standards related to generators of hazardous waste and owners and operators of hazardous waste treatment, storage, and disposal facilities. The rule is effective Nov. 13, 2017, unless adverse comments are received by Oct. 16, 2017. Contact: Alima Patterson; EPA Region 6, RCRA Permit Section; 214-665-8533; patterson.alima@epa.gov. Citations: 40 CFR 271, 272.01, 272 Appendix A

82 FR 43185 (09/14/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT
Arkansas/Hazardous Waste Management Program
HAZARDOUS WASTE MANAGEMENT

Proposed rule of the EPA would grant final authorization of revisions to the Arkansas hazardous waste program under RCRA. The revisions clarify federal standards related to generators of hazardous waste and owners and operators of hazardous waste treatment, storage, and disposal facilities. A concurrent direct final rule adopts the revisions, effective Nov. 13, 2017. Comments are due Oct. 16, 2017. Contact: Alima Patterson; EPA Region 6, RCRA Permit Section; 214-665-8533; patterson.alima@epa.gov. Citations: 40 CFR 271, 272.01, 272 Appendix A

82 FR 43214 (09/14/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Records and Reports of Job-Related Injuries and Illnesses
OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of OSHA to seek OMB approval for a continuing information collection request regarding the maintenance of records and reports by employers of job-related injuries and illnesses. The records are needed to facilitate safe and healthful work environments and for the Bureau of Labor Statistics to report on the number and rate of occupational injuries

and illnesses in the U.S. The information also is needed to increase employer awareness of the types of injuries and illnesses occurring in the workplace and their related hazards. Comments are due Nov. 13, 2017. Contact: Dave Schmidt; OSHA, Office of Statistical Analysis; 202-693-1886; schmidt.dave@dol.gov. Citations: 29 CFR 1904

82 FR 43255 (09/14/2017)

Regulatory Update

WATER

Waiver of Compliance with Navigation Laws/Hurricanes Harvey and Irma
WATER

Notice of the Department of Homeland Security announces an immediate seven-day waiver of provisions of the Jones Act, which requires certain vessels providing transportation of merchandise by water or by water and land between points in the U.S. to have a coastwise endorsement, or the vessel was built in and documented under U.S. laws and is wholly owned by U.S. citizens. The waiver is being provided due to severe disruptions in both the midstream and downstream sectors of the Gulf Cost oil supply system due to Hurricane Harvey and the potential imminent shortage of energy supply in areas affected by Hurricane Irma. The waiver is intended to facilitate movement of refined petroleum products, including gasoline, diesel, and jet fuel, to be shipped from Louisiana, New York, Pennsylvania, and Texas to Florida, Georgia, Puerto Rico, and South Carolina. The waiver is effective Sept. 8, 2017. Contact: DHS; 202-282-8010

82 FR 43248 (09/14/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 6/28/2017 5:11:07 PM
Subject: Playbook Power Briefing, presented by the Coalition for Affordable Prescription Drugs (CAPD): TRUMP said to be postponing filing complaint against COMEY -- POTUS to PARIS -- MCCONNELL wants BCRA revisions to CBO by FRIDAY -- SCHRECKINGER on SPLC

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the Coalition for Affordable Prescription Drugs (CAPD)

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

INBOX -- SHOCKING TO ABSOLUTELY NO ONE -- "FOX NEWS CHANNEL SIGNS CONGRESSMAN JASON CHAFFETZ (R-UTAH) TO CONTRIBUTOR ROLE"

Good Wednesday afternoon. WHAT SPICER IS DOING THIS WEEKEND -- THE RHODE ISLAND REPUBLICAN PARTY is hosting a reception honoring "RI native" Sean Spicer. The event is Sunday, July 2. The minimum contribution is $200, and for $1,000 you get a private VIP reception. ***Invite*** http://bit.ly/2tkBwrQ

SCOOP -- BLOOMBERG'S MARGARET TALEV and **SHANNON PETTYPIECE -- "Trump Said to Postpone Filing Complaint About Comey's Conduct":** "Donald Trump's lawyers will postpone filing a complaint against former FBI Director James Comey with the Justice Department, according to a person familiar with the decision -- a bid to stop antagonizing the special counsel who's investigating ties between the president's campaign and Russian officials.

"Trump's lawyer, Marc Kasowitz [whose birthday is today], planned to file a complaint with the Justice Department's inspector general about Comey. The ousted FBI director told the Senate on June 8 that he had arranged for memos he wrote documenting conversations with the president to be described to news reporters. ... The president's lawyers still intend to file a complaint at some point, the person familiar with the matter said. ...

"The delay is a professional courtesy to the special counsel, Robert Mueller, and a signal that the White House understands he needs space to do his job, the person said." https://bloom.bg/2tYgJI4

HEALTH CARE TIMELINE -- "McConnell is trying to revise the Senate health-care bill by Friday," by WaPo's Paige Winfield Cunningham and Sean Sullivan: "Senate Majority Leader Mitch McConnell is aiming to send a revised version of his health-care bill to the Congressional Budget Office by as soon as Friday, according to Capitol Hill

aides and lobbyists. The effort reflects the tight timeline McConnell faces in his attempt to hold a vote before the August recess - and the pressure he is under to make changes that improve the CBO's measure of the bill's impact on coverage levels and federal spending.

"McConnell is trying to move quickly to produce a new CBO score by the time lawmakers return to Washington in mid-July, giving the Senate about two weeks to fulfill the majority leader's goal of voting before the August recess. McConnell and his aides plan [to] continue negotiations through the end of the week and will be in frequent communication with the CBO, according to McConnell spokesman David Popp.

"It remains unclear exactly what parts of the Better Care Reconciliation Act are being revised - or whether McConnell is trying to move the measure to the right, with greater savings or regulatory adjustments, or to the left, with more coverage protections. McConnell needs to bring on board about nine senators who have said they wouldn't vote for the bill in its current form. Moving to the right would appease conservatives in the Senate - but also in the House, where any Senate bill would also have to pass." http://wapo.st/2tpygw3

PAUL KANE'S BIG PICTURE -- "McConnell is known as a deal-closer, but he's never done policy this big": "For the last decade, Senate Majority Leader Mitch McConnell has forged a reputation as a closer on big deals. There was the Wall Street bailout just before the 2008 elections. There was the pact over the summer of 2011 to slash spending and avoid a federal default. And there was the 2012 New Year's Eve 'fiscal cliff' compromise to avoid massive tax increases. ...

"For weeks, McConnell has privately argued that the more they wait, the less likely they are to repeal the 2010 health-care law that President Barack Obama and Democrats approved on party-line votes. Even President Trump, after he summoned GOP senators to the White House on Tuesday, openly questioned whether Republicans will ever live up to one of the central tenets of their party's orthodoxy by 'repealing' what they deride as Obamacare.

"If they can't, it will be a humbling defeat for a Senate leader who thrives on his ability to play the behind-the-scenes game. It illustrates how, 10 years after taking over as Republican leader, McConnell still struggles to corral his caucus and how this has left something missing in his legacy: a sweeping rewrite of big policy along the lines of revamping the health-care system." http://wapo.st/2tkJell

THERE IS SUDDENLY a ton of talk about a bipartisan deal on health care. Democrats have expressed next to zero interest in working with Trump.

TRUMP is going to Paris for Bastille Day on July 14.

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study projects pharmacy benefit managers (PBMs) will save Medicare Part D $896

billion over ten years. PBMs drive savings for taxpayers and seniors by negotiating discounts from drug manufacturers; by encouraging the use of lower cost, clinically equivalent drugs; and by providing clinical programs that improve health outcomes. Learn more at affordableprescriptiondrugs.org ******

STATEMENTS FROM THE WHITE HOUSE -- @realDonaldTrump at 6:49 a.m.: "The failing @nytimes writes false story after false story about me. They don't even call to verify the facts of a story. A Fake News Joke!" ... **at 6:58 a.m.:** "Some of the Fake News Media likes to say that I am not totally engaged in healthcare. Wrong, I know the subject well & want victory for U.S." ... **at 9:06 a.m.:** "The #AmazonWashingtonPost, sometimes referred to as the guardian of Amazon not paying internet taxes (which they should) is FAKE NEWS!"

ATTENTION TRAVELERS -- "U.S. announcing enhanced security measures aimed at avoiding laptop ban," by Reuters' David Shepardson: "U.S. Homeland Security officials on Wednesday will unveil enhanced security measures for foreign flights arriving in the United States, in a bid to avoid an expansion of an in-cabin ban on laptops and other large electronic devices because they might carry bombs, sources briefed on the matter said Wednesday. The decision not to impose new restrictions on laptops is a boost to U.S. airlines, which have worried that an expansion of the ban to Europe or other locations could cause significant logistical problems and deter some travel. Airlines that failed to satisfy new security requirements could still face future in-cabin electronics restrictions, sources said." http://reut.rs/2tYDwDK

FOGGY BOTTOM WATCH -- MARK PERRY in **THE AMERICAN CONSERVATIVE -- "Tillerson and Mattis Cleaning Up Kushner's Middle East Mess":** "The Qatar intervention [in 2011] has not been forgotten at the Pentagon and is one of the reasons why Defense Secretary James Mattis has worked so diligently to patch up the falling out between them and the coalition of Saudi-led countries (including the UAE, Bahrain and Egypt), that have isolated and blockaded the nation. In fact, Mattis was stunned by the Saudi move. 'His first reaction was shock, but his second was disbelief,' a senior military officer says. 'He thought the Saudis had picked an unnecessary fight' ... At the time of the Saudi announcement, Mattis was in Sydney with Secretary of State Rex Tillerson ... When the burgeoning split between the Saudis and Qataris was mentioned, Tillerson described it as no more than one of 'a growing list or irritants in the region' that would not impair "the unified fight against terrorism' ...

"But while Tillerson's answer was meant to soothe concerns over the crisis, behind the scenes he and Mattis were scrambling to undo the damage caused by Saudi action. The two huddled in Sydney and decided that Tillerson would take the lead in trying to resolve the falling out. Which is why, three days after the Sydney press conference, Tillerson called on Saudi Arabia, the UAE, Bahrain and Egypt to ease their anti-Qatar blockade and announced that the U.S. supported a Kuwaiti-led mediation effort. The problem for Tillerson was that his statement was contradicted by Donald Trump. ...

"A close associate of the secretary of state says that Tillerson was not only 'blind-

sided by the Trump statement,' but 'absolutely enraged that the White House and State Department weren't on the same page.' Tillerson's aides, I was told, were convinced that the true author of Trump's statement was U.A.E. ambassador Yousef Al Otaiba, a close friend of Trump son-in-law Jared Kushner. 'Rex put two-and-two together,' his close associate says, 'and concluded that this absolutely vacuous kid was running a second foreign policy out of the White House family quarters. Otaiba weighed in with Jared and Jared weighed in with Trump. What a mess.'" http://bit.ly/2uim10m

THE NEXT MEMBER OF CONGRESS -- "Gomez to be sworn in to House on July 11," by Kyle Cheney http://politi.co/2tYhscn

SWAMP DRAINING UPDATE -- "Kushner lawyer seasoned in navigating Washington scandals," by the AP's Eric Tucker and Chad Day: "In selecting [Abbe] Lowell to represent him in Russia-related investigations before Congress and special counsel Robert Mueller, Kushner has turned to one of the best-known trial lawyers in the nation's capital and perhaps the country. Kushner has not been accused of any wrongdoing, and there's no indication he's at risk of being charged. But his pick of Lowell suggests he's bracing for lengthy government probes and wants in his corner someone with decades worth of experience confronting thorny and contentious congressional and Justice Department investigations. It also gives him a lawyer more seasoned in navigating Washington scandals than the members of Trump's own legal team." http://apne.ws/2sRpK7z

PIC DU JOUR -- @SenTedCruz: "Great to host Tom Ricketts. Congrats on the World Series. (Should have been the @Astros!)" http://bit.ly/2tkCDaC

AFTERNOON READ -- BEN SCHRECKINGER'S latest for **POLITICO MAG -- "Has a Civil Rights Stalwart Lost Its Way?":** "Since 1971, the SPLC has fought racial discrimination in the South and established itself as the nation's most prominent hate-group watchdog, most notably winning legal fights that put some of the last nails in the coffin of the Ku Klux Klan. It has also built itself into a civil rights behemoth with a glossy headquarters and a nine-figure endowment, inviting charges that it oversells the threats posed by Klansmen and neo-Nazis to keep donations flowing in from wealthy liberals.

"Now the election of Donald Trump has vaulted the SPLC back into the center of the national conversation, giving the group the kind of potent foil it hasn't had since the Klan. Trump swept into the Oval Office by disparaging Mexican immigrants, fanning Islamophobia and activating a resurgent strain of racism rebranded as 'alt-right.' Suddenly the SPLC, whose biggest fights seemed to be behind it, is all over the news-warning of an increase in hate crimes, publishing sleek reports about anti-Muslim extremists and taking the leaders of the alt-right to court. The group is in the process of adding 50 staffers, expanding legal services for immigrants facing deportation across the South and bringing a legal hammer down on alt-right trolls. Since the election, the SPLC says it has more than doubled its following on Twitter and jumped from 650,000 Facebook followers to more than a million. ...

"[As Morris Dees, the founder of the SPLC] navigates the era of Trump, there are new questions arising around a charge that has dogged the group for years: that the SPLC is overplaying its hand, becoming more of a partisan progressive hit operation than a civil rights watchdog. Critics say the group abuses its position as an arbiter of hatred by labeling legitimate players 'hate groups' and 'extremists' to keep the attention of its liberal donors and grind a political ax. Which means that just as the SPLC is about to embark on its biggest fight in decades, taking on rising racism and prejudice across the country, its authority to police the boundaries of American political discourse is facing its greatest challenge yet." http://politi.co/2tkSoyf

HISTORY DEPT. -- "How Donald Trump and Roy Cohn's ruthless symbiosis changed America," by Marie Brenner in Vanity Fair's August issue: "How to explain the symbiosis that existed between Roy Cohn and Donald Trump? Cohn and Trump were twinned by what drove them. They were both sons of powerful fathers, young men who had started their careers clouded by family scandal. Both had been private-school students from the boroughs who'd grown up with their noses pressed against the glass of dazzling Manhattan. Both squired attractive women around town. (Cohn would describe his close friend Barbara Walters, the TV newswoman, as his fiancée. 'Of course, it was absurd,' Liz Smith said, 'but Barbara put up with it.') Sometime during the 2016 presidential campaign, [lawyer and journalist Steven] Brill noticed that Donald Trump was using Cohn's exact phrases. 'I began to hear, 'If you want to know the truth,' and 'that I can tell you ...' and 'to be absolutely frank'--a sign that the Big Lie was coming,' Brill said.

"Cohn--possessed of a keen intellect, unlike Trump--could keep a jury spellbound. When he was indicted for bribery, in 1969, his lawyer suffered a heart attack near the end of the trial. Cohn deftly stepped in and did a seven-hour closing argument--never once referring to a notepad. He was acquitted. 'I don't want to know what the law is,' he famously said, 'I want to know who the judge is.'" http://bit.ly/2tYFynw

TODAY'S BEYOND THE BELTWAY -- Massachusetts incumbents look good in 2018 -- California Democrats push back against 'age tax' http://politi.co/2tpvHtX

WHAT MOSHEH OINOUNOU IS UP TO -- MEMO FROM DAVID RHODES: "We are announcing today that CBSN: ON ASSIGNMENT will launch on July 31st and run for four consecutive Mondays at 10pm on the CBS Television Network. This is a big milestone for CBSN as it brings the best of the stream's immersive and dynamic storytelling to a mass broadcast platform.

"CBSN: ON ASSIGNMENT will stream live on CBSN simultaneous with broadcast and will be available on all of our digital platforms including CBS All Access.

"Already a great deal of work has been done in the field to bring serious original reporting to this primetime program. I've seen some of the elements - from colleagues around the news organization on assignments around the world. It's thoughtful, it's thorough - and it's exciting. We'll be able to reveal aspects of these stories as we get

closer to the premier date at the end of next month. CBSN launched long-form documentary style programs a little more than a year ago, and this has become an important part of our digital offering. We're keeping new audiences for longer on devices and over-the-top TV. Tremendous gratitude to Nancy, Mosheh, Christy, and everyone on the digital side for helping pull together this project on a short timeline."

CONGRATS to former VA secretary **Jim Nicholson** and his wife **Suzanne**, who this week celebrate their 50th wedding anniversary. They're celebrating with a family reunion at the Broadmoor in Colorado Springs. ***Pic*** http://bit.ly/2ui3TUK ... **Jeff Goldberg** and his wife **Pamela** celebrated their anniversary yesterday.

MEDIAWATCH -- Meredith Bennett has been hired by NBC News to be the editor of THINK, their upcoming platform for "opinion, ideas and conversations," which is set to debut in the fall. Bennett was previously an editor at Quartz and Mic.

TRANSITIONS -- Jamie Kirchick is joining the Brookings foreign policy program as a visiting fellow. Kirchick, author of "The End of Europe: Dictators, Demagogues, and the Coming Dark Age," is also a columnist at Tablet Magazine and a correspondent at the Daily Beast. ... **Kathleen Gasperine** and **Giulia Marchiori Ceresa** have co-founded Paradigm Political Management and Philanthropy with offices in Boston and London. **Julia Leja** is a senior adviser.

WASHINGTON INC. -- TARGETED VICTORY's NEW DIGS - The Republican digital agency, which employs nearly 40 people, has moved into a new office in Rosslyn at 1101 Wilson Blvd; They previously were based in Old Town but said they outgrew their former space. *Pix* http://bit.ly/2sQkEbs

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** A new study estimates that Medicare Part D costs would be 58 percent higher without pharmacy benefit managers' (PBMs') clinical tools and price negotiations with drug manufacturers and pharmacies. The study shows PBMs significantly lower premiums and out-of-pocket costs for Medicare beneficiaries. In fact, PBMs are projected to save Medicare Part D $896 billion over the next decade. Thanks to PBMs, Medicare Part D continues to drive savings and value for taxpayers and beneficiaries, ensuring that more than 39 million American seniors can access the prescription drugs they need. Learn more at affordableprescriptiondrugs.org ******

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TRUMP'S EPA: Agency at a crossroads -- Complete coverage

July 10, 2017

Latest News

Former EPA Risk Assessor Said To Be Top Contender For Toxics Chief

Michael Dourson, a former EPA risk assessor and founder of a leading risk assessment consulting group, is the leading contender for the appointment to head EPA's Office of Chemical Safety and Pollution Prevention (OCSPP), which is responsible for implementing the Toxic Substances Control Act (TSCA) reform law that President Obama enacted last summer.

Citing Industry Risk, EPA Asks Court To Recall Methane NSPS Vacatur

EPA is urging the federal appellate court panel that vacated its administrative stay of Obama-era methane standards for new oil and gas sources to recall its mandate for the agency to immediately lift the stay, particularly as EPA is evaluating options for appeal, suggesting the immediate nature of the court's mandate places industry at risk.

Court Vacatur Of EPA Methane NSPS Stay Leaves Oil & Gas Sector In Limbo

The recent federal appellate court ruling vacating EPA's 90-day administrative stay of Obama-era methane standards for new oil and gas sources is leaving the industry in regulatory limbo and vulnerable to citizen suits, with the rule's compliance deadlines restarting even as EPA advances what some see as a legally risky proposal to delay the regulation by an additional two years.

EPA Expected To Cite '112 Exclusion' In CPP Repeal To Exempt Coal Plants

The draft EPA proposal to repeal the Clean Power Plan (CPP) currently under review by the White House is thought to include as one justification for rolling back the Obama-era rule the argument that EPA is barred from regulating coal plants' greenhouse gases under section 111(d) of the Clean Air Act because it already regulates their air toxics under section 112.

Appeals Court Reinstates Bush-Era DSW Third-Party Recycler Exclusion

In a 2-1 decision, a federal appeals court has partially sided with industry in vacating

most of the verified recycler exclusion contained in the Obama EPA's definition of solid waste (DSW) rule, instead reinstating a more relaxed Bush-era exclusion for third-party recyclers of hazardous secondary material that allows them to avoid stringent regulation as solid waste.

Seeking Flexibilities, POTWs, Regulators Pause CWA Enforcement Talks

Federal regulators and several municipalities are pausing consent decree negotiations over longstanding combined sewer overflow (CSOs) noncompliance issues, hoping that Trump administration enforcement nominees will agree to provide flexible enforcement approaches as they wait for Congress to act on pending bipartisan legislation that could ease requirements.

Municipalities Raise Concerns About CWA 'Integrated Planning' Legislation

Some municipalities are raising concerns that pending legislation to codify EPA's 2012 Clean Water Act (CWA) integrated planning guidance could have the unintended consequence of limiting the compliance flexibility approach only to actions intended to improve water quality, closing the door to addressing other issues connected to water treatment such as energy recovery, drinking water and others.

Daily Feed

States seek to intervene in defense of 2015 ozone NAAQS

Democrat-led states say the Trump EPA's hostility to the 2015 ozone rule requires them to intervene in order to take up defending the policy.

Senate Democrats seek GAO review of EPA's advisory panels

“To be effective, these advisory committees must be -- and, just as importantly, be perceived as being -- independent and balanced,” the senators wrote in their letter to GAO.

EPA dam study shows need to maintain Chesapeake funds, lawmaker says

Concerns about nutrient-laden sediment prompt a Virginia Democrat to call for full funding of EPA's Chesapeake Bay cleanup effort.

States warn CRA suit could revive stream protection rule

Several GOP states say a successful suit overturning the Congressional Review Act could revive a host of Obama-era policies they oppose, including a stream protection policy.

Quote-Unquote: Talking about budgets and science

This week’s quotes address the continuing debate over EPA’s fiscal year 2018

budget request and controversy over TSCA's definition of "best available science."

Several states seek to back suit over chlorpyrifos ban reversal

Six Democratic attorneys general are seeking a role in environmentalists' suit challenging EPA's decision to reverse an Obama-era plan to prohibit the use of chlorpyrifos on food.

Ewire: House approps chair under pressure to boost EPA funds

EPA's FY18 budget may be a factor in Rep. Rodney Frelinghuysen's (R-NJ) re-election bid next year.

States challenge methane rule delay

The states' challenge to BLM's methane rule delay may be buoyed by recent rulings backing challenges to Trump EPA rule delays.

Read all the latest EPA news, analysis and documents →

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Fri 6/23/2017 2:43:30 PM
Subject: EPA watchdog calls for better management of chemical safety research tools

By Alex Guillén

06/23/2017 10:39 AM EDT

EPA needs to better coordinate its efforts to create computer programs that help researchers study the health risks of chemicals, according to a new report from the agency's inspector general.

EPA's Office of Research and Development helps create "research products" for the Office of Chemical Safety and Pollution Prevention, which tests both commercial chemicals under the Toxic Substances Control Act and pesticides under another federal law.

These products "support risk analyses, search for chemical testing data across multiple databases, and compare previous research results to current risk assessments," according to the IG. The report specifically praised a recently developed modeling program for endocrine disruptors.

However, investigators concluded OCSPP needs better "management controls" — a process to ensure it works consistently with the R&D office. The chemicals office also should identify its own priorities for developing new programs.

"Without management controls that ensure consistent interoffice collaboration and assess CSS product needs, OCSPP is at risk of not effectively incorporating products in a way that could rapidly improve how the EPA assesses chemical risks to human health and the environment," the report concludes.

The report says EPA agreed with its recommendations and has taken appropriate action.

EPA on Thursday released a suite of regulations that lay out how the agency will carry out future chemical risk evaluations under the reformed TSCA law. Though the IG's report is not directly connected to that, the research products in question will be used by EPA researchers to evaluation chemical risks.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/epa-watchdog-calls-for-better-management-of-chemical-safety-research-tools-089623

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 5/23/2017 7:15:43 PM
Subject: Zinke to unveil Interior 'century' reorganization plan

By Esther Whieldon and Annie Snider

05/23/2017 03:00 PM EDT

Interior Secretary Ryan Zinke said today he will begin releasing proposals in the next couple of months to reorganize the agency.

"I view this as a century reorganization to look at how best to manage, protect, use our public lands in the next 100 years given that we have a number of challenges," Zinke said in a conference call about the fiscal 2018 budget proposal.

Zinke said the reorganization will be aimed at coordinating on issues like wildlife corridors, watersheds and trail systems that span multiple federal agencies, as well as state and local ones.

He said his staff has already begun exploring ways of applying military models, he said, and for natural resources, the concept could be based around different watersheds to push more authority down to the "front lines."

Zinke has met with White House officials and interest groups including from the energy industry and environmental sectors about a reorganization options. And he met with Agriculture Secretary Sonny Perdue to discuss fighting forest fires. POLITICO in January reported Zinke was mulling proposing congress move USDA's Forest Service to the Interior.

WHAT'S NEXT: With a few exceptions, Zinke will need congressional approval for any major reorganization of the Interior's nine bureaus or for bringing over bureaus from other agencies.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/zinke-to-unveil-interior-century-reorganization-plan-088174

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/6/2017 8:00:03 PM
Subject: [SPAM] June 6 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

Senate Panel Advances FERC, Interior, Energy Nominees

Posted June 06, 2017, 12:39 P.M. ET

By Alan Kovski

A Senate committee voted June 6 to advance two nominations for the Federal Energy Regulatory Commission, a step toward restoring the quorum the commission needs to make basic decisions on electric grid regulation, natural gas pipeline projects and more.

The votes of the Senate Energy and Natural Resources Committee for Neil Chatterjee and Robert Powelson to be FERC commissioners were by identical lopsided margins of 20-3, possibly reflecting the commission's relatively unpoliticized nature.

The committee also voted 14-9 to support the nomination of David Bernhardt to be deputy secretary of the Interior Department and 17-6 for Dan Brouillette to be a deputy secretary of energy.

Welcoming the FERC nomination votes, Don Santa, president of the Interstate Natural Gas Association of America, said in a statement, "We estimate that about $14 billion in private capital—ready to be deployed on energy infrastructure projects—is being held on the sidelines while FERC lacks a quorum and cannot act on major projects."

Votes by the full Senate have not yet been scheduled for the nominees.

Cantwell Opposes Bernhardt

Sen. Maria Cantwell (D-Wash.), ranking member of the committee, opposed Bernhardt out of concern for what she called the risk, or at least the appearance, of conflicts of interest because of his work as an attorney for energy, water and mining companies.

He has represented energy companies including Noble Energy Inc., Cobalt International Energy Inc., NRG Energy Inc. and Sempra Energy (parent of San Diego Gas & Electric utility and Southern California Gas Co.), among others. Their work intersects Interior regulation in various ways, such as

when Noble Energy or Cobalt seek to produce oil and gas in the Interior-regulated federal offshore.

Cantwell criticized him for having helped sue the Interior Department on behalf of clients, including the Westlands Water District, a large water distribution district that relies on contractual water supplies controlled by the Bureau of Reclamation, an Interior agency.

Bernhardt has promised to avoid participation in decisions affecting former clients for two years, Cantwell said, but she took the position that the revolving door of government and private-sector employment made the two-year restraint inadequate.

Cantwell also reminded listeners that Bernhardt had been Interior counselor during the administration of President George W. Bush, during which controversies emerged over staff misbehavior and a political appointee tampering with the wording of scientific assessments.

"I know there is no evidence Mr. Bernhardt personally participated in these activities," Cantwell added.

Murkowski Likes Four, Seeks More

Sen. Lisa Murkowski (R-Alaska), chairman of the committee, had brief words of praise for all of the nominees. She and Cantwell were the only senators who spoke at the hearing.

"I believe all four of these nominees are capable, competent, and well-qualified for the roles that they have been selected for," Murkowski said.

She was critical of the slow pace of nominations from the Trump administration, however. "I don't think that's an acceptable pace," she told reporters after the votes.

Chatterjee, a long-time energy staffer for Senate Majority Leader Mitch McConnell (R-Ky.), and Powelson, the president of the National Association of Regulatory Utility Commissioners and a member of the Pennsylvania Public Utility Commission, were nominated for FERC terms expiring in 2021 and 2020, respectively.

Brouillette is senior vice president of the United States Automobile Association, an organization providing financial services to military personnel, veterans, and their families. Before that he was a vice president of Ford Motor Co. He served in the Energy Department in the George W. Bush administration as an assistant secretary of energy for congressional and intergovernmental affairs from 2001 to 2003.

He previously worked in Congress for the House Energy and Commerce Committee and for lobbying firms, including FleishmanHillard Inc. His clients at that firm included Entergy Corp., Allegheny Energy Inc. and Peabody Energy Corp., according to OpenSecrets.org, a project of the Center for Responsive Politics that tracks money in politics.

Paris Climate Deal Needs New Rules and Clarity, Scientists Say

Posted June 06, 2017, 11:33 A.M. ET

By Jonathan Tirone

The Paris climate accord needs to be strengthened through new negotiations and national

commitments to transparency, scientists argued in a report.

Uncertainty about the pledges made by almost 200 countries in the landmark climate deal means the world could fail to mitigate runaway global warming, according to the report by six scientists published June 6 in the journal Nature Communication.

"In many cases the actions described in these pledges are ambiguous or imprecise," wrote Joeri Rojelj, the lead author of the paper titled "Understanding the Origin of Paris Agreement Emission Uncertainties." The scientists urged countries to implement a "robust process that keeps track of where emissions are heading."

While President Donald Trump expressed willingness to negotiate a new version of Paris the agreement, the steps urged in the study are unlikely to gain traction in Washington. Trump derided the agreement's framework of voluntary emission cuts as being unfair to American workers. The scientific study wants the accord strengthened by imposing even more accountability.

To keep temperature rises well below 2 degrees Celsius (3.6 degrees Fahrenheit), the scientists argue that countries need to streamline and remove uncertainties from pledges called "nationally determined contributions."

"Some pledges focus on improving 'emissions intensity,' meaning reducing the emissions per dollar of economic output, but assumptions about socioeconomic growth are often implicit or unknown," said Rojelj, who advises the United Nations and researches at the International Institute for Applies Systems Analysis outside of Vienna.

"Other countries focus on absolute emissions reductions, which are simpler to understand, or propose renewable energy targets, which can be expressed in different ways," he said. "Questions also remain about how much land-use-related climate mitigation will contribute, such as reducing deforestation or preserving forests."

Countries will need to improve their reporting by 2030 or risk having to increase emission reduction targets by factors of four to 25 thereafter, according to the report.

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States to Pruitt: Don't Reverse Course on Dow Insect-Killer

Posted June 06, 2017, 11:26 A.M. ET

By Tiffany Stecker

Seven states want the EPA to ban most uses of the pesticide chlorpyrifos, challenging the agency's decision not to further regulate the chemical.

Attorneys general for California, Maine, Maryland, Massachusetts, New York, Vermont, and Washington filed objections June 5 asking Environmental Protection Agency Administrator Scott Pruitt to make a safety determination on the use of chlorpyrifos.

Pruitt on March 29 declined to further regulate the insect-killer, which is linked to neurodevelopmental effects, until Oct. 1, 2022. The move was a U-turn from the EPA's work to revoke the legal tolerances for the pesticide on food under President Barack Obama. In November

2016, two months before Obama left the White House, the EPA released a scientific assessment indicating that levels of chlorpyrifos on most food crops exceeded the legal safety standard. A year earlier, the agency proposed a ban, but didn't finalize the move before the new administration came in.

In their appeal, the states argue that a strong federal policy on pesticides is necessary given the nationwide distribution of the food system.

"Action by the states to curtail human exposure would not be fully effective, given the national markets for foods," the document said. "The states have a strong interest in assuring appropriate federal regulatory action, including a final decision by the administrator about whether existing chlorpyrifos food tolerances are safe and may remain in effect."

The administrative appeal from the states follows similar objections filed June 5 by a coalition of environmental and farmworker advocacy groups. The filing challenges Pruitt's order, detailing the scientific and legal justification for a ban. Separately, the organizations filed a lawsuit challenging the EPA's denial in the U.S. Court of Appeals for the Ninth Circuit (LULAC v. Pruitt, 9th Cir., 17-71636, 6/5/17).

The agency struck a deal with manufacturers in 2000 to suspend indoor uses of the chemical, such as in roach and ant baits. But environmental organizations said the move did not go far enough to protect rural and farmworker communities, and the Natural Resources Defense Council and Pesticide Action Network petitioned the EPA in 2007 to revoke uses of the insecticide for food crops.

After a seven year delay, the organizations sued the EPA in 2014 in the Ninth Circuit.

Dow Agrosciences, the original maker of chlorpyrifos, has criticized the science used to justify restrictions, saying the EPA depended on unreliable studies to propose a ban on the pesticide.

NuScale CEO: Energy Department Must Keep Funding Small Reactor

Posted June 06, 2017, 11:32 A.M. ET

By Rebecca Kern

The Energy Department must keep its public-private funding commitment to NuScale Power LLC, which is developing the country's first small modular nuclear reactor, the company's CEO said June 6.

"We need our government on our side to finish what we started in 2013 with the SMR licensing and technical support program award," NuScale CEO John Hopkins said at the U.S. Nuclear Infrastructure Council's Global Nuclear Energy Markets summit in Washington.

But the Trump administration's fiscal year 2018 budget proposal doesn't include any Energy Department funding to research small modular reactors or advanced nuclear reactors.

NuScale's small light-water nuclear technology is under review at the Nuclear Regulatory Commission. The company received a $217 million funding award from the Energy Department in 2013, which will last until fiscal year 2017. Fluor Corp., which bought NuScale in 2011, has invested approximately $400 million to date in the technology.

"So I need to figure out how to get through 2018," Hopkins said. "This is a public-private partnership. We've got to keep things moving forward."

"As long as the business model continues to stay, I just met with the Fluor board, and they're willing to invest," but we need the government to stay behind it as well, he said.

NuScale submitted its design certification application to the NRC in January, and expects an approximately 3.5-year review. The company aims for its first reactor to licensed and operational in 2025-2026 at the Idaho National Lab, Hopkins said.

NuScale's small, 50-megawatt reactors can be scaled up to 12 reactors generating up to 600 megawatts of electricity. The company says they will be quicker to build and potentially less costly than traditional large-scale nuclear reactors now on the market.

Hopkins said Energy Secretary Rick Perry told him in a recent meeting that he supported the technology.

Google, Facebook Join Cities in Challenging Trump on Climate

Posted June 06, 2017, 8:40 A.M. ET

By Joe Ryan

Alphabet Inc.'s Google, Microsoft Corp. and Facebook Inc. are among dozens of companies that pledged their support for policies combating climate change following President Donald Trump's decision to withdraw from the Paris accord.

The "We Are Still In" coalition also features nine states, including California and New York, scores of universities, and leaders of 125 cities from Los Angeles to Chicago, according to a statement released June 5.

The initiative is an attempt to coordinate the widespread backlash to Trump's withdrawal from the landmark environmental agreement. Many of the companies and politicians who signed up have been advocating for months for the U.S. to uphold its climate change commitments. The statement is intended to demonstrate to other nations that U.S. businesses and local governments remain on board, no matter what the president does.

"We remain steadfastly committed to the sustainability, carbon and energy goals that we have set as a company and to the Paris Agreement's ultimate success," Microsoft President Brad Smith said in the statement.

UN Letter

Former New York City Mayor Mike Bloomberg, founder and majority owner of Bloomberg LP, the parent company of Bloomberg BNA, submitted a letter June 5 to UN Secretary General Antonio Guterres, expressing support for the Paris accord on behalf of the group. Bloomberg also plans to work with cities, states and businesses to set a collective emissions-cutting goal to submit to the UN as "America's Pledge" under the Paris accord.

Trump, who has called climate change a "hoax," campaigned on the pledge to exit the 2015 pact,

saying it damaged America's economic competitiveness. Last week, he announced his intention to withdraw, saying the deal favors other nations at the expense of American workers.

In response, the governors of New York, California and Washington state announced plans to form a coalition to fight global warming and more have since signed up. Dozens of mayors from cities including Boston, Seattle and Cleveland vowed to do the same.

The Paris accord is broader than any previous climate agreement. It calls for nations to voluntarily reduce carbon dioxide emissions in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the Industrial Revolution.

—With assistance from Dave Merrill.

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California Biodiesel Credits on Hold as Court Orders New Analysis

Posted June 06, 2017, 7:01 A.M. ET

By Carolyn Whetzel

Biodiesel producers are going to have to wait a little longer to get more California credits under the state's low-carbon fuel standard.

That's because California's analysis of biodiesel-related emissions associated with the fuel standard still falls short, leaving the state in violation of its environmental review law, a state appellate court ruled, ordering a redo of the analysis—again.

But, companies can still get federal credits for selling their fuel in California, an environmental attorney said.

The decision comes in a lawsuit challenging the California Air Resources Board's 2015 effort to correct the same flaw the state's Fifth Appellate District found in 2013.

CARB's re-adoption and revisions to the low-carbon fuel standard "did not cure" the California Environmental Quality Act violation it was ordered to correct the first time, the court said. The California Superior Court shouldn't have "discharged the writ of mandate," the May 30 majority opinion said.

The May 30 ruling means the biodiesel portion of the low-carbon fuel standard is blocked until CARB does the nitrogen oxide analysis again, David Pettit, a Natural Resources Defense Council attorney and intervenor in the case, told Bloomberg BNA June 5 (POET LLC v. CARB, Cal. Ct. App., F073340, 5/30/17).

The court wants CARB to look at the nitrogen oxide emissions since 2009, and identify how much of the increase in emissions is due to the low-carbon fuel standard and then attributable to the federal biodiesel incentives, Pettit said.

"That means California credits for biodiesel are on ice until then," Pettit said.

POET LLC, a South Dakota corn ethanol producer, filed the lawsuits challenging the initial fuel

standard and the 2015 replacement regulation.

"This decision will require regulators to sit down, take a look at the science and finally get this right so there is a full range of renewable options available to California drivers who care deeply about their health and their climate," the company said in a prepared statement.

CARB didn't respond to Bloomberg BNA's request for comment on the court order.

California Governor Says China `On the Move,' U.S. Role Reduced

Posted June 06, 2017, 10:40 A.M. ET

By Bloomberg News

California Governor Jerry Brown said "America can't rest on its laurels" as competitive pressures from China become more intense, particularly in light of the U.S. moving away from the Paris climate change agreement.

"The role of America in the world has been reduced because of Trump's pullout from the Paris accord," Brown said in a Bloomberg Television interview with Tom Mackenzie June 6 in Beijing. "The Chinese are on the move. They're a rising power."

Brown, a Democrat, is traveling across China to forge new links on clean energy between the state and the world's most populous country and largest car market, urging it to take environmental cues from Sacramento, not the White House. President Donald Trump's withdrawal from the Paris climate pact is "an insane move," he told reporters on the eve of his trip to Chengdu, Nanjing and Beijing.

"They're not sitting there and making a one-to-one: Trump down, China up," he said of his talks with Chinese officials. "They're just saying 'China is on the move.'"

Brown leads a $2.5 trillion economy that on its own would be the world's sixth-largest, narrowly trailing the U.K. after overtaking France in 2015. California was responsible for roughly a third of the country's $347 billion trade deficit with China last year, according to the U.S. Department of Commerce.

Clean Energy

He said in the Bloomberg interview that he and Chinese President Xi Jinping discussed "clean energy technology, trade and investment, open trading rules and a general spirit of getting things done together and in collaboration," adding the two men spoke about Chinese investment in infrastructure projects in California.

"We can't reduce our carbon footprint unless we deal with transportation," according to Brown. He said he is open to joint ventures with China on electric vehicles and sees more Chinese businesses coming to California as a result of his visit.

U.S. business leaders have warned that walking away from the landmark climate accord could put the country at a disadvantage in the race to develop and deploy clean energy technology.

Brown met President Xi in Beijing earlier June 6 to discuss expanding cooperation on green

technology, innovation and trade. They agreed to work together on expanding bilateral cooperation, particularly on green development, according to statement from governor's office.

Xi highlighted "the strong sub-national relationship" between California and Chinese provinces, according to the statement. Brown said California is pushing to cut emissions to 40 percent of 1990 levels by 2030 and achieve 50 percent renewable energy.

Brown signed an agreement with China that seeks to improve cooperation in electric vehicles, Wan Gang, minister of science and technology, said at the International Forum on Electric Vehicle Pilot Cities and Industrial Development in Beijing.

Brown, along with the governors of New York and Washington, formed a coalition to fight global warming in response to Trump's decision to withdraw from the Paris accord. The alliance now includes 13 members.

—With assistance from Haze Fan, Yan Zhang, Ross Larsen and Lorenzo Totaro.

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David Vitter Tackles Energy Issues at New Orleans Law Firm

Posted June 06, 2017, 11:30 A.M. ET

By Rachel Leven

Former Sen. David Vitter (R-La.) has joined Butler Snow LLP to work on energy issues, the law firm announced June 6.

Vitter, who served as ranking member of the Senate Environment and Public Works Committee from 2013 to 2015, will practice law in the firm's New Orleans office. He will also keep his job as co-chairman of Mercury Public Affairs, where he is registered to lobby the Trump administration on behalf of the American Chemistry Council and others.

"David has a long and successful track record as a legislator and political leader," Donald Clark, Jr., chairman of Butler Snow, said in a statement. "His significant experience, especially in helping lead major public policy and economic development initiatives, makes him a really valuable addition to Butler Snow in Louisiana."

Vitter left the Senate following a failed run to be Louisiana's governor. He served in the House from 1999 to 2005 and Senate from 2005 to 2017, and is known for his leading role in helping pass legislation including a landmark chemical law—the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Pub. L. No. 114-182)—and for holding up then-President Barack Obama's nominee to be EPA administrator, Gina McCarthy, for more than 100 days due to transparency concerns.

U.K. Election Results, Emissions Plan Are Up in the Air

Posted June 06, 2017, 02:55 P.M. ET

By Ali Qassim

The only thing certain about the U.K.'s general election this week is nobody's sure what's going to happen.

Will the June 8 election put a party in power that will nimbly plot the nation's path on major issues, including climate change, or will voters once again surprise London oddsmakers and go a different route?

It wasn't so long ago that things were on course. Less than a week after the U.K. shocked the world and voted to leave the European Union last June, the government approved the Fifth Carbon Budget, legally restricting the total amount of greenhouse gases the country can emit.

But Brexit also sparked the resignation of Prime Minister David Cameron, leaving in charge a new government headed by Theresa May that came under fire for disbanding the Department of Energy and Climate Change, appointing an energy minister who questioned the reality of climate change, and failing to decide on a plan to cap the country's escalating emissions.

The new Conservative government's initial promise to produce a nationwide plan to cut greenhouse gas emissions by the end of 2016 was pushed to March 2017, then April. May took everyone by surprise that month and called a snap general election—three years ahead of schedule.

The government that's formed after the U.K.'s June 8 snap election will be charged with publishing a long-awaited plan to meet its long-term emissions targets.

The plan must not only fulfill the U.K.'s commitment to the Paris Agreement on climate change but also include a framework to attract investors for renewable energy projects for at least the next decade, representatives from business, the low-carbon sector and environmental groups told Bloomberg BNA.

Last Chance?

The U.K.'s previous failure to produce an emissions reduction plan, now dubbed the Clean Growth Plan (CGP), has "potentially significant legal consequences," Frank Gordon, policy manager at the Renewable Energy Association, told Bloomberg BNA.

Under the 2008 Climate Change Act, the government must pass carbon budgets every five years that set out plans on how it intends to cut emissions by 57 percent by 2032 compared to 1990 levels.

The CGP "may realistically be our last good chance to get back on track, otherwise there is a serious risk we will miss our future emissions targets," Jonathan Church, a lawyer at activist organization ClientEarth, told Bloomberg BNA.

The U.K. has achieved big emissions reductions, but they're due in some part to the 2008 recession and downturn in manufacturing, Church said.

And that bump won't be enough as 2016 projections show that without the full push of the government behind it, the U.K. could miss its Fourth Carbon Budget for 2023–2027 by 146 metric tonnes of carbon dioxide-equivalent and the Fifth Carbon Budget for 2028–2032 by 247 metric tonnes, he said.

This is raising concern among business and environmental organizations in the U.K.

Call for Clarity

Nick Molho, executive director of the Aldersgate Group, a coalition of businesses and environmentalists, said, "Given that there is currently no policy clarity on energy efficiency and very little clarity on policy support for renewable energy outside of offshore wind, it would be concerning if the plan did not come out by the end of 2017."

The government is not allowed on-the-record statements during an election campaign under a practice known as purdah. Just before campaigning was launched, Nick Hurd, minister of state for climate change and industry, said before a Department of Business, Energy and Industrial Strategy committee that work to deliver a Clean Growth Plan was "well-advanced."

Plan Must Attract Investors

The linchpin to a Clean Growth Plan is ensuring that policies are detailed and long-term enough to attract the higher levels of affordable private-sector investment the U.K. needs in the next 15 years, according to Molho.

"It's a very complex task as the plan needs to be sufficiently detailed to attract affordable private-sector investment in the energy efficiency, low-carbon energy and low-carbon transport infrastructure the U.K. needs to meet its Fifth Carbon Budget," he said.

Michelle Hubert, head of infrastructure and energy at the Confederation of British Industry, agreed. Companies need clarity on what 2030 as it's only an investment cycle or two away, she told Bloomberg BNA.

Businesses also "want to see a fresh approach to the emissions reduction plan, to deliver policies fit for the future. In an increasingly interconnected world—where we might see homes and businesses generate, store, and use their energy in new innovative ways—the economy should be more joined up, with cross-cutting technologies being put to greater use," she said.

The government also should commit to promoting the Enterprise Investment Scheme, which offers tax relief to investors that buy shares in smaller higher-risk trading companies for renewable power projects, according to the Renewable Energy Association's Gordon.

"It can be removed if desired, once successor funding schemes are introduced but would provide certainty and allow for continuity in planning project pipelines," he said.

Power and Heat

There is a "strong consensus" among groups on how a CGP should work for the power sector, said Dustin Benton, acting deputy director of the think tank Green Alliance.

"The good news is this will mostly be cheaper than fossil fuel alternatives. The challenge is that government needs to support zero carbon flexibility to enable this to work, including via interconnection to the U.K.'s EU neighbors," he said.

There's also some disagreement about the picture after 2025, with policy still assuming nuclear will be cheap and available by then, but complications related to, for instance, U.K.'s probable exit from the European Atomic Energy Community "raises serious questions about this assumption."

Speaking for the renewables industry, Gordon said the next government should lay out a clear plan in 2018 to reduce carbon emissions from heating and cooling by 40 percent by 2030 and achieve the U.K.'s 2020 renewable energy target, which includes 12 percent of heat produced from low-carbon sources.

If the new government starts focusing on the Clean Growth Plan soon after the election, there still would be "time to do large-scale experiments on the three core technology families: district heating, heat pumps, and hydrogen heat. We think it should do low-carbon heat trials involving tens of thousands of consumers before 2020, to figure out what works and to provide an incentive for cost reduction," Benton said.

Historic California Gas Leak Spurs Boom in Big Batteries

Posted June 06, 2017, 9:13 A.M. ET

By Joe Ryan

Installations of large-scale energy-storage systems surged to record levels during the first quarter as power companies and state officials pushed to better incorporate electricity from wind and solar farms.

U.S. homes and businesses—mostly utilities—installed storage systems with 234 megawatt-hours of capacity during January, February and March—more than 50 times the amount installed a year earlier, according to a study released Tuesday by GTM Research and the Energy Storage Association.

The lion share of installations were in Arizona, Hawaii and California. A key driver in the Golden State was the continued closure of the Aliso Canyon gas field—site of the biggest leak in U.S. history—which prompted Sempra Energy's San Diego Gas & Electric Co. and Edison International's Southern California Edison to installed powerful batteries to make up for anticipated electricity shortfalls. Despite the robust start, storage installations appear to have already their high-water mark for the year, Ravi Manghani, GTM Research's director of energy storage, said in a statement.

"The industry shouldn't get too comfortable," Manghani said. "There aren't that many 10+ megawatt-hour projects in the 2017 pipeline, indicating that the first quarter may be the largest quarter this year."

Leading States

California, which has a goal to install 1.3 gigawatts worth of batteries by 2020, remains the national leader in energy storage, with 238 megawatts installed. It's followed by Arizona, Hawaii, Massachusetts, New York and Texas.

Nearly all the systems installed in the last year used lithium ion batteries, according to GTM. The study didn't include pumped-storage hydroelectricity systems, which draw water to hilltop reservoirs and then release it later to power electric generators.

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Prince on Funding Solar Power: Let's Go Crazy

Posted June 06, 2017, 02:09 P.M. ET

By Brian Eckhouse

Before his abrupt death a year ago, the pop musician Prince made an investment in green energy that's now helping solar start-ups weather an assault from President Donald Trump.

It started with a conversation in 2011 between Prince and his friend Van Jones, a CNN commentator and California human rights agitator and onetime green-jobs adviser to President Barack Obama.

"He asked, 'If I have a quarter-million dollars, what can I do with it?'" Jones recalled in an interview. "My wife said he should put solar panels all over Oakland."

That led to the creation of Powerhouse, a rare for-profit incubator dedicated to putting clean-tech entrepreneurs together with investors. The company has helped 43 start-ups get on their feet in an era when venture capital funding for renewables has plunged and Trump is working to slash funds for early-stage entities from the U.S. Department of Energy.

It's an example of how fledgling solar companies are relying on angel investors, foundations and family offices for seed money. And it has helped make Oakland, across a bay from San Francisco, a hive for clean-tech finance with 13 companies and six industry organizations working near Powerhouse's offices.

Move to Oakland

With a grant from Prince, Jones brought in Billy Parish, founder and chief executive officer of Solar Mosaic Inc., then a rookie crowdfunding loan provider working in Arizona. Parish moved Solar Mosaic to Oakland, where he met Emily Kirsch. She was a green jobs campaigner at the Ella Baker Center for Human Rights, a non-profit that Jones co-founded. Kirsch worked with Solar Mosaic on its first four projects then had the idea to make money helping young companies.

"If my support could help one company, what if our network could help 10 or 50 companies?" said Kirsch, 31.

That's where the story ended for Prince, who died in April 2016 at age 57. Jones said Prince wanted his involvement to remain anonymous.

Powerhouse found its initial home in the office of another emerging solar company, Sungevity Inc. Mosaic, an early Powerhouse company, was also based there at the time.

The incubator emerged as venture capital dried up following unprofitable investments in solar manufacturing and biofuel start-ups. VCs provided $4.3 billion for clean-energy last year, less than a tenth of the $50.2 billion peak in 2007, according to Bloomberg New Energy Finance.

Trump has signaled he wants to cut seed money flowing from DOE programs, and that is apt to cut the number of investors willing to back the industry. A DOE spokeswoman didn't comment.

"The tourists are out," said Nancy Pfund, founder and managing partner of DBL Partners LP, a clean-tech venture capital firm that invested and early backer of Elon Musk companies including

Tesla Inc.

Venture is Thriving

Even so, Powerhouse is thriving. Kirsch says it's making money, though she declined to say how much. About half of the entrepreneurs it's backed were founded by women and minorities—above the industry norm, Kirsch said. Those companies include:

• BrightCurrent, which offers field marketing and call-center support for home-energy management;

• PVComplete, which designs and engineers solar projects for other companies;

• UtilityAPI, which provides energy data to solar and storage companies; and

• Hot 4 Solar, which helps identify neighborhoods ripe for rooftop solar.

For the entrepreneurs involved, Powerhouse has helped them shift careers after they had identified gaps in the market, using skills from bigger companies like the now bankrupt SunEdison Inc.

At SolarCity Corp., a rooftop panel installer now woven into Tesla, George Zviagin wanted to develop software for cash-flow forecasts and energy production. While senior executives embraced the idea, funds were lacking, he said. So, he went out on his own.

"I was already at the biggest company, and was fortunate to have joined before it IPO-ed," said Zviagin, who founded Ra Power Management. "I got some early validation, sold my stock, and used that to bootstrap us for the first year."

Claudia Eyzaguirre, co-founder and CEO of PVComplete, has hired from within the Powerhouse community. Her company employs 11, including five at Powerhouse. "The cross-fertilization is strong," she says.

BrightCurrent CEO John Bourne, who used to work at SunEdison, now has 125 workers including eight at Powerhouse nearby.

"We are like the kids who came back to live at home because we love our parents," Bourne said.

At Powerhouse's office, a short walk from the headquarters of the music streaming business Pandora Media Inc., the decor is decidedly techy, with conference tables made from reconstituted solar panels. A replica of the Millennium Falcon sits on a coffee table, and Polaroid photos of the 107 members of the Powerhouse community are fastened to strings on the wall behind Kirsch's standing desk.

The mood remains optimistic even with funding cuts looming. After a period of rapid growth in solar installations, SunEdison's collapse rattled confidence. Some executives say the industry would benefit from specialists like those at Powerhouse with a sober approach to funding.

"We had this huge, huge party—it was 'Party Like it's 1999,'" says PVComplete's Eyzaguirre. "A correction in this sector wouldn't be a terrible thing."

—With assistance from Chris Martin.

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Germany Rejects Curbing Wind Auctions as Clean Power Surges

Posted June 06, 2017, 02:04 P.M. ET

By Jessica Shankleman and Brian Parkin

Germany's ruling coalition has no plans to curb auctions of onshore wind power even though capacity coming online has strained the electricity grid.

Rainer Baake, a deputy economy and energy minister, said grid upgrades are keeping pace with the growth of onshore wind capacity and there are no plans to cap auction amounts. Coalition lawmakers including Deputy Christian Democratic caucus whip Michael Fuchs have called for the pace of new tenders to be cut to give the network more time to accommodate additional supply.

"I don't expect any changes," said Baake June 5 at a clean energy conference in London. "Everyone is working very hard now on implementing these grid plans—but it's a constant race."

Germany auction strategy may be headed for a review after the general election due in September, regardless of Baake's confidence in the current system. Green power supply is shooting past ceilings set by the government last year, driven by new wind power installations. That's made the electricity market a rising priority for the government that takes office after the vote.

Clean power may jump to 35 percent or more of the nation's electricity consumption this year, up from 32 percent last year, said Baake. Chancellor Angela Merkel's administration rolled out auctions for onshore and offshore wind this year to control the pace of renewables expansion. The new system set a limit on the share of green energy in the power mix at 40 percent to 45 percent by 2025, in contrast with previous feed-in tariff structure where all projects that qualified could get subsidized power purchase agreements.

The lower threshold of 40 percent may be realized in 2020 or even earlier, according to the Christian Democrats. They note transition rules cobbled last year to ease the switch from feed-in tariffs to auctions have been generous to developers.

Green-project developers rushed to reach a Dec. 31 deadline for getting contracts under the old subsidy system, putting the grid on track to absorb almost 9 gigawatts of new capacity by the end of 2018. That's on top of another 2.8 gigawatts of onshore power that's being auctioned each year starting in 2017, giving Germany the biggest boost in clean energy in two decades.

The speed of the increase in green power supply is alarming Merkel's party, since wind and solar have traditionally been more expensive than fossil-fuel generation such as coal. Germany's planned "super power highway," which is designed to ship wind and solar power from the north to the south, won't start before 2020 and isn't set to be complete until 2025.

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Indian State Introduces First Emissions Rating System for Factories

Posted June 06, 2017, 11:12 A.M. ET

By Madhur Singh

The heavily industrialized state of Maharashtra launched India's first emissions rating system for factories in eight sectors identified as highly polluting.

Home to 75,000 factories, Maharashtra is using pollution data the government is collecting under a continuous emissions monitoring system for particulates to rate its factories' performance on a five-star scale—one for the worst performers and five for the best. The first ratings were made public June 5.

The eight sectors under evaluation are cement, chemicals, metal works, paper, pharmaceuticals, power, sugar and distilleries, and textiles. About 12,500 factories among these sectors have been identified as high polluting.

Hindustan Unilever Ltd.'s chemicals plant at Akola in central Maharashtra is among those given a single star in its category. "We will engage with Maharashtra Pollution Control Board to understand the basis of its findings," a company spokesperson told Bloomberg BNA in an email June 5.

Independent Labs Hired

The MPCB hired independent laboratories that used stack tests to measure the gas stream from a single location within a factory to determine emissions. Maharashtra's program so far has rated only those factories in which at least four recent stack samples have been taken.

The ratings will help plant managers improve environmental quality and sustain regulatory compliance, make it possible to share industry best practices, and bring about transparency and raise awareness among the public about industrial emissions, according to the Energy Policy Institute at the University of Chicago, which is collaborating on the program with Maharashtra Pollution Control Board (MPCB), MIT's Jameel Poverty Action Lab, Yale University, and Evidence for Policy Design at Harvard University.

"The star-rating program would ensure that these industries are reliably identified and targeted for remedial action, such as more frequent monitoring or upgradation of air pollution control equipment," the institute said in a statement. It also urged residents living near a one-star industry to contact the MPCB's regional offices and request monitoring and cleanup actions.

"As we collect more data, we will also be able to add more industries to the program," the email said, adding, "MPCB is also looking into expanding the star rating system to other pollutants, and incorporating the star-rating index into other MPCB programs."

It's not known yet if this program will be introduced in other states.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 6/15/2017 10:44:57 AM
Subject: POLITICO Playbook, presented by POET: LATEST on Steve Scalise – TRUMP visits hospital -- Shock on the Hill -- Dems hold off on gun debate -- WAPO: Special counsel investigating obstruction – FOX NEWS drops 'fair and balanced' slogan -- B'DAY: Alyssa Farah

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Today's PLAYBOOK presented by POET
06/15/2017 06:41 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Driving the Day

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Good Thursday morning. THE LATEST ON STEVE SCALISE -- "Scalise remains in critical condition after mass shooting," by Louis Nelson, John Bresnahan, and Jake Sherman: "House Majority Whip Steve Scalise is in critical condition in a Washington hospital, and will require additional surgeries after a bullet pierced his hip, injured organs and caused 'severe bleeding,' according to a statement Wednesday night. Scalise, a Louisiana Republican, is in MedStar Washington Hospital Center in Northwest D.C., where he has had at least two procedures, and 'multiple units of blood transfusion,' the hospital said Wednesday night. Scalise was brought to the hospital in 'shock,' the statement said. President Donald Trump and first lady Melania Trump visited the hospital Wednesday night, and brought the Scalise family flowers." http://politi.co/2ru9BWi

-- @realDonaldTrump at 9:41 p.m.: "Just left hospital. Rep. Steve Scalise, one of the truly great people, is in very tough shape - but he is a real fighter. Pray for Steve!"

STATEMENT FROM MATT MIKA'S FAMILY: "Matt suffered multiple gunshot wounds. He recently came out of surgery but remains in the ICU in critical condition and we expect him to stay there for at least several days. Our family is now here with him and we continue to ask for privacy and understanding while we focus on Matt and his recovery.

"Many have asked about Matt and what we can share about him. While the attack today was a terrible surprise, Matt's presence on the ball field, helping longtime colleagues and friends was not. He is a very thoughtful, fun-loving person who is

competitive and loyal; all things which contributed to his continued commitment to the Congressional Baseball Game."

-- "Who were the people injured at Wednesday's baseball practice shooting?," by Rachael Bade, Theo Meyer, John Lauinger, and Kyle Cheney: http://politi.co/2tppcmG

THE VENEER, SHATTERED. Members of Congress have long thought of Washington as a safe space, of sorts. Sure, they engage in heated rhetoric in the Capitol, waging partisan war from early in the morning until late at night. But their life in Washington is quite sheltered: they exercise in a members-only gym. Many of them sleep in their offices in the Capitol complex. They eat and drink together at partisan social clubs. But we're hearing a refrain we first heard in 2011, when Gabby Giffords was shot: we're sitting ducks.

-- FROM USA TODAY'S HEIDI PRZYBYLA: "[L]awmakers including Cedric Richmond, D-La., had expressed fears last week about member safety. Richmond, who chairs the Congressional Black Caucus, raised his concerns directly to House Speaker Paul Ryan, R-Wis." https://usat.ly/2rjOi5E ***Richmond is a good friend of Scalise's, as well.***

THE SENSE OF SHOCK in the Capitol -- especially the House -- is extraordinarily palpable. The mood was tense all day, and remained uncertain at night. Several House Republicans were texting us throughout the evening, wondering about the severity of Scalise's injuries. Lawmakers are extraordinarily shaken. Forget party affiliation: Congress -- and Washington -- is a big saga with a set of predictable characters: lawmakers, aides, lobbyists, reporters. And when one gets hurt, sick, injured -- many realize it could easily be them. And a shooting like this is causing lawmakers and staff to take stock of their own safety. Countless lawmakers we spoke to throughout the day yesterday were rethinking their out-in-front, prominent roles in today's political scene.

CAPITOL HILL REPORTERS were shaken up, as well. First of all, dozens of reporters work in the Capitol every day. And unlike the White House -- which regularly dumps all over reporters and decries their work product as phony -- lawmakers on the Hill are generally cordial with journalists in the Capitol and respect the job we do. We spend years covering lawmakers up close and oftentimes develop an easy rapport with people like Scalise -- savvy pols who successfully make their way up the leadership ladder. Scalise shows up at off-the-record happy hours for reporters at the annual Republican retreat. His office, like others, throws cocktail receptions to get to become better acquainted with Capitol Hill reporters. That doesn't mean the relationship isn't adversarial at times -- it most definitely is. It means building a personal relationship -- getting to know each other as human beings -- is important to both sides. We know Scalise, Paul Ryan, Kevin McCarthy, Nancy Pelosi and Steny Hoyer as politicians, but most of us have had many occasions to talk to them on a personal level, as well.

--"Photos: Following the aftermath of the congressional shooting" -- ***43 pix***
http://politi.co/2sdsCd0

PRESIDENT DONALD TRUMP is getting bipartisan plaudits so far for his strong speech Wednesday, and his visit to Scalise family in the hospital Wednesday night.

HAPPENING TODAY -- Trump is giving a speech and signing an executive order on apprenticeships. Vice President Mike Pence will be in Miami to give the keynote address at the Conference on Prosperity and Security, a gathering focused on Central American political and security issues.

THE HOUSE is out of session after 4 p.m. today. The Congressional Baseball Game is on. Doors open at 5:30 p.m. and first pitch is set for 7:05 p.m. at Nationals Park. ***More info and tickets here*** http://atmlb.com/2sCV4aM

--"The Congressional Baseball Game: A History in Pictures: How the most bipartisan event in Washington has changed over time" -- ***10 pix*** http://politi.co/2rucdng

THE POLITICS -- "Democrats wary of reviving gun debate too soon," by Seung Min Kim, Burgess Everett and Heather Caygle: "One year ago, Sen. Chris Murphy sprang into action almost immediately after a gun massacre at an Orlando nightclub - accusing Congress of an 'unconscionable deafening silence' and launching a 15-hour filibuster on the Senate floor. But the gun-control advocate who once argued that lawmakers should put forward 'legislative action within an hour of a shooting' was more circumspect on Wednesday after a shooting at a congressional baseball practice in the suburbs of Washington. One tragic incident, he acknowledged, won't move the needle - even one that affected one of their own, House Majority Whip Steve Scalise (R-La.). ...

"[T]he tone among even the most ardent proponents of stricter gun laws was dramatically different. In multiple interviews, several Democratic lawmakers urged that no, today was not the day to revive the dormant gun control debate. It was too soon, it hit too close to home - and lawmakers simply didn't want to stand accused of politicizing a shooting that injured a colleague and friend." http://politi.co/2t50qZx

-- JONATHAN MARTIN on A18 of the NYT: **"Their Own Targeted, G.O.P. Lawmakers Want Looser Gun Laws, Not Stricter Ones."** http://nyti.ms/2s3RtBh

ON THE HOUSE FLOOR TODAY -- HOUSE MAJORITY LEADER KEVIN MCCARTHY will "offer a resolution to commend the heroic actions of Capitol Police and other first responders, and recognize everyone affected by this tragic incident."

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BEHIND THE SCENES -- FROM KYLE CHENEY, our incredibly versatile House reporter who spent the day in Alexandria reporting on the shooting: "In the course of reporting from Alexandria, I had two eye-opening encounters with witnesses that really

gnawed at me during such a harrowing moment. I arrived at the ballpark less than an hour after the shooting and overheard one witness - a man possibly in his mid-20s -- excitedly describing the incident in vivid detail over the phone. It was still a murky situation at that point, so as soon as he hung up, I asked him if he could repeat to me what he had seen.

"The man immediately tensed up and told me that there was no way he'd talk to the media because he can't stand the press and he thinks we're all complicit in leaking (of what, I'm not sure). I told him I personally hadn't 'leaked' anything but in fact knew and reported on some of the people on the field that morning - and that his information might help provide some clarity at a critical moment. He still refused. A short while later, while holed up in a coffee shop across from the field, I chatted with a young woman who also witnessed the aftermath. She said she took comfort when she found out the assailant had targeted members of Congress - not because she wished them any harm but because it would've been more unnerving, she said, had the violence been random. Both conversations were revealing about some of the sad realities we now live with.

"It's only fair if I also mention that these encounters were exceptions on a day of many kindnesses. Most witnesses were forthcoming with as much detail as they could muster, and I watched as random passersby delivered Gatorade, iced tea and even a bag full of Chick-fil-A to police on the scene. And the police then shared the spoils with journalists, pedestrians and others baking in the Alexandria sun."

WAPO SCOOP -- "Special counsel is investigating Trump for possible obstruction of justice, officials say," by Devlin Barrett, Adam Entous, Ellen Nakashima and Sari Horowitz: "The move by special counsel Robert S. Mueller III to investigate Trump's conduct marks a major turning point in the nearly year-old FBI investigation, which until recently focused on Russian meddling during the presidential campaign and on whether there was any coordination between the Trump campaign and the Kremlin. Investigators have also been looking for any evidence of possible financial crimes among Trump associates, officials said. ...

"Five people briefed on the interview requests, speaking on the condition of anonymity because they were not authorized to discuss the matter publicly, said that Daniel Coats, the current director of national intelligence, Mike Rogers, head of the National Security Agency, and Rogers's recently departed deputy, Richard Ledgett, agreed to be interviewed by Mueller's investigators as early as this week. The investigation has been cloaked in secrecy, and it is unclear how many others have been questioned by the FBI. ...

"The White House now refers all questions about the Russia investigation to Trump's personal attorney, Marc Kasowitz. 'The FBI leak of information regarding the president is outrageous, inexcusable and illegal,' said Mark Corallo, a spokesman for Kasowitz." http://wapo.st/2rjkqqo

-- WSJ's Del Quentin Wilber, Shane Harris and Paul Sonne: "The special counsel

also plans to interview Rick Ledgett, who recently retired as the deputy director of the NSA ... While Mr. Ledgett was still in office, he wrote a memo documenting a phone call that Mr. Rogers had with Mr. Trump, according to people familiar with the matter. During the call, the president questioned the veracity of the intelligence community's judgment that Russia had interfered with the election and tried to persuade Mr. Rogers to say there was no evidence of collusion between his campaign and Russian officials." http://on.wsj.com/2sD4vXP

HUFFPOST and **DRUDGE** earlier this morning had pretty much the same banner - **HuffPo**: "BDAY PRESENT FOR PREZ: OBSTRUCTION INQUIRY" ... **Drudge**: "WASH POST BDAY PRESENT TO TRUMP: MUELLER PROBES OBSTRUCTION".

CAN'T STOP, WON'T STOP -- "Manafort still doing international work," by Ken Vogel: "Paul Manafort is at the center of an FBI investigation into ties between President Donald Trump's team and the Russians, but that hasn't stopped him from doing business with international figures and companies, partly by claiming continued access to Trump, according to people familiar with his dealings.

"Manafort in recent weeks has either consulted or worked with a Chinese construction billionaire looking to expand his business overseas and a telecommunications firm interested in regulatory approval from governments in Asia and the Middle East, as well as an investment fund claiming links to the Chinese government, according to documents and interviews.

"Manafort quietly consulted on a proposal under which the Chinese fund - the China Development Fund - would invest $30 billion or more in the Puerto Rican government's bond debt and possibly the island's critical infrastructure, according to documents and interviews with four people familiar with the negotiations, including a Manafort business partner.

"One of the people, a lawyer involved in the discussions, said Manafort indicated that he could convince the Trump administration to support any resulting deal, because he's remained in contact with Trump's team, and that he played a role in helping to soften Trump's tough campaign rhetoric on China. 'He's going around telling people that he's still talking to the president and -- even more than that -- that he is helping to shape Trump's foreign policy,' said the lawyer involved in the discussions." http://politi.co/2rjtsDO

TARA PALMERI AND KEN VOGEL: "Trump huddled with donors on day of Comey testimony": "On the same day last week that fired FBI Director James Comey delivered his damaging Senate testimony, President Donald Trump's team summoned about a dozen top donors to the White House to rally support for Trump's agenda. The donors -- including Ken Griffin, Doug DeVos, Tom Hicks, Jr., Bekah Mercer, Todd Ricketts, Tom Saunders, Paul Singer and Dick Uihlein -- gathered in the Roosevelt Room on June 8 for a briefing from Trump's legislative director Marc Short, according to a senior administration official and other people familiar with the event.

"These people said that Trump himself stopped by the briefing to greet the donors, while Vice President Mike Pence, White House Chief of Staff Reince Priebus and presidential counselor Kellyanne Conway also spent time at the event. ... A White House spokesperson did not respond to a request for comment on the donor briefing. But a senior administration official said that topics covered during the briefing included healthcare, tax reform, the confirmation of Supreme Court justice Neil Gorsuch, pending judicial nominations, the Paris accord and the Saudi arms sale. '[It was a] 'here's what we see as the legislative calendar and how you can be helpful' type of meeting,' the official said." http://politi.co/2rtB8HL

COMING ATTRACTIONS -- "Jeh Johnson to testify publicly in House Russia probe," by Austin Wright: "Former Homeland Security Secretary Jeh Johnson is set to testify publicly next Wednesday before the House Intelligence Committee as part of its investigation into Russia's election meddling, according to a congressional source. Johnson appeared earlier this week before the Senate Intelligence Committee, but the session was closed." http://politi.co/2sCSeCE

IMPORTANT READ -- MEGYN KELLY SPEAKS -- NYT'S JIM RUTENBERG: "Megyn Kelly, Alex Jones and a Fine Line Between News and Promotion": "Where's the line between covering a scoundrel as a news figure and giving him a promotional platform? The question has consumed Megyn Kelly this week, after she showed a trailer Sunday night of her coming feature on NBC about Alex Jones, the conspiracy theorist who has questioned whether the Sandy Hook school massacre truly happened and asserted that Sept. 11 was an inside job....

"'What we do as journalists is we shine a light on those with power, those with influence, those who have become culturally relevant,' she said. 'Of course, it's upsetting to know that doing that causes any upset to the Newtown families, many of whom I know well. But I have to do my job.'... 'As journalists, we don't get to interview only the good guys - that's not journalism,' ... 'It's going to be very difficult for us to keep an eye on the more controversial figures of our time if we never talk to them.'" https://nyti.ms/2tmhgmj

THE JUICE ...

-- HAPPY BIRTHDAY, MR. PRESIDENT: Trump celebrated his 71st birthday with dinner at the White House before going to visit Scalise in the hospital, per a pool report. Eric, Donald Jr., Ivanka and Jared Kushner, their kids and Tiffany were all there.

-- ISAAC DOVERE is reporting that Lambda Legal is opening up a D.C. office and plans to raise an additional $25 million over the next for years in an effort to ratchet up the fight against the Trump administration. Sharon McGowan, who was until January a top attorney in the Justice Department's civil rights division under President Barack Obama, is running the office. http://politi.co/2sdDcRd

-- **SPOTTED:** Chris Ruddy, Rep. Peter King (R-N.Y.) and Sen. Lindsey Graham (R-S.C.) having an animated conversation in the lobby of Trump Hotel on Tuesday night.

-- **SENATE LEADERSHIP FUND** reported dropping $443,104 to boost Sen. Luther Strange's (R-Ala.) candidacy. ... The **CHAMBER OF COMMERCE** reported $153,491 in spending on behalf of Karen Handel in Georgia.

Playbook Reads

PHOTO DU JOUR: President Donald Trump and first lady Melania Trump talk with Dr. Ira Y. Rabin after visiting MedStar Washington Hospital Center in Washington on June 14 where House Majority Whip Steve Scalise was taken after being shot in Alexandria, Va., during a Congressional baseball practice. | Pablo Martinez Monsivais/AP Photo

THE ALLEGED SHOOTER -- "James Hodgkinson's long descent into rage: 'Nobody really knew anything about him,'" by Lorraine Woellert, Josh Meyer and Alan Greenblatt: "James T. Hodgkinson lived a seemingly comfortable existence back home. He had a wife, friends and a pool where he hosted parties. How and why his life ended on a blood-soaked field halfway across the nation remains largely a mystery to investigators trying to piece together his life. Anger, plain and simple, seemed to be one driver. A man prone to aggressive outbursts, Hodgkinson had grown increasingly angry at the political order in recent years, lashing out online against President Donald Trump and other Republicans. ...

"Hodgkinson was no stranger to law enforcement. He had a lengthy arrest record and seemed prone to violent fits. Most recently, he had been warned about shooting a high-powered gun in the vicinity of his neighbors' houses. ... In April 2006, he was arrested on firearms and battery charges after he allegedly punched his girlfriend in the face and pulled a 12-gauge shotgun on a witness, Joel Fernandez, who had attempted to intervene." http://politi.co/2s4g6Ot

THE BIG PICTURE -- "How an Annual Ballgame Has Kept Congress Civil," by Ben Strauss for Politico Magazine: "What might seem like just a bunch of middle-aged men reliving their high school glory, has become in recent years a meaningful tribute to the painfully nostalgic notion of old-fashioned bipartisanship in an increasingly divided nation. And so while one baseball team -- this one made up of Republican Congressmen and Senators -- cowered behind fences and trees to save their lives, their ostensible opponents -- a group of Democratic lawmakers -- gathered in a dugout 10 miles away in Northeast Washington. They stood arm in arm, and prayed for their colleagues." http://politi.co/2sviQpp

-- "Obama reaches out to Sen. Flake after shooting," by Elana Schor: "Former President Barack Obama reached out to Sen. Jeff Flake Wednesday morning in the

wake of the shooting at the GOP's congressional baseball game practice to extend his 'best wishes and prayers' for the victims, the Arizona Republican said." http://politi.co/2t4QeQM

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GARRETT GRAFF in POLITICO Magazine, "How Congress Failed to Plan for Doomsday: What would happen if some crazed gunman or terrorist massacred Congress? We don't really know-and that's bad news for our democracy": "One idea floated was that each member of Congress should designate his or her own list of successors in case of incapacitation-with those successors serving until either the next regular election or the member regained the ability to hold office. Several states, including Delaware and Texas, had passed similar bills during the 1950s and 1960s at the height of the Cold War to reconstitute their state legislatures following a nuclear attack. Two former House speakers, Thomas Foley and Newt Gingrich, endorsed that 'expeditious path' to solving the congressional continuity issue and preserving the House's directly elected 'legitimacy.'" http://politi.co/2rjrgfy

FOR YOUR RADAR -- "Turkish Guards Will Be Charged in Embassy Protest, Officials Say," by NYT's Nick Fandos: "Law enforcement officials plan to announce charges Thursday against a dozen members of the Turkish president's security detail for their involvement in a brutal attack on protesters outside the Turkish ambassador's residence here last month, two American officials said on Wednesday. ... The police planned to announce the charges at a news conference on Thursday morning." http://nyti.ms/2s3N6GE

NOT THE ONION -- "Rodman gives Kim the gift of Trump: 'The Art of the Deal,'" by AP's Eric Talmadge in Pyongyang: "Dennis Rodman has delivered a message from President Donald Trump to North Korea -- sort of. On Thursday, the former NBA player gave the country's sports minister a copy of Trump's book 'The Art of the Deal,' a present intended for North Korean leader Kim Jong Un. It wasn't signed by Trump, who was Rodman's boss for two seasons of the 'Celebrity Apprentice' reality TV show. Rodman has said his visit has nothing to do with the White House." http://apne.ws/2rz07EJ

MEDIAWATCH -- GABE SHERMAN in NYMag, "Fox News Is Dropping Its 'Fair & Balanced' Slogan": "As Fox News moves further into the post-Roger Ailes era, the network is shedding one of its most iconic elements. According to network executives,

Fox News has abandoned the marketing slogan 'Fair & Balanced.' ... [One] executive explained that the tagline was 'too closely associated with Roger.' Fox executives have been instructed by management to market the network by its other tagline: 'Most Watched. Most Trusted.' It is hard to overstate the significance of what shedding 'Fair & Balanced' means for Fox News. (It would be like the New York Times giving up 'All the News That's Fit to Print.') Ailes invented the slogan when he launched the network in 1996, and over the years it became a quasi-religious doctrine among Fox's anchors and viewers. ... In the annals of modern advertising, 'Fair & Balanced' will be considered a classic." http://nym.ag/2sdxEWZ

Playbookers

SPOTTED last night at the Third Annual Sandy Hook Promise Gala at the Mellon Auditorium: The three co-chairs: Sen. Chris Murphy (D-Conn.), Sen. Richard Blumenthal (D-Conn.) and Rep. Elizabeth Esty (D-Conn.). Sen. Joe Manchin (D-W.Va.) and Sen. Susan Collins (R-Maine), who were honored for the Toomey-Manchin bill and No Fly No Buy, respectively. Emcees were Sandy Hook parents Mark Barden and Nicole Hockley, who replaced Megyn Kelly after she interviewed Alex Jones, the media figure who alleges the massacre is a hoax. **ALSO SPOTTED:** Sen. Pat Toomey (R-Pa.), House Minority Whip Steny Hoyer (D-Md.), Rep. Jim Himes (D-Conn.), Rep. Sheila Jackson Lee (D-Texas), Rachel Kelly, Joe Dunn, David Bonine, Cynthia Pullom, Ian Rayder, Lou Constantino, Francis Creighton, Cindy Brown, Bruce Heiman, Liz Allen and Nasim Fussell.

OUT AND ABOUT -- On the near 45th anniversary of the Watergate break-in (June 17, 1972), Steve Clemons held a discussion last night at the Watergate Hotel titled "Watergate Then and Now," where Steve interviewed Scott Stossel, Jennifer Rubin, McKay Coppins and Thomas Mallon. **SPOTTED** : Rakel and Jacques Cohen, Jeff David, Rep. Debbie Dingell (D-Mich.), Kevin Baron, Sally Quinn, Quinn Bradlee, Harris Wofford, Matthew Charlton, Yael Luttwak, James Barbour, Kathy Gilsinan, Will Hiley, Robb Harleston, Ron Christie, Neil Munro, Jed Shein, Annie Groer, David and Danielle Frum, Tomicah Tillemann, Indira Lakshmanan, Allen Abel, Kevin Chaffee, Grover Norquist, Michael Mael, Gary Silversmith, U.K. Ambassador Kim Darroch, Armanda Downes, Max Neuberger.

OUT AND ABOUT IN NYC -- The Hudson Institute Wednesday night hosted its spring reception in New York at the home of Joe and Marlene Ricketts. UN Ambassador Nikki Haley sat down with Hudson CEO Ken Weinstein for an off-the-record chat about her role as U.S. Ambassador to the UN. Haley said she told Trump "I'm not going to be a talking head or a wallflower" when he offered her the job. On Jim Mattis, she said "I think he's the coolest guy I've ever met ... other than (her husband) Michael." **SPOTTED:** Joe and Marlene Ricketts, Todd Ricketts, Silvie Legere, Paul Singer, BofA's Jeffrey Peek, Annie Dickerson, Angela Meyers, Ed Cox, Deputy UN Ambassador Jon Lerner, Hudsonians Ken Weinstein, John Walters, Scooter Libby, Walter Russell Mead,

Chris DeMuth

SPOTTED at a Greenberg, Quinlan, Rosner party last night for new COO Lindsey Reynolds (longtime COO of the DNC) and new partners Elizabeth Sena and Kristi Lowe: Anna Greenberg, John Hagner, Al Quinlan, Lauren Dillon, Jeremy Rosner, Dan Sena, Earl Fowlkes, Jeremy Baker, and Maureen Garde.

SPOTTED Tuesday night aboard the super yacht of philanthropists John Evans and Steve Wozencraft for New America's Bretton Woods II at Sea event where attendees discussed how to address global risks though strategic investments in social impact and development: Canada's UN Ambassador and Canadian PM Justin Trudeau's confidant Marc-Andre Blanchard, top World Bank official Aly Rahim, Bretton Woods II director Tomicah Tillemann, Facebook's Craig Mullaney, Sovereign Investor Institute chairman Scott Kalb, Edelman's Peter Segall, Georgetown Dean Joel Hellman, and representatives from the White House, State Department and USAID.

TRANSITIONS -- LIZ JOHNSON has joined U.S. Immigration and Customs Enforcement as director of its office of public affairs, where she will direct the agency's global communications efforts. She was previously the communications director for former Sen. Kelly Ayotte (R-N.H.) and most recently served as spokeswoman for Supreme Court nominee Neil Gorsuch during the Senate confirmation process. ... **Jessica Jennings,** formerly with the Dem Convention and HFA, is the new director of communications at the University of Maryland. She's been working with Indivisible since their launch post-election and was previously press secretary at the British Embassy in Washington.

... **Briannon Gillis** has recently joined Emergent BioSolutions as PAC manager on the government affairs team. Previously she was a PAC fundraiser for Sens. Chuck Schumer, Dianne Feinstein, and Mark Udall, Reps. Paul Tonko, Matt Cartwright, Bonnie Watson-Coleman, Tom Suozzi, and Louise Slaughter, as well as finance director for Kathleen Matthews. ... **Henry Darwin** has been hired to serve as chief of operations for the EPA. He previously was COO for the Doug Ducey administration since August 2015. ... **Julie Kearney,** VP of regulatory affairs for the Consumer Technology Association, was picked yesterday as the new president of the Federal Communications Bar Association.

--"Emily's List taps a Washington outsider as executive director," by WaPo's Philip Rucker: "Emily Cain, who helped lead fellow Democrats to the majority in the Maine House of Representatives in 2012, has been tapped to try to do the same for Democrats nationally at the helm of Emily's List, which works to elect pro-choice Democratic women to offices ranging from city councils to the presidency." http://wapo.st/2t4xW2b

WELCOME TO THE WORLD -- Becca Ginsberg Rutkoff, head of D.C. and regional communications for Google (and a birthday girl today), and **Robby Rutkoff**, VP for corporate social responsibility at Guggenheim Partners, welcomed their first child, Henry Langer Rutkoff late Monday night. Henry, Mom and Dad are home from the hospital and

eating like champs. ***Pics*** http://bit.ly/2sCOiSl ... http://bit.ly/2ryHOPX

BIRTHDAY OF THE DAY: Dana Bash, CNN's chief political correspondent. How she's celebrating: "My birthday falls on my son's last day of kindergarten this year. It's a half day, which means I get to spend most of it with him. What could be better?" ***Read her Playbook Plus Q&A*:** http://politi.co/2s4msxq

BIRTHDAYS: Adam Jentleson, former deputy chief of staff for Harry Reid now senior strategic advisor at CAP Action ... Dan Schwerin (hat tip: brother Josh) ... Sarah Hurwitz (h/t Michael Kikukawa) ... Becca Ginsberg Rutkoff, Google comms. maven ... Ryan Chittum, reporter for International Consortium of Investigative Journalists ... Fox News star Marie Harf, the pride of Granville, Ohio and former senior advisor for strategic comms. to Secretary Kerry (h/t Steve Clemons) ... Alyssa Farah, comms director and senior adviser for the House Freedom Caucus, is 28 (but actually ageless) ... AP's Evan Vucci ... Johnny Hallyday ... former House Majority Whip Tony Coelho, now an advocate for the disabled, is 75 ... ABC News digital journalist Ali Rogin is 3-0 ... Politico's Brian Faler ... Reps. Adam Smith and Rick Larson (D-Wash.) are both 52 ... Rep. Jim Bridenstine (R-Okla.) is 42 ... NYT's Clifford Levy is 5-0 ...

... MSNBC producer William Rabbe ... Joseph Brazauskas, staff director for the subcommittee on environment for the House Science, Space, and Technology Committee, is 35, celebrating by playing the Pizza Party game and Mall Madness over happy hour on Friday night with friends (h/t Kristina Baum) ... former Rep. Todd Tiahrt (R-Kans.) is 66 ... former Rep. Tony Coelho (D-Calif.) is 75 ... Jamie Greenheck, global managing director of food, beverage and ag at FleishmanHillard ... Susan Toffler, a CNN alum ... former Virginia Gov. Bob McDonnell is 63 ... Tim Wilson is 36 ... Sara Libby ... Abigail Wuest ... Jana Plat ... David Dreyer ... Deborah Lukovich ... Sue Grady (h/ts Teresa Vilmain) ... former Va. Lt. Gov. Bill Bolling is 6-0 ... Morgan Feist ... Steven Stafford ... Karen Townsend ... Nick Luna ... Scott Monaghan is 6-0 ... Jim Belushi is 62 ... actress Helen Hunt is 54 ... Courteney Cox is 53 ... Ice Cube is 48 ... Neil Patrick Harris is 44 (h/ts AP)

****** **A message from POET - one of the world's largest ethanol producers:** Led by scientists and engineers, POET is a biofuels company built from innovation. POET operates 30 biofuel facilities across eight states & America's first cellulosic biofuel plant. Across the country, we support 40,000 renewable energy jobs producing a cleaner fuel for millions of drivers, every day. Inside the Beltway, we advocate for pro-biofuel policies to remove barriers to consumer fuel choices with a Reid Vapor Pressure (RVP) fix, support a strong Renewable Fuel Standard, and open new markets for U.S. exports and trade. We are securing a cleaner future for all of us. We are POET and we're driving innovation, from the ground up. Learn more here. ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 7/13/2017 5:14:37 PM
Subject: BREAKING NEWS: Trump: 'Most people' would have taken Russian lawyer meeting

President Donald Trump defended his eldest son, saying on Thursday that "most people" would have taken the June 2016 meeting with the Russian lawyer that has enveloped Donald Trump Jr. in controversy this week.

"I think from a practical standpoint, most people would have taken that meeting. It's called opposition research or even research into your opponent," Trump said during a press conference in Paris. His son said he took the meeting because he was told the lawyer, who has been alleged to have ties to the Kremlin, had information that could be detrimental to Trump's 2016 rival Hillary Clinton.

Read more: http://www.politico.com/story/2017/07/13/trump-most-people-would-have-taken-russian-lawyer-meeting-240509

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From: POLITICO
Sent: Fri 6/9/2017 7:22:35 PM
Subject: BREAKING NEWS: Trump says Comey said things that 'just weren't true' in Senate testimony

President Donald Trump accused former FBI Director James Comey on Friday of saying things that "just weren't true" in his testimony Thursday before the Senate Intelligence Committee but added that Comey also "confirmed a lot of what I said."

"No collusion, no obstruction, he's a leaker, but we want to get back to running our great country," Trump said in a news conference from the Rose Garden alongside Romanian President Klaus Iohannis. "Yesterday showed no collusion, no obstruction."

Trump claimed "total and complete vindication" in a tweet Friday morning that called Comey a "leaker" and suggested he made "so many false statements and lies" when he testified this week.

Read more: http://www.politico.com/story/2017/06/09/trump-james-comey-hearing-reaction-239361

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 9/14/2017 10:55:27 AM
Subject: POLITICO Playbook, presented by CTIA: TRUMP: NO DEAL with Pelosi and Schumer – BEHIND THE SCENES: the WH flips out, calls the Hill and tries to walk the deal back -- MEANWHILE: PENCE dines with GOP congressmen -- JARED and IVANKA break bread with TED CRUZ

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Today's POLITICO Playbook presented by CTIA

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Thursday morning. STOP US IF YOU'VE HEARD THIS BEFORE: PRESIDENT DONALD TRUMP, CHUCK SCHUMER AND NANCY PELOSI walk into a Chinese dinner on Pennsylvania Avenue....

LET'S GO OVER THE SEQUENCE OF EVENTS ...

-- THE DINNER: The White House served Trump, Schumer and Pelosi Chinese food at a rectangular table in the Blue Room of the White House. Trump sat at the head, flanked by Pelosi on the right and Schumer on the left. Eleven people attended the dinner -- all men besides Pelosi. They talked about China trade issues, in addition to immigration policy.

-- AROUND 9:30 LAST NIGHT, the White House put out a statement about the dinner, saying the president had a "constructive working dinner with Senate and House Minority Leaders, Chuck Schumer and Nancy Pelosi as well as administration officials to discuss policy and legislative priorities. These topics included tax reform, border security, DACA, infrastructure and trade."

-- AT ROUGHLY 9:45, Nancy Pelosi and Chuck Schumer's offices put out a statement saying that **PRESIDENT TRUMP** agreed to quickly "enshrine the protections of DACA into law" with "a package of border security excluding the wall, that's acceptable to both sides." **THE ASSOCIATED PRESS** sent a bulletin at 9:52 p.m. saying a deal had been cut. A source briefed on the meeting told us around 10 p.m. that the "President and the leaders agreed to pair the bipartisan DREAM Act with some border security, excluding the wall."

-- BEHIND THE SCENES, Washington started to explode. The White House legislative affairs team was sending text messages and emails to Republican Hill staff, saying the president had only agreed to work on fixing DACA soon. He didn't give up on the wall funding, but the White House conceded he said he wouldn't insist it be part of this package.

-- THE KIND-OF-SORT-OF PRESIDENTIAL PUSHBACK: **TRUMP TWEETED at 6:11 a.m.** : "No deal was made last night on DACA. Massive border security would have to be agreed to in exchange for consent. Would be subject to vote." ... **at 6:20 a.m.:**"The WALL, which is already under construction in the form of new renovation of old and existing fences and walls, will continue to be built." ...

... at 6:28 a.m.: "Does anybody really want to throw out good, educated and accomplished young people who have jobs, some serving in the military? Really!....." ... **at 6:35 a.m.:** "...They have been in our country for many years through no fault of their own - brought in by parents at young age. Plus BIG border security"

... NOW LET'S TALK ABOUT WHAT THIS MEANS...

-- WAS THERE EVER A DEAL? ARE THEY CLOSE TO A DEAL? Only time will tell. And what's a deal mean, anyway? Neither side put out any specifics. Paul Ryan and Mitch McConnell are the leaders of the Republican majority, so if you want something done, you need to conduct business with them. As McConnell told the NYT's Carl Hulse earlier this week: "One of the advantages of being the majority leader is you control the paper." That's well put, and very true. The minority has ways to try to force votes, but if you're in the minority, you don't have a say of what gets onto the House or Senate floor, by and large. And Republicans were already complaining the Trump had handed over the governing keys to Democrats.

-- YES, REPUBLICANS WERE BLINDSIDED. Paul Ryan and Mitch McConnell were not part of this discussion. Ryan sat down with Democrats Wednesday to try to begin to discuss this deal. They didn't make much progress. ***See Heather Caygle and John Bresnahan's story for more*** http://politi.co/2h4y1xM Then Pelosi and Schumer went to the White House and tried to make some progress. A senior Democratic aide told us last night that it's incumbent on the White House to coordinate with Hill Republicans and keep them in the loop.

-- THIS IS A SMART MOVE FOR DEMS. It ratchets up pressure on the GOP leadership to do something.

-- CONSERVATIVES ARE ALREADY WORRIED. Jake was texting late into the night with Hill sources of all stripes. Conservatives are particularly worried. One particularly plugged in aide pointed out that conservatives ditched Trump on health care once, and immigration is much more of a sacred cow than Obamacare. "If it's weak at all they'll flip ... [I]f it's the typical give a little more $ to ICE and call it a day they will revolt." **THE REAL STICKING POINT:** Can Republicans and Democrats agree what "real" border

security is?

IOWA REPUBLICAN STEVE KING came out almost immediately against any deal. King tweeted: "@RealDonaldTrump If AP is correct, Trump base is blown up, destroyed, irreparable, and disillusioned beyond repair. No promise is credible." ... **CHUCK GRASSLEY:** "@realDonaldTrump Morn news says u made deal w Schumer on DACA/hv ur staff brief me/ I know u undercut JudiCimm effort 4 biparty agreement" ... ***See Bob Costa's story from late last night*** http://wapo.st/2fjLamm

-- ANY DEAL ON DACA COULD BE A PROBLEM FOR REPUBLICAN LEADERS. John Boehner and Eric Cantor were thrown to the wolves a few years ago for even toying with some sort of immigration reform package. Paul Ryan promised conservatives when he won the speakership in 2015 that he would not pursue and immigration package unless it had the support of the majority of Republicans. That means whatever deal Trump cut -- or will cut -- with Schumer and Pelosi needs to have the support of 121 House Republicans. **REMEMBER:** Paul Ryan is ***always*** under the threat of an immediate referendum vote of his speakership. Immigration isn't like touching the third rail. It's like hugging an electrified pole while wearing soaking wet clothing.

-- THE REGULAR ORDER ISSUE. Republicans are notoriously uneven when it comes to putting bills through the committee process, but conservatives -- and even GOP leaders -- will say that something this significant has to go through the committees, not get crafted over crispy beef at the White House. McConnell has privately promised senators that this kind of deal would go through the committee process.

THE TIME ISSUE. Republicans have until March to get this done. They'll want to take time to get this right. But if this drags on until March, it will slow the rest of their agenda.

IT'S WORTH NOTING -- It can't be overstated: this isn't how Washington usually works. A Republican president cutting out his own party's leadership on a politically sensitive issue to work directly with Democrats is unheard of and would otherwise be considered politically perilous. We bet that this will get hashed out between Ryan, Pelosi, McConnell and Schumer at some point in the next few months.

HOW IT PLAYED -- NYT: "Democrats Say Trump Agreed to Make Deal on 'Dreamers'" http://nyti.ms/2fkobaZ ... **WAPO:** "Trump, top Democrats agree to work on deal to save 'dreamers' from deportation" http://wapo.st/2x162GM ... **WSJ:** "Trump, Democrats Shape Agreement to Protect 'Dreamers'" http://on.wsj.com/2h4w5ZT

BREITBART HEADLINE -- "AMNESTY DON" http://bit.ly/2wc40GI

****** **A message from CTIA and America's wireless industry:** The global race to deploy 5G wireless is on-and America needs to win. Government action on spectrum and infrastructure policy will allow U.S. wireless companies to invest $275 billion, create more than 3 million jobs, and add $500 billion to the economy, according to Accenture.

Learn more at CTIA.org. ******

TRUMP'S NOT THE ONLY GAME IN TOWN -- "Moderate Republicans quietly form working group to craft immigration plan," by Seung Min Kim and Rachael Bade: "Moderate House Republicans angling for a legislative fix to the Deferred Action for Childhood Arrivals program have quietly created an informal working group to try and craft an immigration plan that could pass Congress, according to GOP sources.

"The lawmakers have met off and on for months. But it was in anticipation of President Donald Trump's eventual decision last week to phase out the Obama-era executive action that granted hundreds of thousands of young undocumented immigrants work permits and deportation protections, said one person familiar with the group's workings. Now that Trump has made his DACA decision official, the group will be meeting more frequently.

"Republicans who have engaged in the casual talks include Reps. Carlos Curbelo and Mario Diaz-Balart of Florida; Jeff Denham and David Valadao of California, Mark Amodei of Nevada and Dan Newhouse of Washington, among other lawmakers. The GOP leadership is aware of these discussions, although it's not a group led by Speaker Paul Ryan (R-Wis.) nor his top deputies." http://politi.co/2x1G7Pj

WHAT TRUMP DID TWEET ABOUT LAST NIGHT -- @realDonaldTrump at 10:47 p.m.: "Crooked Hillary Clinton blames everybody (and every thing) but herself for her election loss. She lost the debates and lost her direction!" ... **at 10:52 p.m.:** "The 'deplorables' came back to haunt Hillary.They expressed their feelings loud and clear. She spent big money but, in the end, had no game!"

MEANWHILE, AT THE NAVAL OBSERVATORY ... -- VP MIKE PENCE hosted a dinner of his own ... with Republicans! **IN ATTENDANCE:** House Freedom Caucus Chairman Mark Meadows (N.C.), Reps. Jim Jordan (Ohio), Andy Barr (Ky.), Liz Cheney (Wyo.), Bob Goodlatte (Va.), Andy Harris (Md.), Vicky Hartzler (Mo.), French Hill (Ark.), Gary Palmer (Ala.), Jason Smith (Mo.) and Mark Walker (N.C.).

MUELLER UPDATE -- "Mueller Probe Has 'Red-Hot' Focus on Social Media, Officials Say," by Bloomberg's Chris Strohm: "Intelligence Committee Chairman Richard Burr, a North Carolina Republican, said Tuesday that it's 'probably more a question of when' than if there will be a hearing with Facebook officials as part of his panel's probe. Mark Warner, the committee's top Democrat and a former telecommunications company founder, said Facebook's revelation appears to be 'the tip of the iceberg. I think there's going to be much more.' 'This is the Wild, Wild West,' Warner said." https://bloom.bg/2y0U6UM

-- "Trump Administration Launches Broad New Anti-Leak Program," by BuzzFeed's Chris Geidner: "The top US national security official has directed government departments and agencies to warn employees across the entire federal government next week about the dangers and consequences of leaking even

unclassified information. ...

"The latest move is a dramatic step that could greatly expand what type of leaks are under scrutiny and who will be scrutinized. In the memo about leaks that was subsequently obtained by BuzzFeed News, National Security Adviser H.R. McMaster details a request that 'every Federal Government department and agency' hold a one-hour training next week on 'unauthorized disclosures' - of classified and certain unclassified information." http://bzfd.it/2eXlNGl

TREASURY SECRETARIES ARE JUST LIKE US... "Treasury Secretary Mnuchin asked for government jet for honeymoon," by Henry C. Jackson and Josh Dawsey: "Treasury Sec. Steve Mnuchin asked for a military jet to take him and his wife, actress Louise Linton, on their European honeymoon earlier this summer, the Treasury Department confirmed on Wednesday. ABC News, citing anonymous sources, first reported that Mnuchin put the request in writing and that it led to an 'inquiry' by the Treasury Department's Office of Inspector General. Mnuchin and Linton traveled to Scotland, France and Italy after their late-June wedding.

"The request for a military plane was eventually deemed unnecessary after further consideration. A Treasury Department spokesman released a statement Wednesday evening acknowledging that Mnuchin had requested the jet, but said the secretary had done so because he wanted to maintain secure communications during extended travel." http://politi.co/2war74n ... ***The ABC story*** http://abcn.ws/2x3negl

-- MNUCHIN speaks to Ben White at the POLITICO Pro Policy Summit today. http://politi.co/2xArUvZ

ESSENTIAL READING -- DIFFERENT SONG SHEET ALERT -- "GOP to Release Tax Overhaul as Trump Says Rich Won't Benefit: Republicans prepare for legislative sprint on a plan they expect would cut taxes for the wealthy," by WSJ's Rich Rubin: "President Donald Trump said Wednesday the emerging Republican tax proposal won't cut taxes for the wealthy, and they may go up, an assurance that appeared to contradict the plan that his administration and GOP leaders are drafting.

"Mr. Trump, speaking before a meeting with a bipartisan group of House members, said he expects wealthy Americans 'will not be gaining at all' under the tax overhaul he wants Congress to pass with a view toward creating new jobs and helping middle-class taxpayers. 'The wealthy will be pretty much where they are,' Mr. Trump, a Republican, said. 'If we can do that, we'd like it. If they have to go higher, they'll go higher, frankly.'" http://on.wsj.com/2x3KriL

-- COUNTDOWN: A MAXIMUM OF 15 DAYS until the Big Six is slated to release its tax plan, and the president is saying something that flies directly in the face of what his aides and Hill leaders are drafting.

TRUMP'S THURSDAY -- THE PRESIDENT is going to Florida this morning. He flies to

Fort Myers, and goes to Naples. When he gets back to D.C. he hosts a reception and dinner for the White House Historical Association.

THE JUICE ...

-- SPOTTED: Ivanka and Jared having dinner with Sen. Ted Cruz (R-Texas) and his wife Heidi at a corner table at Fiola Mare last night.

-- SEAN SPICER on **JIMMY KIMMEL** last night -- From the show: "Sean talks about Donald Trump's tweeting, his Inauguration crowd size, fake news, Melissa McCarthy's impersonation of him, Anthony Scaramucci and more." ***YouTube video of the full interview*** http://bit.ly/2f7GN19

-- AMB. BOB KIMMITT and **DAVID MCCORMICK** hosted a book party for **RAY DALIO** last night at the Metropolitan Club for his new book "Principles: Life and Work." ***$18 on Amazon*** http://amzn.to/2x1quaF ... ***NYT's Sunday Business cover story "Bridgewater's Ray Dalio Spreads His Gospel of 'Radical Transparency'"*** http://nyti.ms/2eXtZGO

SPOTTED: Jared Kushner and Ivanka Trump, Gary Cohn, Wilbur Ross, HR McMaster and Katie McMaster, Dina Powell, Reed and Maggie Cordish, Chris and Renee Lidell, Rob Porter, Jeremy Katz, Josh Raffel, Sen. Ted Cruz (R-Texas) and Heidi Cruz, Sen. Richard Blumenthal (D-Conn.), Sen. Dan Sullivan (R-Alaska), Sen. Rob Portman (R-Ohio), Katherine Bradley, Wolf Blitzer, Steve Case, Amb. Jeanne Johnson Phillips, Jack Oliver, Marc Esper, Juleanna Glover, Tom Nides, Matt Schlapp, Richard Fontaine, Eric Cantor, Tom Donilon, Bruce Mehlman, Marcus Brauchli, John McConnell, Tony Fratto, Anne Marie Hauser, Margaret Carlson, Julie and Wynn Radford, Amy Little Thomas, Marc Lampkin, Steve Clemons, Jeff Mason, Nihal Krishan, Wayne Berman, David Urban, Anton Vuljaj, Fred Ryan, Jim and Autumn VandeHei, Mike Allen, Jonathan Swan, Kristen Silverberg and Paul Lettow.

Playbook Reads

PHOTO DU JOUR: Sen. Bill Cassidy (left) and Sen. Lindsey Graham (right) fist bump each other during a news conference on Capitol Hill on Sept. 13 to unveil legislation to reform health care. | Andrew Harnik/AP Photo

JOE BIDEN ALERT! -- "Joe Biden: Reclaiming America's Values" http://nyti.ms/2y9KU1o

BIG SCOOP -- CNN'S "MOSCOW" MANU RAJU -- "Exclusive: Rice told House investigators why she unmasked senior Trump officials": "Former national security

adviser Susan Rice privately told House investigators that she unmasked the identities of senior Trump officials to understand why the crown prince of the United Arab Emirates was in New York late last year, multiple sources told CNN.

"The New York meeting preceded a separate effort by the UAE to facilitate a back-channel communication between Russia and the incoming Trump White House. The crown prince, Sheikh Mohammed bin Zayed al-Nahyan, arrived in New York last December in the transition period before Trump was sworn into office for a meeting with several top Trump officials, including Michael Flynn, the president's son-in-law, Jared Kushner, and his top strategist Steve Bannon, sources said." http://cnn.it/2wYQICr

SCOOP -- "Trump ethics watchdog moves to allow anonymous gifts to legal defense funds," by Darren Samuelsohn: "The U.S. Office of Government Ethics has quietly reversed its own internal policy prohibiting anonymous donations from lobbyists to White House staffers who have legal defense funds. The little-noticed change could help President Donald Trump's aides raise the money they need to pay attorneys as the Russia probe expands - but raises the potential for hidden conflicts of interest or other ethics trouble. 'You can picture a whole army of people with business before the government willing to step in here and make [the debt] go away,' said Marilyn Glynn, a former George W. Bush-era acting OGE director who worked in the office for 17 years." http://politi.co/2y0QQZF

ISRAEL, CHINA, OPIOIDS AND NOW PRISONS -- "Kushner to gather bipartisan group to come up with ideas for federal prisons," by WaPo's Beth Reinhard: "President Trump's son-in-law and senior adviser, Jared Kushner, will convene a roundtable Thursday at the White House to gather recommendations for improving mentoring and job training in federal prisons, a departure from the administration's focus on more punitive crime-fighting measures. A bipartisan group of about two dozen elected officials, religious leaders and business leaders were invited to the first major criminal justice-related event held by the Kushner-led Office of American Innovation, which in recent months has brought together technology executives to search for ways to make government more efficient. ...

"'There is a lot of agreement from the left and the center and the right that once a person has committed a crime we should make sure we give them the best opportunities to try to live a productive life after serving their time,' Kushner told The Washington Post in a telephone interview. 'We're not looking to train better criminals.'" http://wapo.st/2y0ancC

JARED and **IVANKA** speak to the FT's Courtney Weaver for a cover feature for the weekend magazine -- "I will not be distracted by the noise'" - Ivanka on her ability to change her father's policies: "Some people have created unrealistic expectations of what they expect from me. That my presence in and of itself would carry so much weight with my father that he would abandon his core values and the agenda that the American people voted for when they elected him. It's not going to happen. To those critics, shy of turning my father into a liberal, I'd be a failure to them."

--On why she so rarely publicly criticizes her father: "To voice dissent publicly would mean I'm not part of the team. When you're part of a team, you're part of a team. That doesn't mean everyone in the White House has homogeneous views -- we don't, and I think that's good and healthy -- but that doesn't mean we're publicly undermining [each other] and this administration." http://on.ft.com/2h5ON3n

MORE KUSHNER DRAMA -- "Kushner's White House role 'crushed' efforts to woo investors for NYC tower," by WaPo's Michael Kranish and Jonathan O'Connell: "Jared Kushner and his family company seemed close to striking a deal in 2016 to transform their aging, money-losing 41-story Manhattan office tower into a new and profitable Fifth Avenue skyscraper twice as tall. A team led by Kushner and his father, Charles, courted global investors and prospective tenants. Then Donald Trump became president and Kushner became his father-in-law's senior White House adviser. Problems ensued. ...

"'They were crushed by this,' said Thomas Barrack, a friend of Trump and Kushner's and former project investor. Kushner's move to the White House 'just about completely chilled the market, and [potential investors] just said, "No way - can't be associated with any appearances of conflict of interest," even though there was none.' Laurent Morali, who became president of Kushner Cos. last year, said in an interview that he is marketing a 60-year-old aluminum-clad building 'that is not competitive' with more-modern properties. He said the company will decide soon whether to proceed with its ambitious redevelopment plan or scale back." http://wapo.st/2jpstll

****** **A message from CTIA and America's wireless industry:** Tomorrow's 5G networks will create 3 million jobs, add $500 billion to the economy, and fuel innovation and entrepreneurialism across every sector. If policymakers move quickly to release more spectrum and modernize infrastructure rules, the wireless industry stands ready to invest $275 billion to build these next-gen networks, according to Accenture. This will drive breakthrough advancements in remote health care, connected vehicles, energy, education and beyond-making our lives better and safer. But the race to deploy 5G wireless networks is underway-and we're at a critical moment. The EU, China, Japan, South Korea and others are doing everything they can to win. If policymakers act now, the U.S. can continue our global leadership in wireless. Learn how at CTIA.org. ******

DAVID REMNICK interviews **HILLARY CLINTON** for The New Yorker - "Hillary Clinton Looks Back in Anger: She talks about Trump, Comey, collusion, 'deplorables,' and the power of sexism": "I think the President and his Administration pose a clear and present danger to our democracy ... I hoped, back on the day after that election, that I wouldn't be sitting here, all these months later, feeling compelled to say that with a sense of urgency. But I am, and I do." ...

President Trump is "being played by the Putins and the Kim Jong Uns of the world. I'm not even sure he's aware of that. Because he has such a limited understanding of the world. Everything is in relation to how it makes him feel. And therefore he has little objective distance, which a leader must have. ... I think Trump has behaved in a

deplorable manner, both during his campaign and as President ... I think he has given permission to others to engage in deplorable behavior, as we did see in Charlottesville and elsewhere. So I don't take back the description that I made of him and a number of his core supporters." ...

"Mitch McConnell, in what I think of as a not only unpatriotic but despicable act of partisan politics, made it clear that if the Obama Administration spoke publicly about what they knew, he would accuse them of partisan politics, of trying to tip the balance toward me ... McConnell basically threatened the White House."

Two other quotes from the interview -- her view of the Obama Administration's response to Russian hacking, she said, "I think we were mushy." ... What it was like to write the book: "Literally, at times when I was writing it, I had to go lie down ... I just couldn't bear to relive it." http://bit.ly/2xANvEt ... ***The cover, titled "The First" and by Malika Favre, is what the New Yorker would have published had Clinton won*** http://bit.ly/2eWKEdz

**UPDATE -- "Anthony Weiner Says His Actions 'Crushed the Aspirations of My Wife'," by NYT's Benjamin Weiser: "Lawyers for Anthony D. Weiner, the former Democratic congressman whose lewd text exchanges with a teenage girl led to his prosecution and embroiled him in an F.B.I. investigation of Hillary Clinton before the presidential election, asked a judge on Wednesday night to spare him a prison sentence.

"In asking that Mr. Weiner receive probation , his lawyers described his behavior as 'inexcusable,' but cited his 'remarkable progress' over the past year. Mr. Weiner, 53, writing separately to the judge, cited his 'profound' regret for endangering the well-being of the girl, whom he understood to be 15. He added, 'My continued acting out over years crushed the aspirations of my wife and ruined our marriage.' And, he said, his young son 'will forever have to answer questions about the public and private failings of his father.' ... Prosecutors are expected to make their sentencing recommendation next week. The office of Joon H. Kim, the acting United States attorney in Manhattan, said in Mr. Weiner's plea agreement that a sentence in the range of 21 to 27 months would be 'fair and appropriate.'" http://nyti.ms/2y0tXp5

PORTMAN PROFILE -- "How An Old-Fashioned Senator Is Living In Donald Trump's Washington," by BuzzFeed's Henry J. Gomez: "Asked how he learns about President Donald Trump's disruptive and frequently combative tweets, the Ohio Republican grinned. 'I get it two ways,' he began, as he rose from a chair in his office. He walked behind his desk and grabbed his iPhone. 'I can't follow everybody, right? But guess who I do follow? Donald Trump,' Portman continued as he returned to his seat. 'So every one of his tweets, I get on my phone. I have an alert,' Portman confirmed as he tapped away at the screen. 'You know why? Because when I didn't have an alert, I would be in the middle of an interview with someone like you, and they would ask me about something he tweeted, and I would be caught flat-footed.'" http://bzfd.it/2jqs3vw

NARAL's ILYSE HOGUE: **'WE ARE VERY, VERY PLEASED' by single-payer bill.** The abortion-rights advocate tells POLITICO's Dan Diamond that guaranteed coverage of abortion and contraception is a major step from Democrats' approach even eight years ago. "We think the Sanders bill positions reproductive health care right where it's supposed to be ... a non-negotiable part of a health care system where everybody's needs are covered. I think that's a huge achievement. We went from a Stupak amendment that nearly derailed [reproductive] health care in 2009 ... [to] the whole host of reproductive health care that we know helps women thrive." http://bit.ly/2eWVKzh

MEDIAWATCH -- Tom LoBianco is joining the AP's Washington bureau starting Monday. He rejoins AP from CNN. LoBianco previously worked for the AP as a politics reporter in Indiana.

TV TODAY -- CHUCK TODD is joining former New York City Mayor Michael Bloomberg, who is traveling to the U.S. Virgin Islands of St. Thomas and St. John to survey the damage caused by Hurricane Irma and provide help. Some of the interview will air Friday on MSNBC's "MTP Daily," with more on Sunday's "Meet the Press."

Playbookers

SPOTTED: Boris Epshteyn at the Capital Grille last night -- ***pic*** http://bit.ly/2h3BJHM ... Sen. Cory Gardner (R-Colo.) was also at the Capital Grille, having dinner with some El Paso county commissioners

OUT AND ABOUT - NADEAM ELSHAMI FAREWELL - Pool report: "The best quote from the farewell party for outgoing Chief of Staff to Nancy Pelosi, Nadeam Elshami was when he recalled his goal for working on Capitol Hill sarcastically, 'when starting on Capitol Hill my mission was to sit behind a member on the floor so I could be on C-Span.'"

SPOTTED: House Minority Leader Nancy Pelosi (D-Calif.), Rep. Jan Schakowsky (D-Ill.) and Sen. Dick Durbin (D-Ill.), as well as Sen. Ed Markey (D-Mass., House Minority Whip Steny Hoyer (D-Md.), Democratic Reps. Joe Crowley (N.Y.), John Conyers (Mich.), John Sarbanes (Md.), Debbie Dingell (Mich.), Elijah Cummings (Md.), Nita Lowey (N.Y.), Brendan Boyle (Pa.), Michelle Lujan-Grisham (N.M.), Brad Schneider (Ill.), David Cicilline (R.I.), Carolyn Maloney (N.Y.), Pete Aguilar (Calif.), Louise Slaughter (N.Y.), Ben Ray Lujan (N.M.), Maxine Waters (Calif.), Bennie Thompson (Miss.), Barbara Lee (Calif.), Earl Blumenauer (Ore.), Barbara Jackson Lee (Calif.) and Jared Polis (Colo.) ...

... Jennifer Palmieri, Izzy Klein, Tom Kahn, Steve Elmendorf, Peter Karafotas, Paul Tencher, Yebbie Watkins, Matt Gelman, Brad Wolters, John Michael Gonzalez and Todd Schulte. Pelosi alumni Paula Short, Brendan Daly, Jon Stivers, Alexandra Veitch, Melinda Medlin, Jerry Hartz, Jonathan Powell, Kelly Berens, Michael Bloom and Anne

Cannon MacMillan, Tom Manatos and new Pelosi chief of staff, Danny Weiss.

--Last night IGI and The Lenzner Firm hosted their annual rooftop reception. **SPOTTED:** Kelly Collis, Brendan Sullivan, Tamera Luzzatto, Sally Bedell Smith, Amb. Jim Jones, Nan Aron, David Letter, Erick Mullen, Richard Scott, James Crowell, Francis Creighton, Emily Lenzner, Mike Dorning, Matea Gold, Tom Hamburger, Ros Halderman, Puneet Talwar, Jason Gross, Chris Todd, Andrew Kline, Marti Thomas and of course Jon Lenzner.

--Pool report: "Hill staffers and Nashville's finest met for the [National Music Publishers Association's] annual songwriter showcase on the 101 Constitution Rooftop last night. Bayou soul singer-songwriter Marc Broussard performed as did Nashville singer-songwriter Ryan Kinder. The event reminded attendees of what songwriters are up against in the Digital Age and advocated policy reforms that would help them be paid properly by streaming services."

SPOTTED: David Israelite, Danielle Aguirre, Charlotte Sellmyer, Cary Sherman, Mitch Glazier, Reps. John Conyers and Ted Deutsch, Brendan Belair, Jennifer Lackey, Brendan Shields, Tyler Grimm, Alec French, Paul Overstreet and Mark Bryan.

ENGAGED - Dan Diamond, Politico Pulse author and host of the "Pulse Check" podcast, recently got engaged to **Alicia Daugherty,** a managing director at the Advisory Board Company. "We met through work, at the Advisory Board Company. After years of friendship, I made the first move, and Alicia eventually deemed me to be boyfriend material." **How he proposed:** "We were in New Mexico, where my family has ties, and went off on an adventure that combined a hike, a spa, an inn and Alicia's favorite movie series - Indiana Jones. After Alicia said yes, I surprised her with airplane tickets to her hometown in Minnesota, so we could celebrate with her family too." ***Pic*** http://politi.co/2fkJfhz

SUNDAY SO FAR - NBC's "Meet the Press": Mike Bloomberg. Panel: Doris Kearns Goodwin, David Brody, Al Cardenas and Katy Tur.

--"Fox News Sunday": Newt Gingrich, Julie Pace, Guy Benson, Rachael Bade.

BIRTHWEEK (was yesterday): FCC press secretary Tina Pelkey (hat tip: Neil Grace

BIRTHDAY OF THE DAY: Alex Korson, executive producer of MSNBC's "Morning Joe". **How he's celebrating:** "The weekend prior: dinner with my parents at my favorite steakhouse, Capital Grille. The day of: in the 'Morning Joe' control room in the morning, and then whatever my wife and 5 year old girls have in store for me." **Read his Playbook Plus Q&A:** http://politi.co/2xmAJbv

BIRTHDAYS: Bloomberg's Jen Jacobs ... Kirsten Kukowski, a Scott Walker and RNC alum ... Will Nichols ... Russian Prime Minister Dmitry Medvedev ... NYT's Matt Flegenheimer (h/t Alexis Levinson) ... Russell Berman, senior associate editor at The

Atlantic ... Victoria Esser, former assistant secretary for public affairs at Treasury ... Angela Grossfeld ... CAP's Ryan Collins (h/t Patrick Dolan) ... Larry A. Mizel, CEO of MDC Holdings ... NYT Baghdad bureau chief Tim Arango ... Rep. Ron DeSantis (R-Fla.), who was at the Trump Hotel last night ... Paula Dobriansky ... Jolyn Marie Cikanek, the gov't relations and PAC manager at Genworth Financial and a Jeb and Romney alum, is 3-0. She's celebrating on her honeymoon in the southern Caribbean - ***pic*** (http://bit.ly/2h4SGSf) (hubby tip: Zachary Cikanek) ... Jim Angle ... Courtney Flantzer ... NBC News' Scott Foster (h/ts Olivia Petersen) ... Howlie Davis ... Joyce Brayboy ... Abigail Collazo ... Jay Preciado, celebrating with Erin (h/t Jon Haber) ... Rae Ryan ... Naomi Karavani ...

... Jillian Hughes, CBS News White House producer ... Jacob Bell ... Josh Gordon ... Brittany Parker ... Politico Europe's Christina Gennet ... Katie Boyce, managing editor for digital at Bloomberg ... John Ladd ... Kirstin Mende ... Kelly Scott ... Politico's Ethan Stackpole ... Molly Fluet ... Tim Baker ... Ben Merkel ... Reynaldo Benitez ... Brian Greer ... Hunter Matson ... Ben Murray ... Katie Smith ... Kari Scott Abitbol ... Carey Kluttz ... Trent Duffy ... Elliot Berke ... Maria Dorfner ... Amy Wren ... Clay Chandler ... Paul McCarthy ... Doug Mainwaring ... J. Eden Gordon ... Julia Cohen ... Dan Morris ... Christopher Lagan ... Kathleen O'Connell ... Ted Gup ... Judy Ann Vilmain ... Meghan Walsh, founder of Roots Ethiopia ... Dan Langer ... Hope Warschaw ... Pam Porter ... Linck Zingale ... Dave Dogan ... Ken Strasma (h/ts Teresa Vilmain)

****** **A message from CTIA and America's wireless industry:** We need new rules for new 5G networks. New policies that will allow the U.S. to win the race to 5G and enable breakthrough advancements in healthcare, transportation, energy and more. First, a pipeline of low-, mid-, and high-band spectrum will help meet today's mobile needs and enable the 5G networks of tomorrow. Second, every level of government must modernize their rules for the building of small cell wireless infrastructure. Third, permanent and common sense federal regulations for interstate services like mobile broadband will preserve an open internet and protect consumer privacy while promoting innovation and investment. Finally, America's tax structure must be updated to spur billions of dollars in new 5G investment. Learn more about how wireless is working to invest in America's future at CTIA.org. ******

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From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/28/2017 4:59:44 PM
Subject: Unions press Trump administration for more limited carbon rule

By Alex Guillén

06/28/2017 12:54 PM EDT

A coalition of unions this week asked the Trump administration to rescind EPA's Clean Power Plan and then write a more limited version of the landmark power plant rule.

The unions, including the United Mine Workers of America, Utility Workers Union of America and the AFL-CIO, said in a June 26 meeting with OMB officials that repealing the CPP "is a critical step in reducing future job losses in the coal generation, transportation, and mining sectors," according to documents posted on OMB's website.

The unions went on to note that Supreme Court precedents and EPA's 2009 endangerment finding require EPA to regulate in some manner. EPA should instead write a rule that obtains "inside the fence" reductions by achieving efficiency improvements at existing coal-fired power plants, according to the unions.

However, the unions acknowledged, heat rate improvements at coal plants "are not very effective in reducing CO2 emissions" and would only achieve a 2-3 percent emissions reduction. EPA said the CPP would have secured a 32 percent reduction in power generation emissions, although utilities have already achieved some of that.

EPA could allow trading to minimize costs and should "provide credit for past reductions," the unions suggested. They also called for reforms to EPA's New Source Review permitting program.

In addition, OMB and EPA officials met March 22 with advocates from the NRDC. Documents from that meeting showed that the environmental group advocated against rescinding the CPP.

WHAT'S NEXT: OMB will continue to review EPA's proposed rule to withdraw the CPP before its anticipated release later this summer.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/unions-press-trump-administration-for-more-limited-carbon-rule-089832

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From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Mon 7/10/2017 10:33:33 AM
Subject: POLITICO Playbook, presented by Better Medicare Alliance: 3 VERY CONSEQUENTIAL WEEKS -- JAKE and ANNA are writing a book about Capitol Hill -- WHAT EVERYONE IS TALKING ABOUT: Trump Jr. met with Russian lawyer who promised dirt on HRC -- B'DAY: Sarah Boxer

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by Better Medicare Alliance
07/10/2017 06:30 AM EDT

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Monday morning. WELCOME TO 3 VERY CONSEQUENTIAL WEEKS . Let's be brutally honest: there is a better than even chance Congress leaves town at the end of this month without a single major legislative achievement to talk about back at home. Not one. The Senate is squirming on health-care reform, and faces long odds in their quest to pass an overhaul to Obamacare. The $1-trillion infrastructure plan that, seven weeks ago, the Trump administration promised would be out in the "next several weeks" has not come out. Tax reform is still in the hearing phase, and the Trump administration still says it will be done by the end of the calendar year.

-- CRISIS MODE: DEBT CEILING UNLIKELY TO HAPPEN BEFORE AUGUST RECESS: Capitol Hill has not been able to chart a path forward on lifting the nation's debt limit because of infighting in the administration about whether it should come with or without strings. **THE TRUMP ADMINISTRATION** is pushing for Congress to take action before the August recess, but most Hill aides we speak to say it won't happen. **THE LIKELY GAMEPLAN, AS IT STANDS NOW:** the Senate will push a clean debt limit increase to the House in the fall, and after a day or two of squirming and posturing, the GOP will pass it with Democratic votes. Congress has until October to get this done, so hold your horses.

-- GOV'T FUNDING : Government funding needs to be reupped by the end of September. As of now, we've heard from people in the House and Senate that Congress will likely extend funding until December, and then fight over the rest of the year's funding in the final month of the year. That could impact tax reform, which, under the Trump administration's schedule, will also need to be finished by the end of the year.

-- THE TAKEAWAY: The year is quickly being eaten up by must-do housekeeping instead of big-picture legislating.

NEWS -- JAKE AND ANNA ARE WRITING A BOOK! Congress is the most exhilarating, exciting and juicy story in town. The backstory about how deals get done -- or don't get done -- is filled with intrigue, twists, turns and personality clashes. After more than seven years of talking about writing a book about Capitol Hill, we decided this is our time to do it. We'll chart the first two years of Trump's presidency, through the lens and prism of lawmakers and aides on Capitol Hill. This is a book about people and personalities, political chess and the battle for power in Congress. It's a snapshot of official Washington in the era of Donald Trump.

IN MANY WAYS, this is a book we've been writing in our head since 2010. Congress is an institution we've spent a lot of time observing, studying and thinking about. We hope you come along for the ride.

CROWN, which published our friends Jon Allen and Amie Parnes' books about Hillary Clinton, will publish our work. We anticipate it will be released in March of 2019 -- just months after the midterm elections. **DAVID LARABELL** and **RACHEL ADLER** of CAA represented us.

-- VANITY FAIR: "HOW POLITICO'S NEXT GENERATION TOOK OVER WASHINGTON: Inside the transfer of power at Playbook, the most influential newsletter in politics," by Sarah Ellison. http://bit.ly/2t4mz9b

THE STORY EVERYONE IS TALKING ABOUT -- NYT'S JO BECKER, MATT APUZZO and **ADAM GOLDMAN -- "Trump's Son Met With Russian Lawyer After Being Promised Damaging Information on Clinton":** "President Trump's eldest son, Donald Trump Jr., was promised damaging information about Hillary Clinton before agreeing to meet with a Kremlin-connected Russian lawyer during the 2016 campaign, according to three advisers to the White House briefed on the meeting and two others with knowledge of it. The meeting was also attended by his campaign chairman at the time, Paul J. Manafort, and his son-in-law, Jared Kushner. Mr. Manafort and Mr. Kushner recently disclosed the meeting, though not its content, in confidential government documents described to The New York Times. ...

"It is unclear whether the Russian lawyer, Natalia Veselnitskaya, actually produced the promised compromising information about Mrs. Clinton. But the people interviewed by The Times about the meeting said the expectation was that she would do so.

"When he was first asked about the meeting on Saturday, Donald Trump Jr. said that it was primarily about adoptions and mentioned nothing about Mrs. Clinton. But on Sunday, presented with The Times's findings, he offered a new account. In a statement, he said he had met with the Russian lawyer at the request of an acquaintance from the 2013 Miss Universe pageant, which his father took to Moscow. 'After pleasantries were exchanged,' he said, 'the woman stated that she had information that individuals

connected to Russia were funding the Democratic National Committee and supporting Mrs. Clinton. Her statements were vague, ambiguous and made no sense. No details or supporting information was provided or even offered. It quickly became clear that she had no meaningful information.'

"He said she then turned the conversation to adoption of Russian children and the Magnitsky Act, an American law that blacklists suspected Russian human rights abusers. The 2012 law so enraged President Vladimir V. Putin of Russia that he halted American adoptions of Russian children. 'It became clear to me that this was the true agenda all along and that the claims of potentially helpful information were a pretext for the meeting,' Mr. Trump said. Two people briefed on the meeting said the intermediary was Rob Goldstone, a former British tabloid journalist and the president of a company called Oui 2 Entertainment who has worked with the Miss Universe pageant. He did not immediately respond to messages seeking comment. Mark Corallo, a spokesman for the president's lawyer, said on Sunday that 'the president was not aware of and did not attend the meeting.'" http://nyti.ms/2t4CRyN

-- IF YOU'RE KEEPING SCORE: Washington Post's Roz Helderman and Tom Hamburger broke the story that Goldstone was the intermediary between Trump Jr. and the Russian lawyer.

-- SOMEONE GOT TO HIM! -- TRUMP at 8:45 last night: "The fact that President Putin and I discussed a Cyber Security unit doesn't mean I think it can happen. It can't-but a ceasefire can,& did!" ...

... **BUT, BUT, BUT: 22 HOURS AGO** the president said the cyber-security unit would be "impenetrable" and would prevent "election hacking" and "many other negative things."

****** **A message from BMA: HEALTH CARE POLICY ALERT:** We can all agree that high need, high cost patients deserve the right care. And with Medicare Advantage, seniors and people with disabilities are getting the high-value care they need through flexible benefits and specialized care. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

THE GOP DONOR PAPER -- WSJ EDITORIAL: "Putin Is Not America's Friend": "We'll find out in the coming weeks how Vladimir Putin sized up Donald Trump in their first mano a mano meeting on Friday, but one bad sign is the Trump team's post-meeting resort to Obama-like rhetoric of cooperation and shared U.S.-Russia purposes. Secretary of State Rex Tillerson frequently lapses into this form of John Kerry-speak as he did trying to sell the new U.S.-Russia-brokered cease-fire in a corner of Syria. 'I think this is our first indication of the U.S. and Russia being able to work together in Syria,' Mr. Tillerson told reporters.

"He added: 'I would tell you that, by and large, our objectives are exactly the same. How we get there, we each have a view. But there's a lot more commonality to

that than there are differences. So we want to build on the commonality, and we spent a lot of time talking about next steps. And then where there's differences, we have more work to get together and understand. Maybe they've got the right approach and we've got the wrong approach.' The same objectives? The Russians want to help their client Bashar Assad win back all of Syria while retaining their military bases. If they are now talking about a larger cease-fire, it's only because they think that can serve Mr. Assad's purposes. The Trump Administration doesn't seem to know what it wants in Syria after Islamic State is ousted from Raqqa, and we hope Mr. Tillerson isn't saying the U.S. shares the same post-ISIS goals as Russia.

"Congress can play a fortifying role here by moving ahead with the bill toughening sanctions against Russia for its election meddling. The Senate passed the bill 98-2, and Republicans can move it quickly in the House with some fixes for oil investments. The White House objects that the bill takes away discretion from Mr. Trump to reduce sanctions unilaterally. But that discretion shouldn't be granted until Messrs. Trump and Tillerson show that they understand that Mr. Putin is not America's friend." http://on.wsj.com/2v2hU9f

-- THE WHITE HOUSE has been working behind the scenes to try to exert influence over the Hill in regards to this sanctions bill. That is going to be increasingly difficult. This legislation can -- and probably will -- pass with veto-proof margins.

SUSAN GLASSER'S THE GLOBAL POLITICO -- "Does Trump Have a Point About Obama and Russia?: Tom Donilon, former national security adviser, says 'no doubt about it' Obama should have done more about Russia hacking of 2016 election": "Normally cautious, careful and exacting, Donilon argues that Obama as early as last summer should have made "aggressive public attribution" that Russia was responsible, long before the president ultimately did so last October just a few weeks before the election.

"'Given the fact that they were attacking a fundamental element of our democracy ,' Donilon says in the interview, the Obama administration should have been 'pushing back harder and publicly' rather than worrying so much about appearing to use the national security apparatus for partisan ends or assuming a Clinton victory would end the matter. That 'would have been a better course of action, frankly.'" http://politi.co/2u3T6R5 ... ***Subscribe*** http://apple.co/2kJ9q1U

ALEX ISENSTADT SCOOPS: "President Trump's enemies list: The president remembers every political slight - and the politicians who abandoned him during the Access Hollywood scandal": "Donald Trump is less than six months into his presidency, yet one of the organizing principles of his political operation is already becoming clear: Payback. In private, Trump spoke of spending $10 million out of his own pocket to defeat an incumbent senator of his own party, Jeff Flake of Arizona, according to two sources familiar with the conversation last fall. More recently, the president celebrated the attacks orchestrated by a White House-sanctioned outside group against another Republican senator, Dean Heller of Nevada, who has also been openly critical of him.

Fear of Trump reprisals has led one Republican congresswoman, Martha Roby of Alabama, to launch an intense campaign to win over a president who remembers every political slight." http://politi.co/2v2zJ8m

JONATHAN MARTIN and **ALEX BURNS -- "Alabama's Special Senate Election Is All About Wooing Trump":** "[T]he contest may boil down to a single question: How will President Trump respond to the candidate who denounced him for 'serial adultery'?

"The campaign for the Senate seat once held by Attorney General Jeff Sessions is ostensibly playing out between Muscle Shoals and Mobile Bay. But the battle is being waged just as fiercely inside the White House, where Mr. Trump's endorsement could determine who will serve as the state's junior senator for the next three years. The Republican race has pitted the current, appointed senator, Luther Strange, against Representative Mo Brooks, a conservative firebrand whose brash, anti-immigrant, pro-gun politics are distinctly Trumpian -- save that 'serial adultery' jab.

"That has created tensions between Senator Mitch McConnell of Kentucky , the majority leader who strongly backs Mr. Strange, and the West Wing, where some sympathies lie with Mr. Brooks. What Mr. Trump does will beam a message to his supporters well beyond Alabama about which Republican faction he favors: the pragmatic establishment or uncompromising hard-liners. And in Alabama, Mr. Trump's preference matters. He may be saddled with national disapproval ratings that no modern president has seen this early in an administration, but among Alabama conservatives, the president ranks up there with college football, air-conditioning and pork shoulder." http://nyti.ms/2tYUEvW

-- COMING ATTRACTIONS: "Mo Brooks in Senate Ad: Fund President Trump's Border Wall or Face Government Shutdown," by Breitbart's Matt Boyle: "Rep. Mo Brooks (R-AL), a Republican candidate for U.S. Senate in Alabama, is threatening to shut the government down in the U.S. Senate if his colleagues do not fund President Donald J. Trump's planned border wall along the U.S. border with Mexico. Mo Brooks, one of three major candidates in the race to succeed now Attorney General Jeff Sessions for Sessions' seat, made the threat in a new ad set to air statewide in Alabama on television soon." ***With the ad*** http://bit.ly/2tyvX8N

THE JUICE ...

-- DEFINERS PUBLIC AFFAIRS , founded by Matt Rhoades, Romney-Ryan 2012 campaign manager, and Joe Pounder, former RNC research director, is expanding to London. Its affiliate UK Policy Group will "produce campaign-style research, media monitoring, opinion research, and communications strategy advice for private sector clients." Trygve Olson of Viking Strategies and Andrew Goodfellow, former director of research for the Conservative Party will serve as UKPG's vice president. ... ***The Politico Europe story*** http://politi.co/2sWh8Ox

-- @JoePerticone: "Walking along Mass Ave, casually overhead Mitch McConnell

walking w/ wife Elaine Chao say 'I'd really like to get that Kennedy slot'"

-- SAVE MY CARE , which is working to stop the repeal of Obamacare, is launching what they say is a "seven-figure TV ad buy" in Alaska, Nevada, Maine and West Virginia to target Lisa Murkowski, Dean Heller, Susan Collins and Shelley Moore Capito. The ad urges the senators to "keep your promise, vote no on health care repeal." ***Nevada*** http://bit.ly/2tYZklx ... ***Alaska*** http://bit.ly/2tydokS ... ***Maine*** http://bit.ly/2sVYCG8 ... ***West Virginia*** http://bit.ly/2u3V9nY

#PLAYBOOKLOYAL: It's been one year since we took over Playbook and we want to thank you for reading. We want to hear from you -- so we're creating a competition. The prize: a signed copy of one POLITICO's Pulitzer Prize winning cartoonist Matt Wuerker's famous cartoons. **HERE'S HOW IT WORKS:** Tweet or post a message to us on Facebook using the hashtag #PlaybookLoyal -- each time you post with the hashtag will increase your chances of winning! Post as often as you wish from today until Friday, July 14. So get to sharing and tell us why you're #PlaybookLoyal and include this link http://politi.co/2IBIFIV

Playbook Reads

PHOTO DU JOUR: Iraqi Special Forces soldiers celebrate after reaching the bank of the Tigris river as their fight against Islamic State militants continues in parts of the Old City of Mosul, Iraq on July 9. | Felipe Dana/AP Photo

THE RESISTANCE -- "Obama returns to politics with redistricting group fundraiser," by Isaac Dovere: "Barack Obama will make the first official political move of his post-presidency on Thursday, headlining a private fundraising for the National Democratic Redistricting Committee at a private home in Washington. The event, which will also be attended by NDRC chair Eric Holder and House Minority Leader Nancy Pelosi, is to support the group he's helping back to coordinate Democratic efforts in state races and lawsuits to push back on Republican success in gerrymandering over many cycles. In many statehouses and Congress, that's left Democrats at a baked-in disadvantage." http://politi.co/2u3ED7N

TRUMP'S WHITE HOUSE -- "The Scholar Who Will Help Lead Trump's Assault on Rules," by NYT's Steve Eder: "When George Mason University changed the name of its law school last year to honor Antonin Scalia, the late conservative Supreme Court justice, the tribute rankled many liberal faculty members and students. ... One outspoken advocate for the name change was Neomi Rao, an associate law professor who had come to know Mr. Scalia while serving as a clerk for Clarence Thomas, another conservative member of the court. ... [Q]uietly, Ms. Rao also worked to win over liberal critics. In a public relations coup, she helped secure an endorsement for the

name change from Ruth Bader Ginsburg, one of the Supreme Court's most liberal justices and a longtime friend of Mr. Scalia. ...

"Ms. Rao's ability to work both sides of the ideological divide, emblematic of her career in academia and government, is about to be tested anew. On Monday, the Senate is expected to approve Ms. Rao's nomination to lead an obscure but powerful White House agency called the Office of Information and Regulatory Affairs - placing her at the heart of President Trump's politically contentious agenda to overhaul government rules and regulations." http://nyti.ms/2tyPYfn

JOSH GREEN with an excerpt from his new Bannon book in NYMag, **"Attack, Attack, Attack:** Why does Trump double-down every time it seems like he should retreat? Because Steve Bannon is back in his boss's good graces": "On May 22, just as a strange photo of President Trump, Saudi king Salman, and Egyptian president Abdel Fattah el-Sisi touching a glowing orb reached the apex of its memehood, Steve Bannon, who was lurking somewhere beyond the orb's glow, got on a plane in Riyadh and flew back to his book-stuffed apartment in a glass high-rise in Arlington, Virginia. ... His former position largely restored, Bannon is now back in his natural element, at the center of the chaos. He modeled Trump's war room after the one set up by Bill Clinton to handle Ken Starr's Whitewater probe. Bannon was convinced that Trump needed his own Lanny Davis - Clinton's pit-bull lawyer and TV surrogate - to go against Mueller, according to a source familiar with his thinking. (Bannon even called Davis to consult him.) ...

"Despite his portrayal as Trump's Rasputin, Bannon's return was prompted less by his own influence than by the president's needs. ... Bannon is less 'The Great Manipulator' than Trump's indispensable henchman, the man he turns to when everything's going to hell. Bannon is astute enough to discern Trump's desires and heedless enough to carry it out. 'If the whole White House is backed up against the wall facing a firing squad, Steve will stay there,' says Ken Cuccinelli, president of the Senate Conservatives Fund. 'Reince [Priebus] and the other guys will run.'" http://nym.ag/2tES1N7 ... ***$21.90 on Amazon*** http://amzn.to/2utkR30

LARRY SUMMERS in the FT, "Donald Trump's alarming G20 performance": "A corporate chief executive whose public behaviour was as erratic as that of Mr Trump would already have been replaced. The standard for democratically elected officials is appropriately different. But one cannot look at the past months and rule out the possibility of even more aberrant behaviour in the future. The president's cabinet and his political allies in Congress should never forget that the oaths they swore were not to the defence of the president but to the defence of the constitution." http://on.ft.com/2tYR98N

****** **A message from BMA: MEDICARE ADVANTAGE TAILORED CARE MEETS THE NEED OF HIGH COST, HIGH NEED CARE SENIORS:** 18.5 million seniors and people with disabilities choose Medicare Advantage for one reason: it gives them the affordable, robust, and individualized health care they need. And with health needs in this country becoming more complex, it's clear that innovative, holistic solutions are

required.

Under Medicare Advantage, Special Needs Plans (SNPs) specializes care for the health care system's fastest growing and most costly and complex care beneficiaries - frail, disabled, and chronically-ill Medicare beneficiaries. SNPs tailor benefits, provider networks, and prescription drug coverage to best meet the needs of the beneficiaries they serve. In addition to providing Traditional Medicare benefits, SNPs also provide reduced cost sharing and enhanced benefits related social services, wellness and home care. SNPs are designed to address complex conditions by providing better access to specialized care for those who need it most. Learn more: http://www.bettermedicarealliance.org/special-needs-plans ******

MEDIAWATCH -- RESTUCCIA, COOK and **MCCASKILL TO W.H. TEAM -- CARRIE BUDOFF BROWN** emails the staff: "Since the start of the year, our White House team has delivered a nonstop diet of powerful coverage dominating attention in Washington and around the world. ... We've been looking for ways to build on that success and are excited to announce several additions to the White House team from within our ranks: Andrew Restuccia and Nancy Cook, who helped anchor our coverage of the Trump transition and the mechanics of the new administration as senior policy reporters, and Nolan McCaskill, who has brought a keen sense of observation to coverage of Trump world from his perch on the breaking news desk."

JIM ACOSTA PROFILE -- "'Grandstanding' or truth teller? CNN's Acosta walks a fine line with Trump," by WaPo's Paul Farhi: "At a time when CNN is under attack by President Trump and his supporters, Acosta has been fighting back. He has said on the air that White House press secretary Sean Spicer's unresponsive answers were rendering him "just kind of useless' as a credible source; that the ever-briefer briefings have become 'basically pointless'; that covering this White House has at times been like 'covering bad reality television.' ... He has repeatedly needled Spicer on Twitter, too: 'I can't show you a picture of Sean,' he tweeted, over a photo of his ankles, during a blacked-out briefing on June 19. 'So here is a look at some new socks I bought over the wknd.'" http://wapo.st/2u8Pii6

-- "How Antitrust Undermines Press Freedom," by News Media Alliance president and CEO David Chavern in WSJ: "Whenever President Trump attacks CNN or berates the Washington Post, journalists and free-speech advocates rise up to defend the media and the First Amendment. Meanwhile, a greater threat to America's news industry looms mostly unnoticed: Google and Facebook's duopolistic dominance of online advertising, which could do far more damage to the free press than anything the president posts on Twitter. ... The News Media Alliance, which represents digital and print publishers ... is proposing a solution: a new law granting a limited safe harbor under antitrust for publishers to negotiate collectively with dominant online platforms. This would grant media organizations the flexibility to expand innovative digital models of news distribution, while also giving them more ways to sustain high-quality journalism." http://on.wsj.com/2u3nPhg

Playbookers

[redacted]

http://bit.ly/2sWCag5 ... National Intelligence Director Dan and Marsha Coats exiting an armored vehicle (with security detail) for Sunday morning service at McLean Presbyterian Church. ... former Amb. Norm Eisen (and Obama's ethics czar) walking down 14th street yesterday holding a cactus yesterday - he was with his daughter.

TRANSITIONS - Jonathan Nabavi is joining the NFL as VP of public policy and government affairs. Nabavi most recently served as majority counsel for the Senate Judiciary Committee and is a former college football player at Penn State. ... The Hispanic Leadership Fund has hired **Gus Portela** as its director of external affairs and operations. He previously served as political director and executive director of the College Republican National Committee.

... Kate Leone has been named SVP of government relations and a member of the executive team of Feeding America, an anti-hunger organization. She previously was general counsel for Sen. Jeanne Shaheen (D-N.H.). http://bit.ly/2u3fzO8

ENGAGED -- Caren Auchman, SVP at Fleishman-Hillard and former Dodd/GSA/Waxman flack, got engaged to **Aaron Bregman,** history teacher at Charles E. Smith Jewish Day School. "He popped the question in a suite at the Mayflower Hotel, then insisted they rush to dinner - and in the hallway of the hotel were 14 of their closest friends ready to toast the couple. Engagement celebrations continued at Bibiana and Zaytinya until 1 a.m. The couple met in 2015 on JSwipe, a.k.a. 'Jewish Tinder.'" ***Pic*** http://bit.ly/2t4psHe

--Chris Crawford, program associate at Democracy Fund, on Saturday got engaged to **Carolyn VanBrocklin** , a communications specialist at Bethesda-based Concepts Inc., a small business that offers subject matter expertise in disability, employment, and veterans issues. The couple met at Holy Trinity Church in Georgetown and he proposed outside Darlington House restaurant in Dupont Circle, where they went on their first date. ***Instapic*** http://bit.ly/2v1ZuWn ... ***Pic of the ring*** http://bit.ly/2u9cLQr

WEEKEND WEDDINGS -- Zachary Cohen (son of Politico's Joanne Kenen and Ken Cohen) got married to **Sam Greenberg** at Adas Israel on Sunday. They are both grad students at NYU Wagner School of Public Policy. They met via mutual friends five years ago when Sam was at Penn and Zach at Columbia. ***Pic*** http://bit.ly/2t4Axbd (h/t Steve Rabinowitz)

-- "Brahna Siegelberg, Richard Kreitner" -- N.Y. Times: "The couple met while working as editors for the college newspaper at McGill University in Montreal, from which they graduated. The bride, 28, is an English teacher at the New York City Museum School in Manhattan. She received a master's degree in education from Hunter College. She is also a writer who has published articles in Slate and Tablet

magazines. ... The groom, 27, is an assistant editor in Manhattan for The Nation magazine." http://nyti.ms/2sG1WAO

BIRTHWEEK (was yesterday): KP Trueblood, director of strategy for the ACLU and former budget director for HFA/director of ops for the Clinton-Kaine transition (hat tip: Lisa Vedernikova)

BIRTHDAY OF THE DAY: Julianna Smoot, co-founder of the Smoot Tewes Group, former Obama national finance director and W.H. social secretary. She celebrated with a party her husband, Lon Johnson, threw her in Detroit on Saturday. Read her Playbook Plus Q&A: http://politi.co/2tyShPH

BIRTHDAYS: Sam Stein, recently hired by The Daily Beast ... Kenny Day, SVP of political at iHeartMedia ... Sarah Boxer, the pride of Stamford, Connecticut -- Politico's Matt Daily, Catherine Boudreau, Ashley Afranie-Saky, and John Appezzato ... former NYC Mayor David N. Dinkins is 9-0 ... Rep. Tom McClintock (R-Calif.) is 61 ... Rep. Brian Mast (R-Fla.) is 37 ... Rep. Dan Newhouse (R-Wash.) is 62 ... former Rep. Phil Gingrey (R-Ga.) is 75 ... former Rep. Russ Carnahan (D-Mo.) is 59 ... Rena Shapiro, VP of politics and advocacy at BuzzFeed ... Emil Caillaux is 33 (h/t Katy Summerlin) ... Morgan Ortagus, a navy reservist, and an executive director at Ernst & Young ... Megan Ortagus ... Vice's Shawna Thomas ... Sam Harper, director in the public affairs and crisis practice at Burson-Marsteller (h/t Ben Chang) ... De Blasio alum Karen Hinton ... WSJ's Heather Haddon ... Rob Bogart ... Phillip Hedayatnia ... Grant Thomson ... Jamie Lockhart ... Peter Bondi ... Christine Turner, global policy at WhatsApp and an NSC alum ...

... Remley Johnson, former Defense Sec. Don Rumsfeld's chief of staff, is 26 (h/t Robert Flock) ... Morning Consult's Eli Yokley is 25. He celebrated this weekend with a house party on Friday night, brunch at Centrolina on Sunday (***Instapic*** http://bit.ly/2tEVRWB) and birthday dinner at Bourbon Steak tonight (h/ts Lauren Weber and Evan Hollander) ... Caroline Ciccone, a managing principal on the communications team at Precision Strategies (h/t Tom Zigo) ... Bill Thompson, former NYC Comptroller ... Ian Rivera, campaign manager at Kopser for Congress and an HFA alum ... Amanda Woloshen ... Kevin Call ... Bill Roberts ... Debbie Palacios ... Sarah Hodgkins ... Caroline Gransee ... Mary Conlow (h/t Teresa Vilmain) ... Clay Haynes ... Chris Terris ... Max Blachman ... Tim Schlittner ... Kristin Chesemore ... Finlay Lewis is 79 ... Elie Jacobs ... Monty Warner ... Elizabeth Bartz ... Chuck Lewis ... JJ McCoy ... Edie Mead Holway ... Jeff Mitchell ... Arlo Guthrie is 69 ... Sofia Vergara is 44 ... Adrian Grenier is 4-0 ... Jessica Simpson is 36 (h/ts AP)

****** **A message from BMA:** Better Medicare Alliance is helping to build the future of care through Medicare Advantage. As a community of experts, we're leading the way on health care through research, policy, and grassroots advocacy. Together, we're creating a path forward for innovative, modern health care. Stand with us: http://www.bettermedicarealliance.org/special-needs-plans ******

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Subject: First Move: Tat Spat in EU • Departures in Bonn • Elections and Carbon Emissions

What you need to know to start your day.

Tat Spat in EU • Departures in Bonn • Elections and Carbon Emissions

By Chuck McCutcheon

Questions about potential health dangers in tattoos are prompting regulators for 28 European countries to ponder stamping some form of restrictions on the skin signatures.

A man has his arm tattooed during a fair at the Diagora Labege centre in Toulouse on Jan. 10, 2016.
Photo: Remy Gabalda/AFP/Getty Images

European Union regulators are concerned that tattoo inks and colorants may be harmful even years after tattoos have been applied, Adam Allington explains in a story being published today.

In the U.S., the Food and Drug Administration has the authority to regulate tattoos, but it has left that up to local governments. The EU, however, has more regulatory skin in the game.

The EU asked Europe's chemicals agency to look into the risks of tattoo inks and permanent makeup on human health. The agency recommended restrictions on some 4,000 substances when used in tattoo inks and permanent makeup—which, if enacted, would become the world's strongest restrictions of their kind.

The U.N. climate talks in Bonn are entering their final days, and the U.S. delegation must weather a new complication—its original top negotiators aren't there.

Divisions arose between the differing priorities of official negotiators and a group of Trump administration political appointees who said they were being shut out of the process. Now Dean Scott reports that State Department diplomat Tom Shannon did not travel to Germany for the talks, while State climate negotiator Trigg Talley left due to a family emergency.

Shannon's replacement is Judith Garber, an acting State Department assistant secretary. But Garber has neither the stature nor the political connection to the

Trump administration that Shannon held.

Elections have consequences, and last week's results in the New Jersey and Virginia governors' races are expected to mean an expansion of efforts among Northeast states to reduce greenhouse gas emissions.

With the election of Democrats Phil Murphy in New Jersey and Ralph Northam in Virginia, the two states could join or become affiliated with the Regional Greenhouse Gas Initiative as early as next year, Gerald Silverman reports in a story being published this morning. The initiative is a partnership among nine states to cap and reduce the power sector's carbon dioxide emissions. New Jersey used to belong, but GOP Gov. Chris Christie pulled his state out six years ago.

Other Stories We're Covering

- President Trump's pick to head the Mine Safety and Health Administration is expected to get a Senate confirmation vote today; Stephen Lee is tracking.
- Evaluating green bonds and the financial risks of moving from fossil energy toward renewable sources are among the topics at Bloomberg's two-day Sustainable Business Summit: London, which kicks off today in the British capital. Michael Liebreich, founder and chairman of the advisory board of Bloomberg New Energy Finance, also will discuss the impacts of President Trump's decision to have the U.S. exit the Paris climate deal. Ali Qassim is covering.
- The Senate's energy committee takes up legislation to drill in Alaska's Arctic National Wildlife Refuge as part of the GOP's massive tax proposal. David Schultz is covering.
- The multistate Ozone Transport Commission, which advises the EPA on air issues, meets jointly with Mid-Atlantic Northeast Visibility Union to discuss reducing ozone and regional haze. Jennifer Lu is covering.
- The environment panel of the House's energy committee will mark up four bills today, including legislation dealing with brick kiln emissions. Jennifer Lu is monitoring.

Quote of the Day

"It's one thing to be responsive in the immediate aftermath of a hurricane, it's another thing to be engaged in something that we would all call gouging of the taxpayer."
—Alaska Republican Sen. Lisa Murkowski, questioning the Puerto Rico Electric Power Authority's sole-source $300 million contract with Whitefish Energy Holdings.

Today's Events

- **8 a.m. • Energy** • West Virginia Democratic Sen. Joe Manchin, FERC Chairman Neil Chatterjee, and others speak at CQ News/Roll Call forum on

energy policy.

- **10 a.m. • ARPA-E** • Information Technology & Innovation Foundation holds forum on the Energy Department's Advanced Research Projects Agency's role in clean energy innovation.
- **10 a.m. • Air Emissions** • The Senate's environment committee will hear about ways to reduce air emissions through innovation.

Around the Web

- Three hundred days into Trump's administration, the EPA, Interior Department, and Department of Energy only have 11 Senate-confirmed officials in place out of a total of 52, according to data compiled by the Partnership for Public Service.
- Apple, Walmart, CVS, Ikea, Whole Foods Market, and Target scored the highest in a group's report card on reducing toxic chemicals in consumer products.
- Volkswagen will pay New Jersey $69 million to settle a state lawsuit over vehicle-emissions cheating.
- Nuclear regulators want small modular reactors and other new technologies to be ready to deal with emergencies.
- A conservation group warns regulators and the South Carolina Electric & Gas Co. that it intends to sue over coal tar at the bottom of South Carolina's Congaree River.

For all of today's Bloomberg Environment headlines, visit Environment & Energy Report

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Sat 5/27/2017 1:19:42 AM
Subject: [SPAM] May 30 -- Daily Environment Report

Daily Environment Report

May 30, 2017 - Number 102

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Leading the News

Chemicals
EPA to Clear Backlog of New Chemical Approvals by July
The backlog of new chemicals being reviewed by the Environmental Protection Agency is expected to be cleared by July due to staffing, policy and procedural changes the agency has made.

News

Air Pollution
Bosch Tied to Diesel-Cheating Claims Against Fourth Carmaker
Robert Bosch GmbH, the world's largest auto-parts supplier, was linked to emissions-cheating allegations against a fourth automaker on May 25, raising questions about the German company's role in the scandal gripping the car industry.

Energy
IRS Sets Tax Credit Values for Captured CO2
The 2017 tax credit for carbon dioxide captured and sequestered in secure geological storage is $22.48, the Internal Revenue Service said.

Energy
Release—Finally—of Appliance Efficiency Standards Applauded
Energy efficiency advocates and industry groups are breathing a sigh of relief after the Trump administration lifted a temporary hold on appliance standards for ceiling fans, pool pumps, air conditioners and refrigeration products.

Environmental Justice

Exxon Refinery Neighbor Group Scoffs at Texas-EPA Agreement

Environmental groups say a settlement between the Texas state environmental regulator and the EPA over a potential civil rights violation in permitting of an Exxon Mobil Corp. refinery is too little, too late.

General Policy

Week Ahead: Lawmakers May Get Earful on Energy, Environment

Members of Congress holding town hall meetings in their home districts during the week of May 29 are expected to hear about energy and environment concerns as part of the public's reaction to President Donald Trump's new budget proposal.

International Climate

Six to One Against Trump on Climate in 'Honest' Exchange at G-7

German Chancellor Angela Merkel said Donald Trump was isolated on climate change at the Group of Seven, as the president said he's in no rush to decide whether to scrap U.S. involvement in the Paris Agreement.

Mining

No Gold in Them Hills, Mine Co's Superfund Claim Tossed

Mining company Federal Resources Corp. can't recoup any of its Superfund cleanup costs from the government for contamination at a former mine in Idaho, the Ninth Circuit ruled (United States v. Fed. Res. Corp., 2017 BL 175794, 9th Cir., No. 15-35192, unpublished 5/25/17).

Motor Vehicles

Bipartisan Senate Bill Tweaks Fuel Efficiency Standards

A bipartisan Senate bill meant to standardize the federal government's regulation of fuel efficiency in cars and trucks would effectively loosen the efficiency standards that apply to automakers, allowing them to build and sell larger vehicles, according to environmentalists.

Natural Gas

Florida Pipeline's Legal Battles Persist After Construction

The owners of almost 700 miles of new pipeline into Florida aim to start the flow of natural gas in June—if federal regulators give the go-ahead despite objections and lawsuits from the Sierra Club and others.

Oil & Gas

Fire Kills One, Injures Three at Anadarko Tank Battery in Colorado

An Anadarko Petroleum Co. oil tank battery caught fire in Mead, Colo., killing one worker and injuring three others.

Regulatory Policy

Coal Ash Disposal Guidance Document Under White House Review

An Environmental Protection Agency's guidance for the approval of states' coal ash disposal permitting programs is under review at the White House Office of Management and Budget.

Renewable Energy

Energy-Generating Kites Backed by Shell Set for Test in Scotland

Power-generating kites backed by Royal Dutch Shell Plc, Schlumberger Ltd. and EON SE will start tests in the U.K. this summer, with the aim of developing a technology that could eventually replace offshore wind turbines.

Stormwater

Permit Should Cover Stormwater Pollutants, Not Flow, Builders Say

A new EPA permit for storm runoff in New Hampshire goes too far and actually regulates stormwater flow as opposed to the pollutants found in it, homebuilders' groups say in a lawsuit.

Toxic Substances

Canada Proposes Designating Cobalt and Compounds as Toxic

Canada proposed designating cobalt and water-soluble compounds containing cobalt as toxic and will collect additional information on releases to determine if regulatory measures are needed.

Vehicle Fuels

Shell Sees Solution to Energy-System Gaps in 'Hydrogen Grid'

Royal Dutch Shell Plc is looking to build a hydrogen empire in a bid to fix the biggest problem the energy transition faces: the question of how to store power in the long term.

Water Pollution

EPA Seeks Input on Postponing Utility Wastewater Limits

The EPA is moving ahead with its proposal to postpone compliance deadlines for a regulation governing wastewater discharges from steam-generating power plants, giving the power sector and the public 30 days to comment on the plan.

Regulatory Agenda

TODAY'S FEDERAL REGISTER

NOTICE. Daily Environment Report's Regulatory Agenda, Comment Deadlines, and Federal Register summaries are now published as part of EHS Federal Regulatory AlertTM http://news.bna.com/frmn/.

TODAY'S STATE REGISTERS

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Thur 6/15/2017 10:11:26 AM
Subject: Morning Media: 'Fair & Balanced,' 1996-2017 — Bergman blames the media — Intercept investigates itself

By Joe Pompeo | 06/15/2017 06:06 AM EDT

With Alex Weprin

FAREWELL AND BALANCED - Fox News has traded "Fair and Balanced" for a new marketing slogan, "Most Watched. Most Trusted," according to tireless Fox News chronicler Gabe Sherman , who explained the significance of this seismic change in his scoop yesterday: "As Fox News moves further into the post-Roger Ailes era, the network is shedding one of its most iconic elements. ... It would be like the New York Times giving up 'All the News That's Fit to Print.' Ailes invented the slogan when he launched the network in 1996, and over the years it became a quasi-religious doctrine among Fox's anchors and viewers. ... In the annals of modern advertising, 'Fair & Balanced' will be considered a classic."

TODAY IN MEGYN KELLY - "What we do as journalists is we shine a light on those with power, those with influence, those who have become culturally relevant," the NBC News anchor told Jim Rutenberg in a piece about the backlash around Kelly's interview with Alex Jones this Sunday. "Of course, it's upsetting to know that doing that causes any upset to the Newtown families, many of whom I know well. But I have to do my job. ... As journalists, we don't get to interview only the good guys -- that's not journalism. It's going to be very difficult for us to keep an eye on the more controversial figures of our time if we never talk to them."

Rutenberg: "Where's the line between covering a scoundrel as a news figure and giving him a promotional platform? ... The test for Ms. Kelly, of course, will come in that interview, how it's packaged on Sunday night and how aggressively she questions him." More: "Megyn Kelly, Alex Jones and a Fine Line Between News and Promotion"

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima**, who's on vacation this week. (clima@politico.com / @ludacristiano). **Hadas Gold** contributed to today's column. **Archives**. **Subscribe.**

REVOLVING DOOR: HUFFPOST LAYOFFS ROCK WASHINGTON BUREAU - Michael Calderone reports : "On Wednesday morning, [EIC Lydia] Polgreen visited HuffPost's D.C. bureau, which is significantly smaller than the New York headquarters and was hit hard by the cuts. More than six journalists who work in or report to the bureau were laid off, including senior military correspondent David Wood. He won the site's first and only Pulitzer Prize in 2012 for a multimedia series on military veterans." Overall, 39 pink slips were handed out at the publication yesterday related to parent company Verizon's acquisition of Yahoo, which is expected to result in more than 2,000 job losses overall.

One of the people let go in D.C. was Jason Linkins, one of the last remaining newsroom

figures who'd been with HuffPost since the early days. Senior politics editor and de facto D.C. bureau leader Sam Stein tweeted: "Today, we lost a number of really great reporters, from HuffPost at large and the DC bureau specifically. It's been the hardest day I've had helping run this operation."

Also laid off yesterday: The entire editorial staff of Vocativ.

MUST READS:

-- "Virginia Shooting Suspect Was Distraught Over Trump's Election, Brother Says" [NYT]

-- "How the U.S. Triggered a Massacre in Mexico" [NatGeo/ProPublica]

-- "Meet the Goopies" [NYT]

REP. JACK BERGMAN, WITNESS TO ALEXANDRIA SHOOTING, BLAMES THE MEDIA - "Unfortunately, and I'm looking in the eye of all the media when I say this, friendships and cordial relationships don't make good news. I can tell you ... we are united along with our Democratic freshmen counterparts to bring civility back to the 115th's congress." Bergman, who was at the softball practice where the attack occurred, said that in an interview about the shooting with Fox News/Business anchor Melissa Francis. The context was a question on whether Bergman agreed with a congressional colleague's assessment of "hateful rhetoric" helping to fuel incidents like this.

Francis: "So you think it's the media's fault?"

Bergman: "I think the media is complicit if they keep inciting instead of informing."

Francis: "So when we report, or quote hateful things that are said, we are adding to it? We should just ignore it and not report it?"

Bergman: "No that's not what I said. I just think you need to make sure that you think twice about how your words and inflections and phrases are gonna affect all the people who might see it." Clip.

FEEL GOOD HIT OF THE SUMMER - A few days ago, newly appointed New York Times D.C. bureau intern Emily Cochrane was writing a story about ducks. Yesterday, she was racing to the scene of the Alexandria shooting and sharing a byline on what was arguably the most high-profile and most talked-about story of the day. "Not a bad way to start your summer," said a Times source who shared this fun little anecdote with us.

INTERNAL INVESTIGATION AT THE INTERCEPT - Co-founders Glenn Greenwald and Jeremy Scahill announced in a joint statement yesterday that the website is "currently conducting an internal investigation" into the handling of a June 5 article, based on classified NSA documents, that led to the arrest of accused leaker Reality Winner. The Intercept's reporting methods on the story came under heavy scrutiny because it appeared the reporting had at least

partly compromised the article's anonymous source. (Literally anonymous: Even The Intercept didn't know the identify of the person who provided the documents.)

I was chatting with a journalist in NatSec circles yesterday, and I asked if this is a situation where it seems like a reprimand of some sort might be warranted. The tricky part, this journalist said, is that reprimanding an Intercept reporter could potentially aid the prosecution's case, which a news outlet with an alleged source facing jail time wouldn't be inclined to do, "So it's touchy."

JAMES COMEY GETS BETTER RATINGS THAN JEFF SESSIONS - The former FBI director's Senate testimony last week was viewed by millions more people than the Attorney General's Senate testimony on Tuesday. On average, 19.5 million people tuned in to Comey versus just over 12 million viewers for Sessions. (Neither NBC for nor the Fox broadcast network broke into regular coverage to carry Sessions.) All told, Fox News had the most viewers for Sessions, averaging 3.2 million, followed by CNN and MSNBC, each with just over 2.2 million. In the core news demo of adults 25-54, CNN led the way with 614,000 viewers, compared to 476,000 for Fox and 436,000 for MSNBC. CBS averaged 2.4 million viewers, while ABC averaged 2.1 million.

SOUND BITES:

-- "Stephen King has been blocked by Trump on Twitter. I guess his book about a scary clown hit too close to home." [Stephen Colbert]

-- "The President of the United States is reportedly under investigation for obstructing justice, and it's the second biggest story of the day." [Gregory Korte]

-- "i would suspect that peter thiel planted a story falsely denying a report on his interest in young blood--but who could be so underhanded!?" [John Cook]

DEPARTMENT OF UNREASONABLY ONEROUS (AND PROBABLY UNENFORCEABLE) NONCOMPETE CLAUSES - via CNN's Oliver Darcy : "Executives at the Independent Journal Review, the conservative millennial-focused news website, have asked employees to sign a new noncompete agreement as the upstart website continues to see an exodus of its top talent. The updated noncompete agreement, obtained by CNN, bars employees from working at any competing business 'anywhere in the world' for six months after employment at IJR, unless the person obtains explicit 'written consent' from the company granting them permission to do so. ... All employees -- even entry-level staffers who start at an annual salary of approximately $35,000 -- were notified in mid-May ... When employees read over the terms of the new noncompete agreement, some were upset."

BLOOMBERG BUSINESSWEEK REBOOT DEBUTS TODAY - EIC Megan Murphy's editor's letter promises "sharper storytelling, cleaner and more consistent design, and richer graphics and photography. The new Bloomberg Businessweek is more global, with American, European, and Asian editions. We've revamped our sections so you can easily find the stories you are looking for on business, finance, technology, economics, and politics. And at the back of the magazine, introduced Pursuits to help you live a better life away from your desk, with advice

on travel, food, art, and more."

THE GHOST OF PHONE-HACKING PAST - Missed this one on Tuesday, via The Guardian : "The owner of the Sun has been ordered to hand over thousands of invoices relating to the use of private investigators by the newspaper and its former sister title, the News of the World, before a new hacking trial later this year. Mr Justice Mann made a judgment on Tuesday that News Group, part of Rupert Murdoch's News Corp, must disclose invoices from between 2000 and 2010 for the use of private investigators that have been found to have connections with phone hacking and unlawfully obtaining personal information. The judge also said that News Group must explain why it has made redactions on hundreds of documents relevant to the hacking case and that laptops used by James Murdoch."

SOUNDTRACK: Morrissey, "Sing Your Life"

EXTRAS:

-- "Rachel Maddow: The Rolling Stone Interview" [RS]

-- The return of Tom Brokaw. [Page Six]

-- "A court security officer handcuffed a reporter for Syracuse.com and The Post-Standard this morning after the reporter took pictures of an arrest in the hallway of the Onondaga County Courthouse." [syracuse.com]

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/06/15/fair-balanced-1996-2017-bergman-blames-the-media-intercept-investigates-itself-001292

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 7/13/2017 4:56:27 PM
Subject: EPA memo details more spending changes in House bill

By Alex Guillén

07/13/2017 12:53 PM EDT

The House's 2018 Interior-EPA spending package boosts funds for several programs with bipartisan support that the White House had sought to cut, according to an internal EPA memo obtained by POLITICO.

The Superfund program would get a $28.6 million boost, up to $1.09 billion, and Brownfields projects would get an extra $10 million, up to $90 million for 2018, according to the memo, from EPA's acting chief financial officer, David Bloom. EPA Administrator Scott Pruitt has said he will prioritize those cleanup programs, although the administration's budget request sought to cut the Superfund budget by about a third.

House Republicans also would give an extra $15 million for the diesel emissions reduction grant program, which would receive $75 million in 2018, according to the memo.

For other programs, the House bill proposes cuts to programs that Trump sought to keep fully funded, such as the Clean Water State Revolving Fund. The House bill would cut $250 million from the clean water SRF, dropping it to $1.14 billion. The other SRF, for drinking water, would see its funding stable at $863 million.

The bill would leave untouched a slate of categorical grants that help states pay for implementing and enforcing environmental laws and for environmental projects, according to the memo.

At least two programs targeted by Trump are still in line for belt-tightening: a Mexican border initiative that would be zeroed out and a $10 million cut for a program to pay for water and wastewater infrastructure in Alaska Native villages.

WHAT'S NEXT: The House Appropriations Committee will mark up the bill on July 18.

Annie Snider contributed to this report.

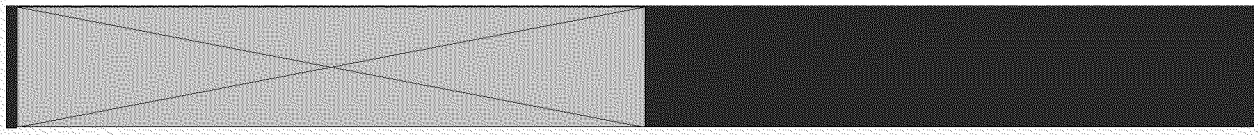
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https://www.politicopro.com/energy/whiteboard/2017/07/epa-memo-details-more-spending-changes-in-house-bill-090463

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Fri 7/14/2017 4:00:24 PM
Subject: [SPAM] Federal Insider: Staff shortages, solitary confinement increase risks for federal prisoners and public



Staff shortages, solitary confinement increase risks for federal prisoners and public

By Joe Davidson

Michael Horowitz, Justice Department inspector general, in 2014. (Bill O'Leary/The Washington Post)

Once again, Uncle Sam has demonstrated that skimping on his workforce is a good way to cheat his consumers.

In this case, the unwilling consumers are a group who generate little sympathy and exercise even less power — prisoners.

A new report from the Justice Department's internal watchdog shows how understaffed mental health services for particularly vulnerable inmates, coupled with discredited solitary confinement conditions, can ricochet on the law-abiding.

"First, although the BOP (Bureau of Prisons) has stated that it does not practice solitary confinement," said Inspector General Michael Horowitz, "we found inmates, including those with mental illness, who were housed in single-cell confinement for long periods of time, isolated from other inmates, with limited human contact."

About 9,750 inmates were in some form of restricted BOP housing in June 2016, according to the report. They were confined to their cells almost 24/7, sometimes for years. For the purposes of its analysis, the IG's office considered "solitary confinement to be an inmate alone in a cell for 22 hours or more per day with limited human contact."

At the federal supermax prison in Florence, Colo., the investigators "learned of an inmate with serious mental illness who spent about 19 years" in restrictive housing.

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That kind of punishment can backfire.

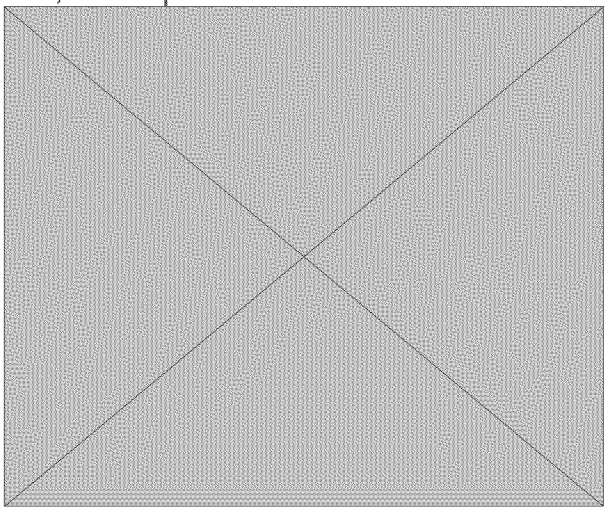
“Research shows that ‘time spent in solitary confinement contributes to elevated rates of recidivism’ and that many inmates released into the community from RHUs (restricted housing units) ‘come out of these units damaged and functionally disabled,’ which can be a public safety concern,” the report added.

The psychological damage can lead to “anger, aggression, and rage.” That fuels increased recidivism, which means more crime because the correctional system didn’t adequately do its job.

The job isn’t getting done in part because “mental health staffing does not support the treatment needs of inmates with mental illness,” the report said.

Many facilities fall far short of BOP’s standard of one psychologist for every 500 inmates. One 1,200-prisoner institution had one psychologist. A medical center “housing some of the BOP’s most seriously mentally ill inmates had filled only 12 of its 21 full-time mental health staff positions as of December 2015.”

We asked BOP a series of questions about its policies and requested updated data, but it provided no information.



DOJ watchdog report criticizes solitary confinement

The IG’s office said it was “also concerned about the BOP’s challenges in recruiting and retaining Psychiatrists. … As of October 2015, the BOP had filled only 28 of 49 (57 percent) of its authorized fulltime Psychiatrist

The report says the Bureau of Prisons' policies “do not adequately

positions nationwide."

Eric Young, president of the American Federation of Government Employees' Council of Prison Locals, defended what other reasonable folks call solitary confinement. "Without restrictive housing, we would have anarchy inside our nation's prisons," he said. "Our staff deal with angry, aggressive and violent inmates every day; inmates act out for lots for various reasons and when they do so it is vital to remove them out general population to maintain security and good order in our facilities. So long as we are given the appropriate staff resources we can handle it. If legislators want us to do more they have to commit more funding to us for that purpose."

Reports of BOP staffing shortages are not limited to psychologists and psychiatrists. A March 2016 IG study found that "recruitment and retention of medical professionals is a serious challenge for the BOP, in large part because the BOP competes with private employers that offer higher pay and benefits." An April 2015 IG report said low staffing contributed to a 2009 riot at the Reeves County Detention Center, a Texas facility that operated under a BOP contract.

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While BOP officials have taken "a number of steps to address mental health concerns for inmates in restrictive housing," Horowitz said "there are still significant problems with the policies and practices at BOP."

Among the problems cited in the report:

- "BOP does not sufficiently track or monitor" inmates with mental illnesses.
- "Mental Health staff do not always document inmates' mental disorders."
- BOP is "unable to accurately determine the number of inmates with mental illness."
- BOP is unable to "ensure that it is providing appropriate care" to inmates with mental illness.

The agency agreed with all 15 IG recommendations. They included determining the needed steps "to prioritize and incentivize the hiring of mental health staff," tracking "all inmates in single-cell confinement" and monitoring "the cumulative amount of time inmates with mental illness spend in restrictive housing."

We believe,” the report concluded, “that significant additional steps are required to screen, treat, and monitor inmates with mental illness in these restrictive environments, especially those in single-cell confinement.”

Read more:

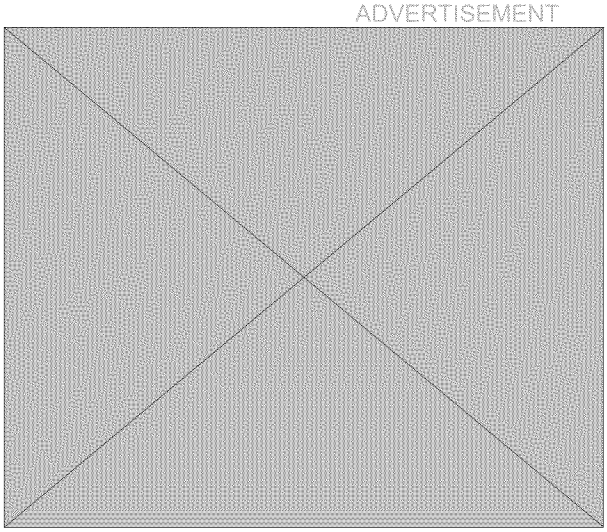
[Private federal prisons — less safe, less secure]

[Report: Halfway house issues mean high-risk offenders could be released too soon]

[Will states follow DOJ’s private prison move? Some are ahead of the feds.]

for the mentally ill in federal prisons
forms of restrictive housing.
By Joe Davidson | Columnist • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Wed 5/31/2017 9:16:32 PM
Subject: BREAKING NEWS: House Russia investigators subpoena Flynn, Cohen

The House Intelligence Committee on Wednesday approved subpoenas for former National Security Adviser Michael Flynn and President Donald Trump's longtime personal attorney, Michael Cohen, as part of the panel's investigation into Russia's meddling in the presidential election.

The panel is also issuing subpoenas to businesses owned by the two men.

Read more: http://www.politico.com/story/2017/05/31/house-russia-investigators-subpoena-flynn-cohen-238998

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 11/16/2017 3:49:55 PM
Subject: ECOS chief picked to lead EPA's New England region

By Alex Guillén

11/16/2017 10:49 AM EDT

EPA Administrator Scott Pruitt has picked Alexandra Dunn, executive director of the Environmental Council of States, to run EPA's Region 1, which covers Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.

Earlier this year, ECOS, a state-focused nonprofit group, called for a "recalibration" of the roles of EPA and the states on environmental regulation, which the group called "cooperative federalism 2.0." That echoed Pruitt's call for states to take on a greater role in both regulation and enforcement.

Dunn has been at ECOS since 2014, and was recently elected to the American College of Environmental Lawyers' Board of Regents. Prior to ECOS, Dunn headed the Association of Clean Water Administrators and was an attorney for the American Chemistry Council.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/11/ecos-chief-picked-to-lead-epas-new-england-region-095781

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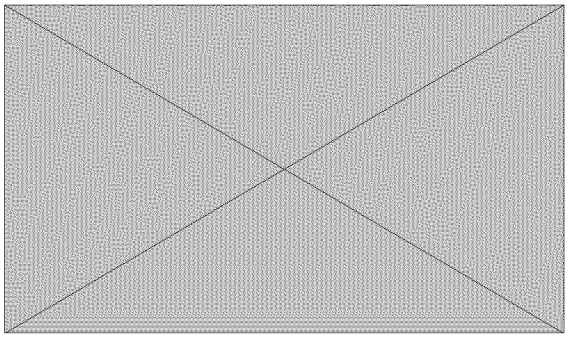
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Thur 9/14/2017 10:03:47 AM
Subject: AEI Today: Kim Jong Un must go. It's time to reunify.

The Trump administration has done a laudable job handling the North Korea crisis it inherited.

AEI's daily publication of independent research, insightful analysis, and scholarly debate

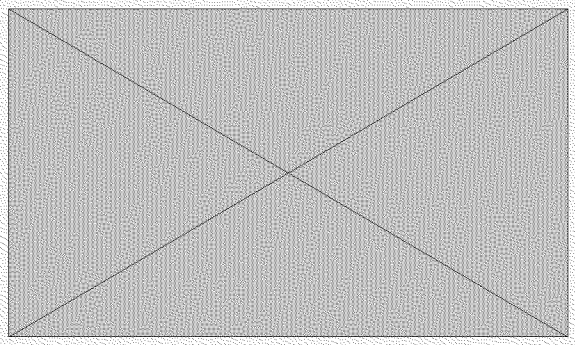


Reuters

Kim Jong Un must go. It's time to reunify.

Dan Blumenthal | The Weekly Standard

The Trump administration has done a laudable job handling the North Korea crisis it inherited. The Obama administration had neglected the gathering North Korean threat under a policy called "strategic patience." The dark lesson of the North Korea experience is that a dictator hell-bent on acquiring nuclear weapons will gain one, despite America's supposed fundamental interest in stopping the world's worst regimes from gaining the worst weapons.

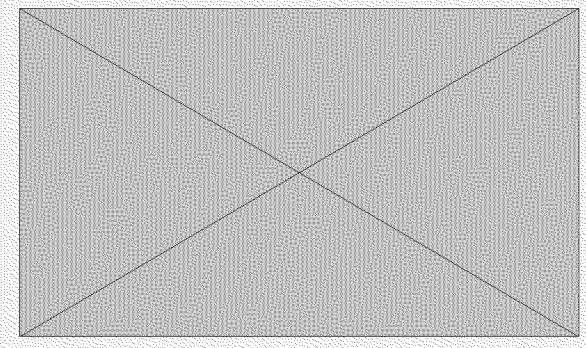


Twenty20

Why our Ivy League obsession falls flat

Jason D. Delisle and Preston Cooper | Forbes

More and more we hear the following justification for the outsized attention we pay to Ivy League schools and their peers: Society's leaders attend these elite universities at high rates. We should be concerned about what happens there, the argument goes, because their ranks hold America's future CEOs and political leaders. It's a plausible argument, and it could be a compelling one — if it were true.

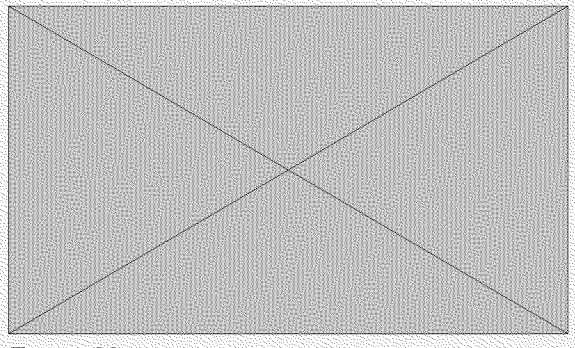


Reuters

'Dreamers' make the US economy stronger

Michael R. Strain | Bloomberg View

Economics can be used to identify trade-offs in public policy by detailing costs and benefits. President Trump's decision to discontinue the Deferred Action for Childhood Arrivals program will create economic costs if Congress does not act. So what are the economic benefits of deporting 690,000 people whose families brought them here illegally when they were children? Easy: There are none.



Twenty20

The invisible cost of education reform

Frederick M. Hess | Education Next

A private survey of Nevada school leaders recently found that they were spending 19 days a year (!) on superfluous paperwork stemming from the state's new teacher-evaluation system. "Superfluous" is the appropriate word because those 19 days do not include the time devoted to actually observing teachers or giving them feedback, which should be useful — it's simply additional end-of-year paper pushing.

MORE FROM AEI

Italy's labor problem shows why the eurozone may be doomed
Desmond Lachman | The Hill

60-second take: Hillary Clinton's poll numbers — what happened?
Karlyn Bowman | AEI video

A journalist's shocking murder may mark an authoritarian turn for India
Sadanand Dhume | The Wall Street Journal [paywall]

The dollar's Trump slump
Desmond Lachman | InsideSources

Infographic: Why Ukraine matters to Vladimir Putin, Europe, and America
Leon Aron | AEI infographic

The US needs a new approach for promoting universal access to the internet
Jeffrey Eisenach | AEIdeas

Report: Belarus' susceptibility to Russian invasion
David R. Marples | AEI

Our trade problem is much bigger than China and much broader than intellectual property theft
Clay R. Fuller | AEIdeas

Tax brief: Options for the child tax credit, powered by Open Source Policy Modeling
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Emmanuel Macron must prevail on two fronts to succeed in France
Paul Zajac | AEIdeas

Germany and President Trump: When an irresistible force meets an immovable object, the results aren't often pretty
Desmond Lachman | US News & World Report

Report: Saving the 'fraternal state' — ideology and possible venues of Russian aggression

Vladimir Podhol | AEI

Around the web: Why the incentives for single-payer health care are all wrong

Matt Winesett | AEIdeas

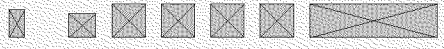
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From: POLITICO
Sent: Thur 11/9/2017 4:07:18 PM
Subject: BREAKING NEWS: Goodlatte to retire after 2018

Rep. Bob Goodlatte will not seek reelection to the House in 2018, he announced Thursday.

The Virginia Republican leads the powerful House Judiciary Committee, but his term as chairman ends next year. "This is a natural stepping-off point," he said.

Goodlatte's district has long been a safe seat for Republicans.

Read more: https://www.politico.com/story/2017/11/09/goodlatte-to-retire-after-2018-244740

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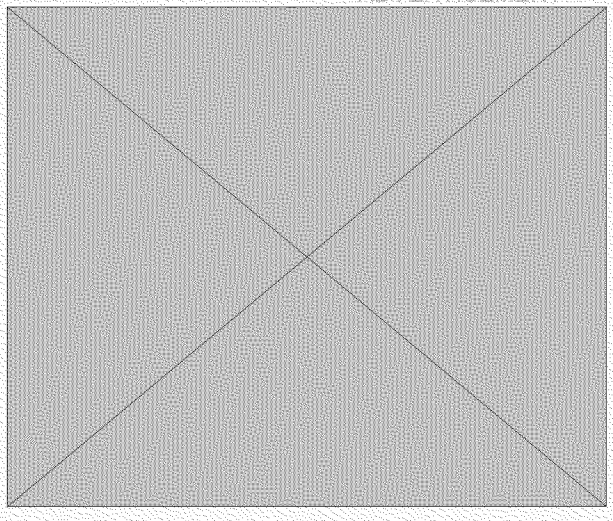
To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Wed 6/28/2017 4:01:56 PM
Subject: [SPAM] Checkpoint: Two Marines severely burned in a flash fire while performing jet maintenance



Mattis claims Syria heeded U.S. warnings over chemical strike: 'They didn't do it'

But the U.S. defense secretary says Syria's chemical arsenal remains a threat.
By Thomas Gibbons-Neff • Read more »

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Mattis: After Raqqa, the Syrian battlefield will only get more complicated

"You have to play this thing very carefully," Secretary of Defense Jim Mattis said. "The closer we get, the more complex it gets."
By Thomas Gibbons-Neff • Read more »

The Pentagon promised citizenship to immigrants who served. Now it might help deport them.

The Pentagon's initiative to leverage the skills of immigrants may be jeopardized.

By Alex Horton • Read more »

A Fox News host ambushed Jesse Ventura about his 'American Sniper' lawsuit. It got ugly.

Jesse Watters asked about the lawsuit against Chris Kyle's estate. Ventura said the sniper's widow, Taya Kyle, should apologize.

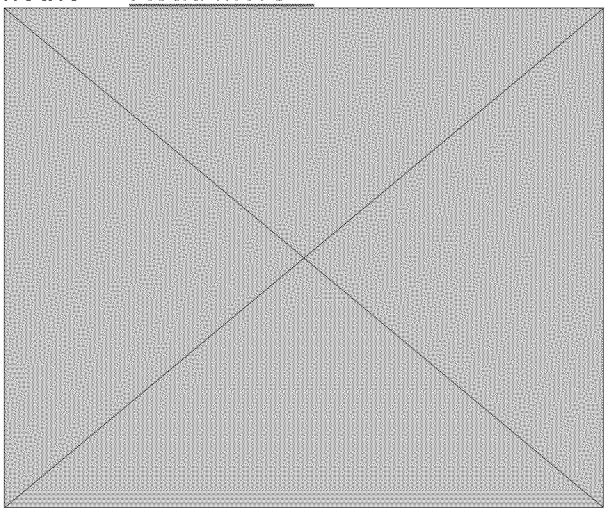
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Two Marines severely burned in a flash fire while performing jet maintenance

The incident occurred at a base in California.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Hadas Gold - POLITICO Media
Sent: Mon 7/10/2017 10:10:20 AM
Subject: Morning Media: Sinclair triples down on Boris — Russian Runaround — Newspapers team up to take on Google, Facebook

By Hadas Gold | 07/10/2017 06:07 AM EDT

With Alex Weprin

SINCLAIR TRIPLES DOWN ON BORIS EPSHTEYN: Sinclair Broadcasting chief political analyst and former Trump White House official Boris Epshteyn (whose short tenure was marked by his combative and controversial style) will now appear on Sinclair stations across the country nine times per week for his "Bottom Line with Boris" segments, the company confirms. The segments, which currently run three times per week on the stations, will now feature a mix of his political commentary as well as 'interviews' with members of Congress and other people. The segments will have a "billboard," meaning they're sponsored, but they're not sponsored content. Epshteyn's segments are "must runs" so all the Sinclair stations across the country will air them along with their other "must run" segments like conservative commentary from Mark Hyman and the "Terrorism Alert Desk" segments. Sinclair is in the midst of a major expansion as it pursues its acquisition of the Tribune Media local stations.

Speaking of those must runs I've got Sinclair's first official reaction to comedian John Oliver, who skewered Sinclair on his HBO show last week for forcing its stations to air the segments nationwide:

"While we appreciate John Oliver's unique brand of humor, we stand by our approach to sharing content among our stations to supplement the excellent work our newsroom staffs do every day in service to their local communities."

And speaking of John Oliver, over the weekend Sinclair released an Epshteyn "must run" segment where he responded to Oliver's critiques of their "Terrorism Alert Desk," (Hyman also had his own segment responding to Oliver.) "The bottom line is that Sinclair strives to keep its viewers informed as well as protected, and it is vital that viewers do not stick their heads in the sand and are aware of the threat facing each and every one of us," Epshteyn said.

Good morning everyone and welcome to Morning Media with me, **Hadas Gold!** I'm thrilled and honored to be here. I, along with my esteemed colleagues, will bring you the most important news where media meets politics. We'll have scoopy tidbits, the must reads around the beat and things to look out for. This newsletter is nothing without you, dear readers, and throughout the next few weeks as I take on this project and make my own tweaks to it, I need your help! Email me with your news tips and suggestions for how you want to experience this newsletter. I want to hear it all - the good, the bad and the incredibly flattering: **hgold@politico.com** / **@Hadas_Gold**. **Morning Media** is edited by **Alex Weprin** (**@alexweprin** / **aweprin@politico.com**) and produced with writing/reporting help from **Cristiano Lima**. (**clima@politico.com** / **@ludacristiano**). **Archives**. **Subscribe.**

RUSSIAN RUNAROUND: President Donald Trump and Russian President Vladimir Putin finally had their big face to face meeting on Friday during the G-20 in Hamburg. But reports on what was said in that meeting have been disjointed, with the Russians and our own government giving slightly differing accounts. For example: Secretary of State Rex Tillerson told reporters in an audio-only briefing afterward that Trump told Putin that members of Congress were pushing for additional sanctions against Russia over the election issue.

But wait, there are tweets. In one of his signature tweetstorms Trump claimed "sanctions were not discussed at my meeting with President Putin. Nothing will be done until the Ukrainian & Syrian problems are solved!"

What could help clear this up? A press conference by the president. But Trump eschewed the traditional presidential press conference at the G-20, instead sending off his usual stream of tweets. Trump has not held a free form press conference (i.e. not in a bilat situation with another foreign leader) in nearly five months. We'll find out in a couple hours whether the White House will have an on-camera briefing today.

MEANWHILE, THE NEWSPAPER SCOOP WARS CONTINUE. This time the point goes to The New York Times, which had readers riveted over the weekend as it first reported on Saturday that the president's son, Donald Trump Jr. met with a Russian lawyer who has deep ties to the Kremlin during the campaign. On Sunday the Times team added an even bigger bombshell: That lawyer promised damaging information on Hillary Clinton as pretext for the meeting. Trump Jr.'s explanations of the meetings also changed from Saturday to Sunday, leading to a devastating front page for Trump's eldest son.

The Washington Post got in on the game too, revealing that the acquaintance who introduced Trump Jr. to the Russian lawyer is Rob Goldstone, a music publicist and manager to a Russian popstar and son of a wealthy Moscow developer.

NEWSPAPERS TEAM UP TO NEGOTIATE DIRECTLY WITH GOOGLE AND FACEBOOK: Via Jim Rutenberg's Monday mediator column in the Times: "This week, a group of news organizations will begin an effort to win the right to negotiate collectively with the big online platforms and will ask for a limited antitrust exemption from Congress in order to do so. It's an extreme measure with long odds. But the industry considers it worth a shot, given its view that Google and Facebook, regardless of their intentions, are posing a bigger threat economically than President Trump is (so far) with his rhetoric."

The Newspaper Alliance is leading the effort, which has buy-in from a wide array of papers, from the New York Times, Wall Street Journal, and Washington Post to the Star Tribune of Minneapolis and more.

DESPITE THE INTERNAL TURMOIL, FOX NEWS IS STILL DOMINATING THE RATINGS and even saving money to boot. Tucker Carlson may have slightly fewer overall viewers than predecessor Bill O'Reilly, but he pulls in more viewers in the demo that advertisers covet and is less expensive for Fox than O'Reilly's extra-large $25 million a year contract, Joe Flint at the Wall street Journal reports. Same goes for panel show "The Five," which is cheaper

to produce at 9 p.m. than Megyn Kelly's old show.

Of note: Fox News is full steam ahead on its programming and tone. Despite fears internally that the younger Murdoch sons could try to change the Fox brand (particularly the pro-Trump opinion shows), Carlson told Flint that James and Lachlan are hands off.

JIM ACOSTA: GRANDSTANDER OR TRUTH TELLER? That's the question The Washington Post's Paul Farhi asks about CNN's White House correspondent whose remarks (and tweets) about the White House "aren't just blunt; they're unusual. Reporters are supposed to report, not opine. Yet Acosta's disdain has flowed openly..." Acosta told Farhi he's just "covering a story, honestly," and asking tough and hard questions in the face of a President who assails the free press.

White House Press Secretary Sean Spicer had a different take, saying "he's gone well beyond the role of reporter and steered into the role of advocate" and if he "were a mainstream, veteran reporter, I'd be advocating for him to knock it off. It's hurting the profession."

Farhi notes that Acosta was also often jostled with former President Barack Obama and his press team, even landing himself as a highlight in conservative media accounts and in Republican National Committee emails. But Farhi says Acosta's actions aren't uniting the White House press corps behind him - he's getting "relatively tepid support" from his fellow White House scribes. Read the full thing here.

SOUNDBITE: "If I work for President Trump and his campaign and I thought the Russians have information that would expose Hillary for being a liar, and I said 'could you release that,' is that a crime?" [Sean Hannity last month]

JOSH GREEN IS OUT WITH ANOTHER EXCERPT OF HIS STEVE BANNON BOOK, this time in New York magazine. A few of the juicy tidbits:

-- Rupert Murdoch dismissed the idea of Donald Trump running for president when Ivanka Trump had lunch with him ahead of the launch to give him a heads up. That slight bugged Trump for months.

-- Ann Coulter helped write a white paper on Trump's immigration policies during the campaign, then praised it without divulging she helped write it.

-- Breitbart was gleefully posting anti-Megyn Kelly articles during the height of the Trump/Fox News fight (remember when?), leading to former Fox News chief Roger Ailes dispatching his personal lawyer, Peter Johnson Jr., to the Breitbart embassy in D.C. to tell Bannon to drop his attacks on Kelly, threatening that Bannon would never be on Fox again if he didn't call of the Breitbart attack dogs. Bannon warned Johnson Kelly would "turn on [Ailes] one day."

Read the full piece here.

TIL: A total solar eclipse is coming to parts of the U.S. on August 21, a once in a lifetime

opportunity. Some hotels in my husband's hometown of Kansas City are double their normal price and other small towns across the country are suddenly the most popular places to be.

EXTRAS:

-- AT&T's blockbuster deal for Time Warner hangs in limbo [New York Times]

-- The New York Times has responded to Sarah Palin's defamation lawsuit [New York Post]

-- What Russian journalists think of American reporters covering Putin and Trump [New Yorker]

-- An Australian reporter is getting attention for his Trump takedown at the G-20 [Mediaite]

-- WikiLeaks proposes Julian Assange lead a U.S.-Russian cyber security unit [WikiLeaks]

-- The Baltimore Sun is shutting down the Baltimore City Paper [Baltimore Business Journal]

-- D.C. Metro removed ads for Milo Yiannopoulos' book after complaints [DCist]

-- The POLITICO Playbook authors are writing a book [Vanity Fair]

KEEP AN EYE OUT FOR: Gov. Chris Christie is testing his chops today as a radio host, kicking off two days of auditions for the afternoon drive hosting slot on New York sports-talk station WFAN 660-AM. It's part of what is said to be a test-run to replace longtime WFAN host Mike Francesa.

ELSEWHERE, PERHAPS:

-- How Gotham Gave Us Trump [POLITICO]

-- The Secret Lives of Senators [New York Times]

To view online:
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Today's POLITICO Playbook presented by Chevron

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

THE GLOBAL MOOD -- DAVID SIDERS, EMILY HOLDEN and **KALINA OROSCHAKOFF** in Bonn, Germany: "**Trump is blasted at climate talks, but Paris accord lives on":** "President Donald Trump is taking a beating at the United Nations climate conference here.

"Politicians from across the globe mischievously pose for photographs beside a sign at a French pavilion that reads 'Make Our Planet Great Again.' Climate activists repeatedly chastise Trump in panel conversations and throughout the convention halls. The leaders of Mexico and Canada formalized an agreement to circumvent the president and work directly with mostly Democratic governors of climate-minded states.

"Yet despite the vitriol and disregard for Trump -- and his announced withdrawal from the Paris climate agreement -- the diplomats and other officials in Bonn are breathing a sigh of relief. Climate advocates had feared the worst - that the White House would make moves to undercut the pact, a disruptive posture that might do serious damage to the international accord.

"Instead, the Trump administration made no notable efforts other than to hold a single public event promoting clean coal, leaving hope here that the Paris agreement would endure. 'They haven't thrown a bomb yet, have they?' said California Gov. Jerry Brown, who was at the conference promoting state- and regional-level efforts to address climate change. 'So that's good.'" http://politi.co/2zDzG8P

Good Wednesday morning. BREAKING... "China sending envoy to North Korea following Trump visit," by AP's Christopher Bodeen in Beijing: "Following President Donald Trump's visit to Beijing, China said Wednesday that it would send a high-level

special envoy to North Korea amid an extended chill in relations between the neighbors over Pyongyang's nuclear weapons and missile programs." http://bit.ly/2AI9jLM

CEOS YAWN AT GOP TAX PLAN -- NATALIE ANDREWS (@natalieWSJ): "VIDEO: CEOs asked if they plan to increase their company's capital investments if the GOP's tax bill passes. A few hands go up. 'Why aren't the other hands up?' Gary Cohn asks. #WSJCEOCouncil". ***20-second video*** http://bit.ly/2yErBgo

IMPORTANT TAX REFORM DEVELOPMENTS -- "New Hatch plan makes host of individual tax cuts temporary," by Brian Faler: "A host of tax cuts for individual taxpayers would now be temporary, expiring after 2025, under a major revision late Wednesday to the Senate tax reform plan by Finance Committee Chairman Orrin Hatch. It's an effort to bring the legislation into compliance with arcane budget rules in the Senate barring the legislation from adding to the government's long-term debt. But because Hatch would simultaneously make tax cuts for businesses permanent, it's certain to be attacked by Democrats as siding with big business over average Americans." http://politi.co/2jrFYC4

-- OTHER CHANGES: "He is beefing up the child tax credit more than he had proposed, to $2,000 per child, while reducing the income threshold at which it would begin to phase out to $500,000 from $1 million. Hatch is also tweaking the rates and incomes at which his various tax brackets would kick in. And he's added provisions allowing people to set up 529 education savings accounts for unborn children. The revised plan drops provisions related to deferred compensation opposed by Silicon Valley. Other provisions would make it easier for businesses known as 'pass-throughs' to claim his reduced business rate."

ABOUT THAT CHILD TAX CREDIT -- A GOP aide notes: "Hatch's revised version also doubles the child tax credit to $2,000 from the current $1,000 -- a change that presidential daughter Ivanka Trump has pushed for. The credit would rise to $1,600 under the House bill."

-- "Hatch adds repeal of Obamacare mandate to tax bill," by Jen Haberkorn, Seung Min Kim and Bernie Becker: "Senate Republicans have added the repeal of Obamacare's individual mandate to the latest version of their tax bill, with several key swing votes saying they're open to the idea. Late on Tuesday, the chairman of the Senate Finance Committee, Orrin Hatch of Utah, released a new bill that would eliminate the mandate's fines beginning in 2019. The addition was discussed at a closed-door party lunch meeting earlier in the day, and several Republican senators said no one spoke out publicly against repealing the mandate. The GOP views the repeal as both a down payment on its campaign pledge to undo the Affordable Care Act and as a source of revenue: It would generate $338 billion to help pay for changes in the tax plan." http://politi.co/2zFT0lw

NEW YORK REP. PETER KING -- @RepPeteKing: "From Sandy aid to tax reform @MickMulvaneyOMB tries to screw New York. Probably feels inferior because New

York subsidizes his state of South Carolina."

TAX POLITICS -- REPUBLICANS' TOUGH SQUEEZE -- The Senate's decision to add the individual repeal to their tax plan is not a sure-fire winner. Here's why: House conservatives are wary of Alexander-Murray, which props up insurance payments for low-income earners. The big question is whether they'll be OK voting for a tax plan with the individual repeal, all while propping up the health-care law. After a quick round of conversations last night, we think the answer is no. **REMEMBER:** The Senate and House bills need to be reconciled and meshed together. That will happen down the road.

NEW POLITICO/MORNING CONSULT POLL -- "Poll: Voters think Trump will benefit from tax plan," by Steven Shepard: "Majorities of voters think President Donald Trump and the company he built will benefit from proposed changes to the tax code, but fewer than three in 10 expect those changes to help them. And voters still want to see Trump's tax returns before a tax bill moves forward. That's according to a new POLITICO/Morning Consult poll, conducted last week, that also shows opposition to the plan continuing to increase modestly among voters familiar with it, even though a plurality support the proposal." http://politi.co/2htSxbw

-- DON'T FORGET! JUST 23 DAYS until Congress needs to lift the debt limit and fund the government.

WALL ST. NOT BANKING ON TAX REFORM -- "One of Wall Street's biggest titans gives President Donald Trump minimal credit for the past year's surge in stock prices. And he's not as worried as many investors about a reckoning if the GOP fails to deliver tax cuts. 'An awful lot of it is not related to Trump,' said Hamilton 'Tony' James, president of private equity giant Blackstone Group, in an interview for the latest 'POLITICO Money' podcast. 'We've had nine years of run-up and he's been president during one of them.'

"While stock prices have built in some expectation for corporate tax cuts, James said he doesn't think Wall Street will tank if the Republican effort to overhaul taxes falls apart - a warning offered even by Trump's own Treasury secretary. 'If we don't get it, I think it's a modest negative for the market,' the Blackstone executive said. 'But I don't think it's a huge driver for the market. I don't think the market is going to tank by any means.'" http://politi.co/2zEp21K+

****** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat- buckwheat. Watch the video: http://politi.co/2ArIBXv ******

TRUMP IS BACK ON EAST COAST TIME -- @realDonaldTrump at 5:40 a.m.: ".@foxandfriends will be showing much of our successful trip to Asia, and the friendships & benefits that will endure for years to come!" ... **at 5:45 a.m.:** "While in the Philippines I was forced to watch @CNN, which I have not done in months, and again

realized how bad, and FAKE, it is. Loser!"

-- THE PRESIDENT appears to have first-hand knowledge of the broadcast plans of "Fox and Friends."

STEVE SHEPARD: " Poll: Biden leads Trump in prospective 2020 matchup": "Only 35 percent of voters would choose to reelect Trump in 2020, the poll shows - substantially fewer than the 46 percent who would vote instead for Biden, who said Monday that he is 'not closing the door' on a third attempt at the presidency in 2020. One in 5 voters are undecided." http://politi.co/2mt0sex

OUR MAN IN NEWARK -- MATT FRIEDMAN: "No verdict in Menendez case; jury will resume deliberations Wednesday": "Jurors in the federal corruption trial of U.S. Sen. Robert Menendez went home Tuesday without reaching a verdict, a day after telling the court they were deadlocked on all charges. Jurors sent no notes and asked no questions during their 5 1/2 hours of deliberations on Tuesday, giving no clue as to whether they were any closer to reaching a verdict on the 12 counts against Menendez, a Democrat and New Jersey's senior senator, and the 11 counts against his co-defendant, Florida eye doctor Salomon Melgen." http://politi.co/2zLn7pD

THE LATEST ON MOORE ...

-- WHAT MCCONNELL IS THINKING: "McConnell predicts expulsion if Moore wins," by Seung Min Kim and John Bresnahan: "Senate Majority Leader Mitch McConnell and Senate Republicans say that Alabama Senate GOP candidate Roy Moore is virtually certain to face a formal ethics complaint - which would lead to expulsion proceedings - should he be elected next month. ... One option that McConnell floated during the meeting was for a Democrat, such as Senate Minority Leader Chuck Schumer of New York, to initiate the process by filing the complaint, according to the sources. Democrats are not entertaining that option before the Dec. 12 special election because the party's candidate, Doug Jones, could win." http://politi.co/2hzaoBF

-- "McConnell: 'Roy Moore Should Withdraw,'" by WSJ's Siobhan Hughes: "At The Wall Street Journal CEO Council, the Kentucky Republican suggested he wanted Attorney General Jeff Sessions to run as a write-in candidate instead for his old seat ... 'His campaign is collapsing," said Mr. McConnell, who said that President Donald Trump had called him from Vietnam on Friday mostly to discuss the dilemma the party was facing. 'Obviously we're in a discussion here about how to salvage this seat if possible.'" http://on.wsj.com/2iXvoPg

-- DECISION TIME FOR THE WHITE HOUSE: Alex Isenstadt, Eliana Johnson and Josh Dawsey: "White House officials plan to convene a meeting to talk through their options soon, and Trump is widely expected to address the predicament publicly when he returns from abroad. In order for the president to get involved, some aides to the president say, he would need an airtight plan that limits his political exposure to any fallout. Trump spoke with Senate Majority Leader Mitch McConnell from Asia last week,

and the Senate leader made an urgent plea: Please help push Moore out of the contest." http://politi.co/2jsdKqT

-- THE PARTY COMMITTEE: "RNC cuts off Moore," by Alex Isenstadt: "The [RNC] is withdrawing its support for besieged Alabama Senate candidate Roy Moore, leaving him increasingly isolated as he confronts charges of sexual misconduct with teenagers. The RNC is pulling out of a joint fundraising agreement it had with Moore, according to a senior party official briefed on the decision. It is also canceling a field program it had set up ahead of the state's Dec. 12 special election. The committee had about a dozen paid canvassers in Alabama working for Moore. It will no longer transfer any money to the race." http://politi.co/2AJ8IKJ

-- THE RIGHT FLANK RECEDES: "Hannity gives Moore '24 hours,'" by Akela Lacy: "Fox News host Sean Hannity walked back Tuesday night his original remarks insinuating that the five women accusing Alabama Senate candidate Roy Moore of sexual assault when they were teenagers might be lying. 'For me, the judge has 24 hours,' Hannity said. 'You must immediately and fully come up with a satisfactory explanation for your inconsistencies that I just showed.'" http://politi.co/2AHCRJD

-- "Steve Bannon and Allies Have Second Thoughts About Roy Moore, Sources Say," by The Daily Beast's Lachlan Markay and Asawin Suebsaeng: "Over the past few days, Bannon has begun privately taking the temperature of those in his inner circle to see what they think of the Moore allegations and to get their sense of how to proceed, according to four knowledgeable sources. Late last week, the Breitbart chairman said, 'I will put him in a grave myself,' if he determines that Moore was lying to him about the numerous accusations, a source close to Bannon relayed. ... Bannon is currently in Japan, where he went to deliver a speech. He is scheduled to fly back at the end of the week." http://thebea.st/2AJFFpg

-- @ABC: "Asked whether he believes Roy Moore over his accusers, Rep. Mo Brooks tells @TomLlamasABC, 'I believe the Democrats will do great damage to our country.'" http://bit.ly/2htTb9i

DEPT. OF DIRTY TRICKS -- "He said he was a Washington Post reporter offering a reward for dirt on Roy Moore. But it wasn't true," by WaPo's Marwa Eltagouri and Herman Wong: "A pastor in Alabama said he received a voice mail Tuesday from an individual falsely claiming to be a reporter with The Washington Post and seeking women 'willing to make damaging remarks' about Republican Senate candidate Roy Moore in exchange for money. ... Pastor Al Moore of Creola, Ala., said that he received the call on his cellphone a little after 7 a.m. Tuesday from a private number, which he did not answer. The caller, claiming to be 'Bernie Bernstein,' left a 27-second voicemail, which Moore played for local CBS-affiliate WKRG.

"'I'm a reporter for the Washington Post calling to find out if anyone at this address is a female between the ages of 54 to 57 years old, willing to make damaging remarks about candidate Roy Moore for a reward of between 5,000 and 7,000 dollars,' the caller

said in the voice mail." http://wapo.st/2zFcK8Z

TAKING STOCK OF TRUMP'S ASIA SWING -- "Trump returns home from Asia with few clear wins: The president says he strengthened his friendships and pointed to billions in new deals - but he failed to extract major concessions from China and others abroad," by Andrew Restuccia: "And yet, as he flies home to Washington, former diplomats and Asia experts were talking about how China came out ahead - and they noted he is returning to Washington largely empty-handed. 'The principal takeaway from Trump's big Asia trip: virtually zero progress on any issue that matters to the Americans,' Eurasia Group president Ian Bremmer wrote in a report. 'Ultimately, that's the biggest win for China.'" http://politi.co/2hA70GK

--"Trump in Asia: A 'Very Epic' Charm Offensive," by NYT's Julie Hirschfeld Davis: "Like most things that Mr. Trump undertakes, the president treated the grueling 12-day trip through Asia that he wrapped up here on Tuesday as a test of his own personal charisma and stamina, a marathon charm offensive that he vowed would yield quick results. Never mind that it is not at all clear what he actually achieved." http://nyti.ms/2hBPbqZ

DOJ INTERFERENCE WATCH -- "'Lock Her Up' Becomes More Than a Slogan," by NYT's Peter Baker: "President Trump did not need to send a memo or telephone his attorney general to make his desires known. He broadcast them for all the world to see on Twitter. The instruction was clear: The Justice Department should investigate his defeated opponent from last year's campaign. However they were delivered, Mr. Trump's demands have ricocheted through the halls of the Justice Department, where Attorney General Jeff Sessions has now ordered senior prosecutors to evaluate various accusations against Hillary Clinton and report back on whether a special counsel should be appointed. ...

"The request alone was enough to incite a political backlash, as critics of Mr. Trump quickly denounced what they called 'banana republic' politics of retribution, akin to autocratic nations where election losers are jailed by winners." http://nyti.ms/2ih51UQ

WAPO'S DEVLIN BARRETT: "Appointing a second special counsel could rattle Justice Department": "Peter R. Zeidenberg, who once served as deputy special counsel in the probe of former White House aide Lewis 'Scooter' Libby, said 'the best-case scenario' is that the attorney general is trying simply to mollify an angry president and doesn't really plan to name a special counsel. If one is appointed to probe Clinton matters, 'I think the vast majority of people at DOJ would be completely disgusted and demoralized by it," said Zeidenberg, referring to the Justice Department. 'They don't like feeling that they are political tools to be used by the president.'" http://wapo.st/2hACMTW

-- @MattGertz: "Shep Smith just took apart the Uranium One conspiracy theory in what amounts to a methodical annihilation of his own network's coverage of the story." http://bit.ly/2yDMiJd

-- "Clinton aides try to keep focus on Trump over special counsel threat," by Annie Karni: "'Democrats' response needs to be broader than defending Hillary Clinton on Uranium One,' said Ron Klain, a former Clinton campaign adviser who was also the final pick to serve as White House chief of staff in the Clinton administration that never was. 'It needs to convey that - if Trump makes good on this threat - any person out marching with their sign is at risk of having the Justice Department come and get them. That is a dangerous turn in American politics.'" http://politi.co/2A09Kol

FOR YOUR RADAR -- "Zimbabwe army has Mugabe, wife in custody, controls capital," by AP's Farai Mutsaka in Harare: "Zimbabwe's army said Wednesday it has President Robert Mugabe and his wife in custody and is securing government offices and patrolling the capital's streets following a night of unrest that included a military takeover of the state broadcaster. The night's action triggered speculation of a coup, but the military's supporters praised it as a 'bloodless correction. For the first time, this southern African nation is seeing the military oppose Mugabe, the world's oldest head of state and one of the longest-serving authoritarian rulers." http://bit.ly/2mtGJvd

-- AP at 5:55 a.m.: "HARARE, Zimbabwe (AP) - South Africa president speaks with Mugabe, is 'fine' but confined to his home."

-- "The Upstart Saudi Prince Who's Throwing Caution to the Winds," by NYT's Ben Hubbard in Riyadh and David D. Kirkpatrick in London: "The crown prince has moved so quickly that American officials and others worry that he is destabilizing the region. Signs of potential blowback are growing. Investors, nervous about his plans, have been moving money out of the kingdom. Prince Mohammed has sought to counter the capital flight by squeezing detainees and others to surrender assets.

"He has presented the arrests as a campaign against corruption, but his targets call it a shakedown, and he has turned for advice to a former Egyptian security chief who has been pilloried at home for brutality and graft. Prince Mohammed's supporters say he is simply taking the drastic measures needed to turn around the kingdom's graft-ridden and oil-dependent economy while pushing back against Iranian aggression." http://nyti.ms/2AI1yWa

RUSSIA WATCH -- "Secret Finding: 60 Russian Payments 'To Finance Election Campaign Of 2016,'" by BuzzFeed's Jason Leopold, Anthony Cormier and Jessica Garrison: "On Aug. 3 of last year, just as the U.S. presidential election was entering its final, heated phase, the Russian foreign ministry sent nearly $30,000 to its embassy in Washington. The wire transfer, which came from a Kremlin-backed Russian bank, landed in one of the embassy's Citibank accounts and contained a remarkable memo line: 'to finance election campaign of 2016.'That wire transfer is one of more than 60 now being scrutinized by the FBI and other federal agencies investigating Russian involvement in the US election. The transactions, which moved through Citibank accounts and totaled more than $380,000, each came from the Russian foreign ministry and most contained a memo line referencing the financing of the 2016 election."

http://bzfd.it/2AHaPOr

-- HMM: "U.S. Hires Company With K.G.B. Link to Guard Moscow Embassy," by NYT's Andrew Higgins in Moscow: "To make up for the loss of security guards axed in the Russian-mandated staff cuts, Washington has hired a private Russian company that grew out of a security business co-founded by Mr. Putin's former K.G.B. boss, an 82-year-old veteran spy who spent 25 years planting agents in Western security services and hunting down their operatives. Under a $2.8 million no-bid contract awarded by the Office of Acquisitions in Washington, security guards at the American Embassy in Moscow and at consulates in St. Petersburg, Yekaterinburg and Vladivostok will be provided by Elite Security Holdings, a company closely linked to the former top K.G.B. figure, Viktor G. Budanov, a retired general who rose through the ranks to become head of Soviet counterintelligence." http://nyti.ms/2junUqZ

Playbook Reads

PHOTO DU JOUR: President Donald Trump walks off Marine One on the South Lawn of the White House after returning from an 12-day Asia on Nov. 14. | Andrew Harrer/Pool/Getty Images

DATA DU JOUR -- "Donald Trump Has Nominated 480 People So Far in His Presidency. 80% of Them Are Men," by the Daily Beast's Joanna Purpich and Sam Stein: "Since he assumed office, Donald Trump has sent 480 nominations to the U.S. Senate for positions in the judicial branch and executive branches. Of those, The Daily Beast found, 387 were men-constituting just over 80 of all of Trump's nominees. The trend goes across government, though it is truly accentuated in certain fields. For example, Trump has nominated 282 men for high ranking cabinet positions compared to 77 women. He has nominated 55 men for tax, armed forces, veterans claims, district, appellate, and supreme court judgeships compared to 13 women. And he has nominated 50 men to U.S. attorney posts compared to just three women." http://thebea.st/2igQXeb

COREY'S D.C. DIGS -- "Inside the 'Lewandowski embassy," by Theo Meyer, Daniel Lippman, and Josh Dawsey: "Corey Lewandowski has a new base of operations in Washington: an elegant, century-old rowhouse that resembles his own version of the 'Breitbart embassy.' Just as Steve Bannon does at the rowhouse a dozen blocks away where Breitbart sometimes holds meetings and hosts parties, Lewandowski, Donald Trump's former campaign manager, stays upstairs when he's in town, according to five people familiar with the arrangement. The lower floors serve as his workspace, as well as the offices of Turnberry Solutions, a lobbying firm started this summer by another Trump campaign veteran.

"Lewandowski has said he has nothing to do with Turnberry, but the firm lists the

rowhouse's address on all of its lobbying disclosures, and a Turnberry nondisclosure agreement recently sat on a desk in the front room. Signs of Lewandowski's presence also abounded when a POLITICO reporter visited the house last month, including framed copies of articles about Lewandowski in the print editions of POLITICO and The Sun of Lowell, Mass., his hometown. ... Lewandowski [has] held discussions with the BGR Group, a top Washington lobbying firm, about working together ... according to a person familiar with the talks. But it's unclear whether those talks are going anywhere or exactly what Lewandowski's role would be." http://politi.co/2AlkHr0

BUSINESS BURST -- "Airbus, Boeing Seal More Than $75 Billion in Plane Orders," by WSJ's Doug Cameron: "Airbus and Boeing Co. secured more than $75 billion in single-aisle plane commitments Wednesday, demonstrating unrelenting appetite for their most popular planes from discount carriers as the airlines lock in deals to support growth for years to come. Airbus secured what it called one of the biggest aircraft deals in its history with a 430-jet agreement with airlines linked to Indigo Partners LLC, a U.S. private-equity group with stakes in some of the fastest-growing low-cost carriers on three continents." http://on.wsj.com/2zLXncM

POLITICO EXPLAINS ... NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring Technology Reporter Margaret McGill and the artwork of Pulitzer Prize-winning cartoonist, Matt Wuerker. http://politi.co/2zZz4uC

PAGE SIX: "The Mooch shops new book on his 10 days in the White House": "Sources tell Page Six exclusively that the shortest-ever-tenured White House communications director has been meeting with publishers about a planned tome that's being repped by Trident Media Group, the firm whose clients include Jon Stewart, Paris Hilton, Robin Cook and Deepak Chopra. While the Mooch has previously penned finance books, a source tells us of the new project: 'It's about his time at the White House - all 10 days of it!'" http://pge.sx/2ihxZ7a

--"Jeffrey Toobin to Publish Book on Russia Probe," by NYT's Concepción de León "The project [for Doubleday] will cover special counsel Robert Mueller's investigation into alleged collusion between members of the Trump campaign and Russian officials in an attempt to skew election results." http://nyti.ms/2zHUonK

****** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2ArlBXv ******

MEDIAWATCH -- "NBC Fires Top Booking Exec for 'Inappropriate Conduct' With Women," by The Wrap's Jon Levine: "NBC Universal fired Senior Vice President for

Booking, News & Entertainment Matt Zimmerman, following accusations of sexual misconduct, the company announced Tuesday. 'We have recently learned that Matt Zimmerman engaged in inappropriate conduct with more than one woman at NBCU, which violated company policy,' a company spokesperson told TheWrap. 'As a result he has been dismissed.' The network declined to comment on the number of accusers or the nature of their accusations; Zimmerman could not be reached for comment." http://bit.ly/2yE4aUk

--@yashar: "Per Insider: NBC Universal policy says that relationships with underlings/direct reports must be reported to human resources...in at least one case, Zimmerman failed to do this."

--"Arianna Huffington Ignored Sexual Misconduct at The Huffington Post," by Melanie Ehrenkranz in Gizmodo: "One former staffer said that on one or two occasions while [Jimmy] Soni was managing editor, he tried to kiss or make-out with her. ... She described Huffington as someone who may value portraying herself as a feminist, but ultimately prioritizes a ruthless work ethic over issues of sexual harassment, or what she believed Huffington viewed as 'the softer side of things.'" http://bit.ly/2jqvfYI

--Kevin Sieff (@ksieff), WaPo Africa bureau chief: "Some personal news: I'm heading to Mexico next year to cover Latin America for the @washingtonpost."

-- NEIL CAVUTO on FOX News last night, discusses why he won't invite Trump on his shows to interview him these days: "I see little to be gained getting him for the customary 10 minutes now or adding my name to the long and impressive list of people who've already interviewed the President, including a lot of great people here." ***4-min. video*** http://bit.ly/2iiQoAp

SPORTS BLINK -- "Fox Sports Bribed Officials, Says Prosecution Witness In FIFA Trial," by BuzzFeed's Ken Bensinger: "A key witness in the FIFA trial testified Tuesday that major media companies - including Fox Sports - bribed officials for soccer broadcasting rights. Alejandro Burzaco, a witness for the prosecution in the case, said in court that he was aware of six media companies involved in bribes, including Fox, O Globo from Brazil, Media Pro from Spain, and Televisa from Mexico. Fox Sports is by far the largest of the group, however, and is owned by 21st Century Fox, the multinational conglomerate controlled by Rupert Murdoch." http://bzfd.it/2hBJ5XI

Playbookers

SPOTTED -- Valerie Jarrett having a birthday dinner last night with her daughter CNN correspondent Laura Jarrett at Cafe Milano. ... Senate Minority Leader Chuck Schumer (D-N.Y.) last night at RPM Italian. ... former Rep. Henry Waxman (D-Calif.) entering a private dining room last night at Casa Luca ... Ohio Gov. John Kasich in first row yesterday on a Southwest flight from BWI to Columbus.

BIRTHWEEK (was yesterday): Brianna Manzelli, press secretary for Senate Commerce and "the best travel and lifestyle blogger Massachusetts has ever produced" (hat tips: Jake Wilkins and Caroline Anderegg)

BIRTHDAY OF THE DAY: Robert Draper, author and writer for the N.Y. Times Magazine and National Geographic. Draper was spotted in the Capitol Tuesday. **A fun fact from Draper:** "Hunter S. Thompson asked me to ghostwrite his memoirs in the early '90s. I declined on mental health grounds." **Read his Playbook Plus Q&A:** http://politi.co/2hz735H

BIRTHDAYS: Jen Palmieri ... Amanda Renteria ... Gail Gitcho ... Bill Richardson is 7-0 ... Davan Maharaj, former L.A. Times editor-in-chief and publisher (h/ts Ben Chang) ... Fox News' John Roberts is 61 ... Alexandra Lippman, a postdoctoral scholar at UCLA (h/t proud brother Daniel) ... AP's Zeke Miller, also a pilot ... Liz Hunger, director for U.S. public policy at Walgreens ... Reid Kaplan ... Tim Keating ... Madge Bush ... Robert McCreary ... John Easton, partner at EFB Advocacy ... Lee Cochran, who works on comms at Bloomberg Philanthropies ... Jennifer Jones ... Tim Keating ... Chris Doherty (h/ts Jon Haber) ... Helen Brosnan, executive director of Rise to Run ... Adam Snider, director of public affairs at American Association of Airport Executives, is 38 ... CNN's Laura Bernardini ... Sarah Novascone ... Eugene Mulero ... Tammy Sun ... Talbot Digital's Courtney Holsworth, celebrating "with her boyfriend this weekend by taking a trip to Chicago and winning a regional tennis tournament" (h/t Chris Talbot) ...

... former Rep. Ellen Tauscher (D-Calif.) (h/t Tammy Haddad) ... Tomos Lewis ... Rep. Drew Ferguson (R-Ga.) is 51 ... Emily Schlichting, MBA/MPP candidate at Harvard ... Elliott Phaup ... Politico Europe's Silvia Sciorilli Borrelli ... James Boyle ... Joe Valenti, director of consumer finance at CAP, five-time marathoner, CFPB defender, and Virginian progressive, is 35 (h/t Jenny Hopkinson) ... Ben Goodman, of the Council for a Strong America, celebrating at Joe Biden's American Promise tour on Friday (h/ts Rachel Wein and Jordan Wells) ... Cyril Dadd of Level 3 Communications ... Bert McCarthy ... Mike Mills ... Mark Naymik ... Erin Shaw Stinner... Ryan Miner is 32 ... Bryant Johnson ... Nancy Kohn ... Chris Fluhr ... Joe Sandler (h/t Teresa Vilmain)

****** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2ArIBXv ******

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 6/19/2017 12:11:54 PM
Subject: June 19 -- EHS State Regulatory Alert

EHS State Regulatory Alert

June 19, 2017 - Number 116

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Alabama

OCCUPATIONAL SAFETY AND HEALTH
Boiler and Pressure Vessel Safety/Fees
Alabama OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor amends regulations under AAC 480-7-2-.02 concerning fees for boiler and pressure vessel safety lockout fees. The rule establishes fees for equipment that has been locked out by the department, including a $100 unlock fee and $500 unauthorized tampering relock fee. Comments are due July 10, 2017. Contact: Stephen McCormick; DOL; 334-242-8274

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Elevator Safety
Alabama OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor adopts regulations under AAC 480-8-5 to establish requirements for elevator safety repair. The rule provides that preexisting escalator emergency stop switches meet specified industry standards. The rule also extends the time for repair/upgrade to two years from the time of the first inspection and specifies that violations will be noted in the inspection report, but will not be certificate-blocking until the two year grace period has elapsed. Comments are due July 10, 2017. Contact: Stephen McCormick; DOL; 334-242-8274

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Elevator Safety/Fees
Alabama OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor amends regulations under AAC 480-8-3-.04 to update the elevator safety fee schedule. The rule adds an internal escalator per unit fee of $250. The rule also adds a lock out fee of $100 for unlocking and a fee of $500 for unauthorized tampering. Comments are due July 10, 2017. Contact: Stephen McCormick; DOL; 334-242-8274

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

Alaska

AIR
Air Quality/FNSB PM2.5 Nonattainment Area
Alaska AIR

Notice of the Department of Environmental Conservation announces Aug. 15, 2017, as the date by which commercial wood sellers in the Fairbanks North Star Borough (FNSB) fine particulate matter (PM-2.5) nonattainment area must register with the department, as required under 18 AAC 50.076. The notice specifies that portions of the FNSB do not meet the federal health-based standards for PM-2.5 found in wood smoke and other combustion source exhausts and that the EPA reclassified the area to serious, effective June 9, 2017. Contact: Steve Hoke; DEC; 907-451-5172

—Alaska Regulations (06/15/2017)

Regulatory Update

Colorado

WATER
Basic Standards and Methodologies for Surface Water
Colorado WATER

Proposed rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-31, Section 31.17, regarding surface water nutrient management. The rule delays the effective dates of the phosphorus numeric values for certain downstream waters and nitrogen numeric values to Dec. 31, 2027. The rule also delays the effective date of the chlorophyll a values for certain downstream waters to Dec. 31, 2022. A concurrent proposed rule adds a voluntary incentive program for early nutrient reduction. A hearing is scheduled for Oct. 10, 2017, in Denver. Various deadlines and prehearing conference dates are specified for those seeking party status. Comments are due Sept. 27, 2017. Contact: Nicole Rowan; DPHE, Water Quality Control Commission; 303-692-3692; nicole.rowan@state.co.us

—Colorado Register (06/13/2017)

Regulatory Update

WATER
Nutrients Management Control
Colorado WATER

Proposed rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-85 regarding nutrients management control. The rule establishes a voluntary early nutrient reduction incentive program for permittees that reduce nitrogen or phosphorus loadings below specified levels before Dec. 31, 2026. The rule also requires program participants to submit a nutrient reduction plan and annual reports to the division. In addition, the rule specifies that participants that make early nutrient discharge reductions will be given additional time to comply with effluent limits based on waste load allocations, numeric nutrient values, or alternate effluent limitations expected to be adopted in 2027 unless their discharged nutrients caused or contributed to harmful algal blooms producing algal toxins or disinfection byproducts that posed an imminent threat to human health. A concurrent proposed rule delays the effective dates of certain phosphorus, nitrogen, and chlorophyll a numeric values. A hearing is scheduled for Oct. 10, 2017, in Denver. Various deadlines and prehearing conference dates are specified for those seeking party status. Comments are due Sept. 27, 2017. Contact: Nicole Rowan; DPHE, Water Quality Control Commission; 303-692-3692; nicole.rowan@state.co.us

—Colorado Register (06/13/2017)

Regulatory Update

Kansas

OCCUPATIONAL SAFETY AND HEALTH
Fire Codes
Kansas OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the State Fire Marshal amends regulations under KAR 22-1-2 through -24-15 (nonconsecutive); adopts regulations under KAR 22-1-8 through -12; and revokes regulations under KAR 22-6-12, -6-16, -11-8, -18-3, and -24-2 through -24-18 regarding fire codes. The rule reorganizes and updates the state fire prevention code and provisions concerning the regional hazardous material response team program. The rule also removes the fees for liquefied petroleum gas licenses and adds a reporting requirement for certified fire investigators when investigating fires that have caused a death. A hearing is scheduled for Aug. 15, 2017, in Topeka. Comments are due Aug. 15, 2017. Contact: Carolyn Lowry; State Fire Marshal; 785-296-8984; carolyn.lowry@ks.gov

—Kansas Register (06/15/2017)

Regulatory Update

Michigan

OCCUPATIONAL SAFETY AND HEALTH
Construction Code/Energy
Michigan OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, amends regulations under MAC 408.31087, .31087a, .31088, and .31090; adopts regulations under MAC 408.31087b through .31098c (nonconsecutive); and rescinds regulations under MAC 408.31089 to update the construction energy code (Part 10a). The rule updates the incorporation by reference of the International Energy Conservation Code (2015 Ed.). The rule also updates provisions concerning commercial compliance to reflect current available materials and technology. The rule is effective Sept. 20, 2017. Contact: LARA, Bureau of Construction Codes; 517-241-6312; matsumotos@michigan.gov

—Michigan Register (06/15/2017)

Regulatory Update

Rhode Island

WATER
Priority Determination System/Financial Assistance for Construction of Water Pollution Abatement Projects
Rhode Island WATER

Proposed rule of the Department of Environmental Management, Office of Water Resources, amends regulations under 250-RICR-150-20-2 regarding the priority determination system for federal and state assistance for construction of water pollution abatement projects. The rule updates provisions to align with changes to the Clean Water State Revolving Fund program, addresses administration of the project priority list, and updates the project rating criteria. A hearing is scheduled for July 13, 2017, in Providence. Comments are due July 17, 2017. Contact: Angelo Liberti; DEM, Office of Water Resources; 401-222-3961

—Rhode Island Regulations (06/15/2017)

Regulatory Update

Wyoming

OIL AND GAS INDUSTRY
Petroleum and Antifreeze Products Standards

Wyoming OIL AND GAS INDUSTRY

Proposed rule of the Department of Agriculture amends regulations under Chapter 52 regarding petroleum and antifreeze product standards. The rule updates applicable fuel types and requirements, adds an exemption to allow the sale of 85 octane fuel, and incorporates federal fuel labeling requirements. The rule also updates antifreeze registration standards to conform with current practice, updates definitions, and removes duplicative provisions. Comments and hearing requests are due July 28, 2017. Contact: Scott McDonald; Department of Agriculture; 307-777-3502; scott.mcdonald@wyo.gov

—Wyoming Regulations (06/12/2017)

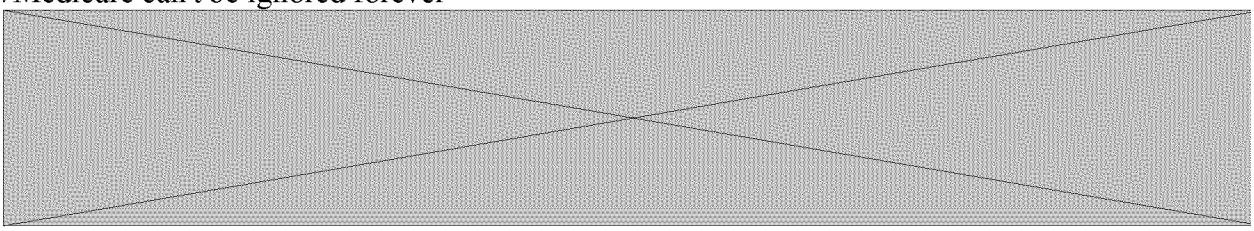
Regulatory Update

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EHS State Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Enterprise Institute
Sent: Thur 6/15/2017 10:07:11 AM
Subject: AEI Today: Medicare can't be ignored forever

. Medicare can't be ignored forever



AEI's daily publication of independent research, insightful analysis, and scholarly debate

Twenty20

Medicare can't be ignored forever

James C. Capretta | Real Clear Health

Over the next 10 years, Washington will spend $10 trillion on Medicare. It is one of three major entitlement programs that is set to drive massive federal deficits in the coming years. What's needed is a sensible long-term vision for the program that maintains its core protections without subsidizing more affluent retirees. Such reform is highly controversial, but with the Republican agenda sputtering, it's the kind of ambitious move that can make a legacy.

The College Board

The tangled world of teacher debt

Jason D. Delisle and Alexander Holt | Education Next

Say you're a third-grade public school teacher with $50,000 in student-loan debt. The federal Stafford Teacher Loan Forgiveness program

sounds like a great idea: Teach for five years while making monthly payments, and the feds will forgive $5,000 of what you owe. Then comes the fine print. Welcome to the world of student loans and debt, a patchwork of contradictory regulations dating back to Dwight Eisenhower.

AEI

Millennials who flourish often follow this sequence

W. Bradford Wilcox and Wendy Wang | AEI and Institute for Family Studies

Millennials are much more likely to flourish financially if they follow the classic "success sequence" — getting at least a high school degree, working full-time, and marrying before having any children, in that order. Yet despite evidence showing that 95 percent of millennials who married first are not poor, compared to 72 percent who had children first, the majority of 28- to 34-year-old parents had their first child before marriage.

Reuters

China just shoved Taiwan. Will America push back?

Michael Mazza | AEIdeas

When push comes to shove, what kind of friend will Trump's America be? This question has been on the minds of US allies since November 8 of last year. There have been encouraging signs, such as Secretary Mattis' visits to Asia,

along with not-so-encouraging signs, including the president's performance at the NATO summit. But with Panama switching diplomatic recognition from Taipei to Beijing, China has forced the question: Will the US push back?

More from AEI

From the archives: The trick to being more virtuous in uncivil times
Arthur C. Brooks | The New York Times

Betsy DeVos can expand parents' educational choice without jeopardizing private school independence

Nat Malkus | US News & World Report

President Trump will probably be impeached if Republicans lose the House

Jonah Goldberg | National Review Online

60-second take: FDA regulations threaten to destroy most of the e-cigarette market

Sally Satel | AEI video

In the face of bureaucratic hostility, the discipline-driven Success Academy earns a coveted prize

Frederick M. Hess | Education Next

Watch: Education, work, and marriage for millennials in contemporary America

W. Bradford Wilcox and Robert Doar | AEI event video

The Jeff Sessions hearing shows who's really colluding with Russia

Marc A. Thiessen | The Washington Post [metered paywall]

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From: Bloomberg BNA
Sent: Wed 7/5/2017 11:44:51 PM
Subject: July 06 -- Daily Environment Report

Daily Environment Report

July 06, 2017 - Number 128

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Leading the News

Biofuels
U.S. Favors Midwest Corn Farmers in Proposed Biofuels Quotas
The Trump administration proposed a requirement that U.S. refiners use 15 billion gallons of conventional renewable fuels in 2018, while lowering targets for advanced alternatives that oil refiners have described as unattainable.

Climate Policy
G-20 Ire On Paris Withdrawal Unlikely to Affect Trump Plans
Leaders of Group of 20 nations, outspoken in their opposition to President Donald Trump's withdrawal from the Paris climate accord, won't be able to do much about it at this week's summit in Hamburg, Germany, business representatives and an academic told Bloomberg BNA.

EPA
Petroleum Institute Lawyer Picked for EPA Legal Counsel
A lawyer picked to be one of the EPA's senior attorneys says he is learning about areas of the agency that he "did not touch" during his lobbying experience for an oil and natural gas trade association.

News

Air Pollution
World's Costliest Gas Clouding China's Quest for Bluer Skies
China has promised to make its skies blue again, but having some of the world's most-expensive natural gas isn't helping.

Chesapeake Bay

Maryland Awards $92 Million for Chesapeake Bay-Related Projects

Maryland approved more than $92 million in grants to improve wastewater treatment and reduce Chesapeake Bay pollution, the state's Department of Environmental Protection said July 5.

Climate Policy

China Seen Scaling Back Carbon Market After Trump's Paris Move

China may remove industries including steel from the national carbon market it plans to start this year because President Donald Trump wants to pull the U.S. out of the Paris climate deal.

EPA

Ex-NASA Official, Pipeline Lobbyist Joins EPA's Water Office

A former NASA official and veteran lobbyist whose environmental issues included the Keystone XL and Dakota Access pipeline projects is now the top political appointee in the EPA's water office.

Energy

G-20's Financing of Fossil Fuels Outweighs Renewables, Study Says

Fossil fuels received four times more than clean energy in public financing from Group of 20 member countries, according to a report by environmental groups that urged more financing be directed to renewables to address climate change.

Energy

Germany's Russian Gas Fix Raises Alarm in Merkel's Backyard

Hidden by pine forests near the deserted site of what was once East Germany's biggest nuclear reactor, two shiny pipelines emerge from the Baltic Sea to mark the spot where Chancellor Angela Merkel is trying to secure the country's energy future.

Energy

Merkel's Germany Won't Offer Fast Exit from Dirtiest Fossil Fuel

German Chancellor Angela Merkel ruled out an abrupt phase-out from the dirtiest fossil fuel used to generate power, even as the nation struggles to meet its climate targets.

Mergers and Acquisitions

Halliburton Buys Summit to Fill Hole in Oil-Service Offerings

Halliburton Co. acquired Summit ESP LLC, giving the world's biggest fracking services provider much-needed help in a key area of its oil services portfolio. Terms were not disclosed.

Motor Vehicles

New Zealand Exempts Road Fees for Heavy Electric Vehicles

New Zealand is exempting heavy electric vehicles from road use charges, a move that could save some truck drivers thousands of dollars a year.

Motor Vehicles

Volvo Vaults to Volts, Planning to Pull Plug on Gasoline Engines

As it turns out, news of the death of the internal combustion engine may not be very exaggerated after all.

Oil & Gas

Methane Leak Rule in Effect Can't Be Halted, Lawsuit Says

The Interior Department can't halt measures to reduce methane leaks from oil and gas wells on public lands six months after they took effect, the attorneys general of California and New Mexico said in a lawsuit.

Toxic Substances

EU Food Agency Re-Opens Risk Review of Bisphenol A

European food regulators are taking the unusual step of calling for input ahead of a 2018 toxicity evaluation of the widely used chemical bisphenol A, which may lead to restrictions on food packaging such as can linings.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 7/13/2017 4:08:29 PM
Subject: BREAKING NEWS: Senate Republicans release new Obamacare repeal bill

Senate Republicans released their revised health care bill Thursday to gut the Affordable Care Act. Unlike their previous bill, which faced stiff GOP resistance, it would maintain some Obamacare taxes on the wealthy, provide new financial support to purchase health insurance and allow health insurers to offer skimpier coverage.

Read more: http://politi.co/2vgsfyp

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From: POLITICO Pro Energy
Sent: Thur 9/14/2017 9:43:24 AM
Subject: Morning Energy: Replacing Clean Power Plan could disappoint conservatives — Domenech nomination clears Senate — More regulatory waivers extended after hurricanes

By Anthony Adragna | 09/14/2017 05:41 AM EDT

With help from Eric Wolff

PRUITT'S CARBON TIGHTROPE BALANCING ACT: Leaving the door open to rewrite the Obama administration's Clean Power Plan would help President Donald Trump's administration honor the wishes of power companies looking to avoid years of legal uncertainty but might not satisfy the demands of some conservative activists, Pro's Emily Holden reports. EPA wants to move to collect comments about whether to write a new regulation, and is likely to write a new rule given the agency would be on much shakier legal ground if it simply opted not to regulate carbon dioxide from power plants.

Any replacement rule would be unlikely to take a meaningful bite out of carbon levels and would be based on a much narrower interpretation of EPA's Clean Air Act authority. That may be enough in the interim for some conservatives who would prefer a straight withdrawal of Clean Power Plan but who wouldn't oppose a replacement rule. "Ultimately, the responsibility to fix this mess lies with the Congress, so until they act, the only thing the Administration can do is minimize the damage," said Tom Pyle, a conservative lobbyist with the American Energy Alliance who led Trump's Energy Department transition team. But the details could have political implications for Pruitt, who is widely seen as a potential candidate for the U.S. Senate in his native Oklahoma.

Most utilities assume future regulations or laws will ultimately require them to curb carbon emissions even if the Obama administration's Clean Power Plan goes down and support EPA issuing a replacement rule — albeit a much weaker one. "We think that future regulation of carbon emissions from power production is likely, and could provide additional planning certainty," Tammy Ridout, a spokeswoman with coal-heavy AEP, said. Regardless of the approach Pruitt ultimately selects, environmental groups are sure to vigorously contest his efforts in court.

DOMENECH CLEARS SENATE: Trump's pick for Interior assistant secretary nominee, Douglas Domenech, cleared the Senate by voice vote late Wednesday. The veteran of George W. Bush's Interior Department who was on the Trump transition team's landing team at the agency said during the confirmation process that he still believes that the human contribution to climate change is very small. Domenech also previously served as Virginia's secretary of natural resources.

But others will wait: Efforts to fill out the Trump energy team must wait a few more days again after the Senate Energy and Natural Resources Committee shelved votes slated for today on the nominations of five FERC, DOE and Interior nominees, Pro's Darius Dixon reports. Votes are now slated for next Tuesday.

Democrats threaten to delay Bodine: Two EPW Democrats — Sheldon Whitehouse and Jeff Merkley — threatened to hold up Susan Bodine's nomination to be EPA enforcement chief until she provides details about her advisory role to the administrator and whether she played a role in the agency's decision to enforce its methane rule on a "case by case" basis. They said Bodine's assumption of a role at EPA without being confirmed first may run afoul of federal law.

EPA nominees up next week: Four EPA nominees will get their day at Senate EPW for a hearing next Wednesday. They are: Michael Dourson to run the agency's chemical office; Matt Leopold to be general counsel; David Ross to run the water office; and William Wehrum's contentious bid to be EPA's top air official. The committee also will consider Jeffery Baran's renomination to another five-year NRC term.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and Bracewell's Frank Maisano named Schuyler Colfax and John Nance Garner as the two House speakers that became vice president. For today, and in keeping with the theme: Who is the lone speaker that went on to become president? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

GET PUMPED! POLITICO Pro convenes its first-ever policy summit today (follow along here) with a little something for everyone. Of particular interest to energy fans: a 10:30 a.m. session hosted by Pro's Nick Juliano on the implications of the Trump administration on energy policy. Panelists include: Exelon CEO Chris Crane; Senate Energy staffer Spencer Gray; Business Council for Sustainable Energy President Lisa Jacobson and MWR Strategies' Mike McKenna. Other non-energy speakers throughout the day include: Treasury Secretary Steve Mnuchin, Commerce Secretary Wilbur Ross and top House taxwriters Kevin Brady and Richard Neal.

TEMPORARY REGULATORY WAIVERS GALORE: With Florida and Texas still restoring power and taking stock of damage following Hurricanes Harvey and Irma, federal regulators are temporarily relaxing regulatory requirements to help those states get back online. As POLITICO Florida's Bruce Ritchie reports, the EPA acknowledged in a letter Wednesday it recognized the need to use "flexibility" provided in federal stormwater discharge permits for facilities affected by the storm.

Jones Act waiver extended: Citing "severe disruptions of the oil supply system," DHS announced Wednesday it extended a Jones Act waiver through Sept. 22 to alleviate fuel shortages in the areas affected by the hurricanes. The decision will allow foreign-flagged vessels to deliver fuel from U.S. refineries to Florida and other impacted states, something barred under the 1920 Jones Act.

Texas' too: EPA said late Wednesday it would waive fuel requirements under the Clean Air Act for reformulated gasoline and low volatility gasoline in Texas through Oct. 1 to "help address the emergency circumstances" in the state from the hurricanes. In addition, the agency also continued to allow the use of Texas Low Emission Diesel in 110 Texas counties.

Three's a trend! OMB Chief Mick Mulvaney told CNN's Jake Tapper on Wednesday there's

"plenty of time later" to discuss climate change but said the focus right now should be on helping hurricane victims in Texas and Florida. "I'd be more than happy to have a longer discussion another day about climate change, man-made climate change," he said. Energy Secretary Rick Perry previously said now's "not the time" to discuss climate change, while EPA Administrator Scott Pruitt called such talk " insensitive."

Curbelo fine with climate talk: Back on Capitol Hill after responding to Hurricane Irma's impacts on his district, Rep. Carlos Curbelo said climate change should be a part of post-storm discussion. "It shouldn't be the first thing people talk about — the first concern has to be all the people in the Florida Keys and throughout the state of Florida who are struggling," he told reporters. "[But] it's certainly not irresponsible to highlight how this storm was probably fueled — in part — by conditions that were caused by human-induced climate change."

Backs Nelson's climate comments: Curbelo said he "absolutely" agreed with his state's senior senator, Bill Nelson, that Republicans were "denying reality " if they refused to acknowledge climate change. "I am critical of both the deniers and the alarmists because they don't contribute much to solving this problem," he said. "The deniers deny it so you can't address a problem you don't recognize and the alarmists scare everyone and take credibility away from the issue, and people who are convincible then shy away. People need to talk about this in a sober way, in a rational way."

Be on the lookout: Curbelo said his bipartisan Climate Solutions Caucus should hit 60 members in the near future, which would triple its membership from last Congress. The caucus grew to 56 members on Tuesday with the additions of Republicans Chris Collins and Pat Tiberi and Democrats John Larson and Nydia Velazquez.

HOUSE PANEL TAKES FIRST LOOK AT RELIABILITY: They've split the original hearing into two, but the House Energy and Commerce Energy Subcommittee takes a first look at various issues associated at the reliability of the U.S. electric grid. Making his first congressional appearance since confirmation is FERC Chairman Neil Chatterjee. Also testifying is Gerry Cauley, president of the North American Electric Reliability Corporation, and Patricia Hoffman, an official within DOE's Office of Electricity. The background memo for the hearing, which kicks off at 10 a.m. in Rayburn 2123, is available here.

HERE'S SOMETHING YOU WON'T SEE EVERYDAY: Still looking to drum up momentum for their bipartisan bill boosting carbon capture and sequestration technologies, one of the Senate's most unusual possible quartets — Heidi Heitkamp, Shelley Moore Capito, Sheldon Whitehouse and John Barrasso — participate in an event hosted by the Center for Climate and Energy Solutions on the latest innovations in the technology and efforts to speed its deployment. It kicks off in Hart 902 at 8:30 a.m. Details here.

PARTS OF EPA DISCHARGE RULE DELAYED: EPA issued a final rule Wednesday formally delaying key compliance dates from a 2015 regulation limiting toxic discharges in power plants' wastewater streams, Pro's Alex Guillén reports . Specifically, the agency will delay deadlines related to limits on discharges of flue gas desulfurization wastewater and bottom ash transport water, two waste streams associated with burning coal for electricity, while it

reconsiders those standards. EPA said the delays will provide annualized utility cost savings between $27.5 million and $36.8 million.

Environmental groups vowed to sue: Mary Anne Hitt, director of Sierra Club's Beyond Coal campaign, said in a statement her group would take "immediate action" to fight a decision she called "so unconscionable from a public health — and common sense — perspective, that [Pruitt] couldn't even name a valid legal reason for the delay." Earthjustice Attorney Thomas Cmar called the rule "a bold-faced gift to the coal industry at the expense of the health of families everywhere."

PROBE OF EPA GRANT PROCESS SOUGHT: The Center for American Progress and Union of Concerned Scientists are today asking EPA's inspector general in a letter to investigate the agency's grant review process, rumored cancellation of some grants and allegations of political interference. "We urge your office to begin an investigation of these matters immediately," they write.

REVAMPED FEDERAL LEASING PROGRAM SOUGHT: The Wilderness Society, along with several other petitioners, are asking Interior and BLM this morning to revamp the fiscal terms and management processes regarding oil and gas leasing on federal lands. The petitioners argue their reform proposals would not harm, slow, or stop energy production on public lands. "Analyses of these decades-old [current] policies has shown that they are harming the taxpayers that the BLM is obligated to ensure receive the benefits of leasing and the public lands that BLM is obligated to ensure are managed for multiple use and sustained yield," they write.

HIDDEN DANGER IN OKLAHOMA? Massive oil storage tanks in Cushing, Okla. could be growing more vulnerable by the day as man-made earthquakes stemming from fracking tests their limits, Kathryn Miles reports in POLITICO Magazine. Five of the largest energy companies each said have procedures and protocols for natural disasters, but that they would not comment on the specific designs of their tanks, nor how those tanks would fare in a major earthquake. Read the full thing here.

NRDC SEEKING REHEARING ON REFRIGERANTS CASE: The Natural Resources Defense Council plans to ask the D.C. Circuit for an en banc rehearing of last months' decision striking down an EPA rule limiting use of hydrofluorocarbons, a global warming exacerbating coolant. NRDC believes the majority in the 2-1 decision erred in its determination that the law was clear and did not require agency interpretation, known as Chevron Step 1. "[D.C. Circuit Judge Brett] Kavanagh interprets the law in a way that eviscerates the program," said David Doniger, head of climate programs for NRDC. "Everybody understood to this point that the substitutes for ozone depleting chemicals were replacements ... and when new ones are developed safer than the old ones, the old ones are supposed to give way." HFCs fall out of the atmosphere faster than CO2, but have a far higher global warming potential.

Honeywell, too? "We believe the EPA's regulation is well-supported by the law and was in the best interests of the public, industry and the environment," a spokeswoman for Honeywell International Inc. said in an email to ME. Honeywell makes next generation coolants. "We are closely reviewing the decision and are likely to pursue an appeal, and are already taking steps to

ensure that the accelerated transition to HFC alternatives continues."

FOR YOUR REFERENCE: Advanced Energy Economy today released seven specific issue briefs as policymakers consider ways to modernize the U.S. electric grid. They cover: advanced metering; access to data; optimizing capital expenditures; distributed energy resource ownership; using energy efficiency as a resources; performance-based regulation and designing rates in a distributed energy resource future.

BETTER LUCK NEXT YEAR? Two ambitious bills in California — laying the groundwork for a regional electricity grid and eventually phasing out use of fossil fuels — won't advance this year, a key committee chairman told the Los Angeles Times Wednesday. "There's not a lot of time for the engagement we need to make it work," Assemblyman Chris Holden said, adding they should be considered as part of a "comprehensive conversation" in 2018. The legislative session ends Friday and the deadline for amending legislation was Tuesday night.

REPORT: CLOSING COAL PLANTS MEANS BIG BUCKS: Phasing out inefficient coal plants would save U.S. customers up to $10 billion annually by 2021, a new report from Carbon Tracker finds. Constructing combined cycle gas turbines will be more cost-effective by the mid-2020s than continuing to operate 78 percent of the nation's current coal fleet, the study concludes. "The US power sector remains entirely unprepared for a coal phase-out consistent with a below [2 degree] C outcome," it finds, referring to the goal of the Paris climate agreement to limit global temperature increases.

NEW EDF AD USES HARVEY FOOTAGE: The Environmental Defense Fund is launching a new ad in the Washington area for three weeks using footage from the Arkema plant incident in Texas. The ad warns Congress that cutting the agency's budget could harm disaster response moving forward.

MOVER, SHAKER: Nick Conger starts a new gig as former Vice President Al Gore's communications director in Nashville on Oct. 2. The Obama administration EPA veteran leaves his current post as a press secretary at NRDC on Sept. 22. "I couldn't be more thrilled to join [Gore's] team and help shape his public activities," he writes of his role.

QUICK HITS

— New York's buildings emit most of its greenhouse gases. The mayor has a plan to change that. Washington Post.

— Former Vice President Al Gore: Investors can lead climate change battle. CNBC.

— US judge cites tribal sovereignty in dismissing coal lawsuit. AP.

— Colorado outlines how new pipeline rules will be considered after fatal Firestone explosion. Denver Post.

— Saudis Prepare for Possible Aramco IPO Delay to 2019. Bloomberg.

— Oil Rises on Signs of Tightening Supply. Wall Street Journal.

HAPPENING TODAY

8:30 a.m. — "State of the Art: Innovations in CO2 Capture and Use," Center for Climate and Energy Solutions, Hart 902

8:30 a.m. — The Alliance to Save Energy hosts Great Energy Efficiency Day (GEED), Columbus Club, Union Station, 50 Massachusetts Ave NE,

8:30 a.m. — POLITICO Pro policy summit, Omni Shoreham Hotel, 2500 Calvert Street, NW

9:30 a.m. — Business meeting to consider various nominations, Senate Energy and Natural Resources Committee, 366 Dirksen

10:00 a.m. — "EIA's International Energy Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

10:00 a.m. — "U.S. Policy Options to Support Democracy in Venezuela," Senate Foreign Relations Committee, Dirksen 419

10:00 a.m. — "Part One: Powering America: Defining Reliability in a Transforming Electricity Industry," House Energy and Commerce Energy Subcommittee, 2123 Rayburn

11:00 a.m. — Sen. Markey and Rep. Cartwright hold press conference to announce climate change and public health legislation, S-115, U.S. Capitol

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/tipsheets/morning-energy/2017/09/replacing-clean-power-plan-could-disappoint-conservatives-024587

Stories from POLITICO Pro

Repeal and replace approach to EPA climate rule may disappoint Trump base Back

By Emily Holden | 09/14/2017 05:01 AM EDT

The Trump administration is leaving the door open to replace former President Barack Obama's landmark climate regulation for power plants — a move that would fall short of conservatives' calls to erase it all together

A mend-it-don't-end-it approach from the Environmental Protection Agency on Obama's 2015 rule could appease power companies that say they need some kind of EPA regulations — albeit

much weaker ones — to save them from years of legal uncertainty. But it might not satisfy the demands from some conservative activists, who have pressured EPA Administrator Scott Pruitt to reject the entire idea that climate change is a problem requiring federal action.

The agency is aiming by early October to issue a proposal to undo the Clean Power Plan, along with a separate advance notice of its intent to consider a replacement, a source close to the process told POLITICO.

That approach still leaves a wide array of options on the table — including ultimately deciding against a new rule — and it could allow Pruitt to stretch out the process for several more years without ultimately resolving how the agency should address the greenhouse gas emissions from power plants, one of the largest contributors to human-caused climate change.

The Clean Power Plan encouraged the power sector to shift away from coal and toward natural gas and renewable power, an approach that Obama's critics said exceeded EPA's authority under the Clean Air Act. At a minimum, Trump's EPA would likely seek to limit any replacement to require only the negligible carbon emissions reductions that could be achieved at coal plants themselves, without prodding states and utilities to replace those facilities with cleaner generation.

The details about how to begin unraveling Obama's climate regulations could have political implications for Pruitt, who is widely seen as a potential candidate for the U.S. Senate in his native Oklahoma. Repealing the power plant rule was an explicit campaign promise for President Donald Trump, who has dismissed man-made climate change as a "hoax."

For now, conservatives appear willing to give Pruitt the benefit of the doubt because he is walking a legal tightrope and could still decide to take aim at EPA's underlying obligation to regulate carbon emissions. The D.C. Circuit Court of Appeals has agreed to keep litigation over the Clean Power Plan on hold through Oct. 7, but judges warned Pruitt last month that EPA is dodging its legal obligation to regulate carbon by failing to outline its next steps on the rule.

Myron Ebell, the climate skeptic who led EPA's transition team, has pushed for Pruitt to fight the agency's "endangerment finding" that it must address climate change. But he said a replacement rule might be an "adequate stopgap."

He said if the courts ultimately find that a coal-plant focused rule isn't enough to fulfill EPA's legal obligation, then "in order to keep the president's promise that we're going to get rid of these economically destructive rules, the only alternative they will have is to reopen the endangerment finding."

Challenging that finding, which determined that heat-trapping gases like carbon dioxide were a public health threat, would mean fighting climate change science, and most lawyers say it is a losing battle. The Obama administration issued the endangerment finding in 2009, two years after the Supreme Court told EPA to determine its role in fighting climate change.

Tom Pyle, a conservative lobbyist with the American Energy Alliance who led Trump's Energy

Department transition team, said he would prefer a straight withdrawal of the Clean Power Plan but wouldn't oppose a replacement rule.

"Ultimately, the responsibility to fix this mess lies with the Congress, so until they act, the only thing the Administration can do is minimize the damage," Pyle said via email.

But EPA would be on much shakier legal ground if it just refused to regulate carbon dioxide from power plants, the nation's largest source of greenhouse gas pollution.

EPA wants to move to collect comments about whether to write a new regulation, and is likely to write a new rule, multiple sources said.

Any replacement would be based on a narrow interpretation of EPA's authority and is unlikely to make a meaningful dent in carbon levels — unlike Obama's version, which pledged to cut the power industry's carbon pollution as much as 32 percent below 2005 levels by 2030.

Opponents of the Clean Power Plan have also argued that the rule is illegal because EPA had already regulated coal plants under a different section of law. EPA could still make that argument while proposing to withdraw the plan and invite comments on the idea in its notice of a potential replacement.

Environmental groups are expected to sue no matter which path Pruitt and Trump take.

"There would be very intense protests to rescinding the Clean Power Plan and replacing it with nothing indefinitely, which is what this would be," said Sean Donahue, a lawyer at Donahue & Goldberg who represents environmental groups defending the Clean Power Plan in court.

EPA is planning to issue an Advance Notice of Proposed Rulemaking (ANPR), the first step toward issuing a replacement for the Clean Power Plan, according to the source familiar with the process. But that route leaves many options open.

Kevin Poloncarz, a lawyer with the firm Paul Hastings who represents energy companies supporting the Clean Power Plan, said the notice could be "fairly nondescript" and could suggest a replacement rule or ask for feedback on whether EPA can legally regulate power plants under the section of the Clean Air Act that the Obama administration used.

If EPA simply rescinded the Clean Power Plan without announcing plans to consider a replacement, Poloncarz said power companies could face nuisance lawsuits.

Issuing the notice could be a compromise position. While it's in place, "the industry should feel some degree of comfort that they're insulated from those lawsuits," Poloncarz said.

States like New York could still take court action against EPA if the agency is taking too long or questions its own authority on greenhouse gases, he added.

It's not unusual for an agency to take years to follow up on an ANPR. EPA took about six years

to issue its draft Clean Power Plan in 2014.

"The entire point of ANPR is to help agencies decide which course they want to pursue where there are multiple options," said Tom Lorenzen, a partner at Crowell & Moring who represents electric cooperatives challenging the Clean Power Plan.

"I think one purpose of an ANPR would be to send a message to the court that EPA is thinking about what comes next," he added.

Lorenzen said an ANPR could suggest a replacement rule or argue that any regulation is illegal because the agency has already regulated power plants under Section 112 of the Clean Air Act.

Several attorneys noted that Bill Wehrum, the lawyer nominated to run EPA's air office, has represented power industry clients who likely would back a replacement rule because they consider regulation to be inevitable.

Most utilities assume a future regulation or law will require them to curb carbon emissions, even if Trump's EPA rescinds the Clean Power Plan.

Even coal-heavy power companies have said they support EPA issuing a replacement rule.

AEP, a Midwestern power company that gets slightly less than half of its electricity from coal, would back a new proposal "consistent with the EPA's authority under the Clean Air Act," spokeswoman Tammy Ridout said.

In 2005, 70 percent of AEP's power came from coal, but the company has been intentionally shifting toward renewable power and lower-carbon natural gas.

"We think that future regulation of carbon emissions from power production is likely, and could provide additional planning certainty," Ridout said.

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Interior nominee Domenech says human role in climate change small Back

By Esther Whieldon | 07/20/2017 01:12 PM EDT

Interior assistant secretary nominee Douglas Domenech told his senators at his confirmation hearing today that he still believes that the human contribution to climate change is very small.

At the Senate Energy and Natural Resources Committee hearing, Sen. Al Franken (D-Minn.) asked Domenech, President Donald Trump's nominee for assistant secretary for insular areas, if he still stood by his December op-ed that said that humankind was impacting the climate in "very

small ways."

Domenech, an Interior veteran who was on the Trump transition team's landing team at the agency this year, said "yes."

The senator asked whether Domenech, given his views on climate change, is the "right person" to help vulnerable island communities that are being impacted by sea level rise.

Domenech said that as Virginia's secretary of natural resources, he helped the fishing community in Tangier Island in Chesapeake Bay deal with erosion and sea level rise.

"We worked with them quite a bit in terms of reinforcing their shoreline and those kinds of activities with the Corps of Engineers, and so I take it very seriously, I don't at all minimize that the climate is changing," Domenech said.

WHAT'S NEXT: Senators will by the end of today send Domenech a list of questions they want answered for the record and the committee will likely wait to schedule a vote on his nomination until the receive his responses.

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Senate energy committee delays vote on FERC, DOE and DOI nominees Back

By Darius Dixon | 09/13/2017 06:28 PM EDT

The Senate Energy and Natural Resources Committee announced this evening it postponed a Thursday morning series of votes on President Donald Trump's nominees for FERC and the departments of Energy and Interior.

The panel was slated to consider Kevin McIntyre for chairman of FERC, Richard Glick for FERC commissioner, David Jonas for DOE general counsel, and Ryan Nelson and Joseph Balash for solicitor and assistant secretary for land and minerals management at DOI. The vote will now happen Sept. 19.

A committee spokesperson said the vote was delayed because of "member availability."

WHAT'S NEXT: The Senate energy committee will vote on the nominees on Tuesday at 9:30 a.m.

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POLITICO Pro Florida: EPA backs Florida on stormwater permit 'flexibilty' following Irma Back

By Bruce Ritchie | 09/13/2017 07:10 PM EDT

EPA is telling state officials they recognize the need to use "flexibility" provided in federal stormwater discharge permits for facilities affected by Hurricane Irma.

Florida regulations allow for temporary bypass of stormwater systems or unintentional noncompliance in emergency situations, Florida Department of Environmental Protection spokeswoman Dee Ann Miller said.

The state had relayed concerns to the EPA about those provisions relating to Hurricane Irma, said Miller, who added that those bypass provisions will allow ports and other facilities get back into operation as quickly as possible.

In a letter released today, EPA regional administrator Trey Glenn said the agency recognized the need under federal law for "potential flexibility" because of circumstances caused by Hurricane Irma that are "beyond the reasonable control" of permit holders.

"The EPA also recognizes there may be other unforeseen issues that arise as a result of this disaster and we stand ready to work together with our state partners to address these potential issues as they arise," Glenn wrote.

This story first appeared on POLITICO Pro Florida on Sept. 13, 2017.

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Florida Sen. Bill Nelson: Republicans 'denying reality' on climate change Back

By Michael Grunwald | 09/12/2017 09:06 PM EDT

Democratic Senator Bill Nelson of Florida, after surveying the damage that Hurricane Irma inflicted across his state, blasted Republican politicians who reject the science and minimize the importance of climate change—including his likely opponent in 2018, Governor Rick Scott.

In an interview Tuesday evening with POLITICO, Nelson said it's clear that manmade global warming made Irma worse by increasing the temperature and the height of the seas that fueled the storm. He said he didn't want to play partisan politics in the aftermath of a hurricane, but then went on to criticize Republicans in general and Scott in particular—though not by name—for opposing climate action. He noted that both the Trump administration in Washington and the Scott administration in Tallahassee have reportedly discouraged government employees from

even talking about climate change.

"It's denying reality," Nelson said. "You can call it politics or whatever, but the Earth is getting hotter. This storm is another reminder of what we're going to have to deal with in the future."

Nelson, a former astronaut, launched into a detailed explanation of the science of climate change and the greenhouse effect, and how it has helped make the waters around Florida higher and warmer in recent decades. He said it would be a crucial issue in his reelection campaign, even as he avoided the words "Rick Scott."

"It's certainly going to be an important issue, and if certain people such as the one you mentioned is my opponent, there's a significant contrast in what we believe," Nelson said.

Florida is a swing state in presidential elections, but its state government and statewide offices tilt heavily Republican; Nelson has been an exception to the red wave, but a well-known, well-funded opponent like Scott would be by far his most difficult challenge to date. He clearly sees climate as a potential wedge issue in a state with a heavily coastal population and increasing vulnerability to Irma-type disasters. Scott did not discuss the issue in his frequent Irma briefings; a spokesperson for the governor, when asked about Nelson's comments, said, "Now is not the time for politics. This storm is not a partisan issue. Now is the time to focus on helping Florida rebuild."

But in the past, he has questioned climate science—or declined to affirm the scientific consensus that it's being cause by humans, often noting, "I am not a scientist"—and fossil-fuel interests have supported his campaigns. In 2015, the Miami Herald reported that Scott's administration had even banned the use of the terms "climate change," "global warming" and "sustainability" in official documents.

Nelson is not known in Washington as a leader on climate issues, but he said he's focused on them since he was Florida's insurance commissioner in the 1990s. He's fought against President Trump's proposed cuts to climate science at agencies like NOAA, NASA and EPA, and said he helped persuade the Obama administration to launch a satellite, first dreamed up by Al Gore, that takes continuous pictures of the Earth from deep space.

But Nelson didn't really argue that he deserved kudos for accepting the conclusions of the scientific community; he argued that Republicans on the other side of the issue need to explain why they think "99.5 percent of climate scientists" are wrong. Several prominent Republicans in South Florida—including Miami-Dade County mayor Carlos Gimenez and Reps. Carlos Curbelo and Ileana Ros-Lehtinen—have made it clear they believe Washington needs to take climate seriously. Nelson pointed out that politicians don't question government scientists when they say a hurricane is coming—but when the same agencies use the same scientific instruments to measure long-term climate trends, opinions suddenly differ.

"It's ironic, isn't it?" Nelson said. "They accept the hurricane information, but deny the climate information ... Look, some people still think the Earth is flat."

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EPA delays parts of power plant toxic discharge rule Back

By Alex Guillén | 09/13/2017 03:35 PM EDT

EPA has finalized a rule delaying by two years the key compliance dates for a 2015 regulation limiting toxic discharges in power plants' wastewater streams while it reconsiders those standards.

The delay provides "relief from the existing regulatory deadlines while the agency revisits some of the rule's requirements," EPA Administrator Scott Pruitt said in a statement.

Following industry requests, EPA specifically is delaying deadlines related to limits on discharges of flue gas desulfurization wastewater and bottom ash transport water, two waste streams associated with burning coal for electricity. EPA estimates the two-year delay of those requirements will provide annualized utility cost savings between $27.5 million and $36.8 million.

The agency said it will not revisit new standards for other types of waste streams — including fly ash transport water, flue gas mercury control wastewater and gasification wastewater — and will leave deadlines associated with those streams in place.

The delay will take effect two weeks after it is published in the Federal Register, and is open to court challenges.

The Obama administration said the overall rule, known as effluent limitations guidelines or ELGs, ultimately would curb 1.4 billion pounds of aluminum, lead, mercury, arsenic and other toxic metals from entering waterways via discharge streams each year.

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How Man-made Earthquakes Could Cripple the U.S. Economy Back

By Kathryn Miles | 09/14/2017 05:03 AM EDT

When Hurricane Harvey made landfall in Texas, U.S. oil refining plummeted to record lows. Now, two weeks later, six key refineries remain shut down and an additional 11 are either struggling to come back on line or operating at a significantly reduced rate. That slowdown, coupled with predictions of decreased demand in the wake of Irma and the devastating

earthquake that struck Mexico last week, has shifted oil pressures in other places, too. And none may be quite as vulnerable as the tank farms in Cushing, Oklahoma.

Dubbed the "Pipeline Crossroads of the World," Cushing is the nexus of 14 major pipelines, including Keystone, which alone has the potential to transport as much as 600,000 barrels of oil a day. The small Oklahoma town is also home to the world's largest store of oil which sits in hundreds of enormous tanks there. Prior to this recent spate of natural disasters, Cushing oil levels were already high. They've increased nearly a million barrels to nearly 60 million barrels in the two weeks since.

This concentration of oil, about 15 percent of U.S. demand, is one reason the Department of Homeland Security has designated Cushing "critical infrastructure," which it defines as assets that, "whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof."

The biggest potential cause of that incapacitation? According to Homeland Security, it's not terrorism or mechanical malfunction. It's natural disaster. And here's the problem: When most of the Cushing tanks there were constructed, the most logical cause of any such disaster seemed like a catastrophic tornado. No one anticipated swarms of earthquakes. But that's what began occurring about five years ago, when wastewater injection and other fracking-related activities changed the seismic face of Oklahoma in dramatic fashion. Two hours before that deadly quake in Mexico, for instance, a magnitude 4.3 temblor shook Central Oklahoma, knocking out power for thousands. The earthquake, which had an epicenter just 100 miles northwest of Cushing, was the 186th quake in Oklahoma to register a magnitude 3.0 or higher.

This man-made seismicity has changed the landscape of Oklahoma significantly, from a state with one of the lowest seismic rates in the country to the most seismically active in the lower 48, says Ken Erdmann is Senior Vice President at Matrix Engineering, the firm that designs, fabricates, and builds many of the tanks in places like Cushing. "It's not natural. It's not Mother-nature based."

That's a problem, he says because the statistical analysis used to establish safe environmental loads is based on historical intervals—both the average and maximums of events like snowfall or wind or seismic activity.

"When those levels become man-made induced numbers," says Erdmann, "statistics are no longer really relevant."

But while the number of earthquakes and their intensity has increased in recent years, the strength of the regulatory apparatus in place to ensure their safety hasn't kept pace. Oversight of the tanks has been left to a tiny agency buried inside the Department of Transportation that was never intended to serve this role. And the safety standards, which one earthquake expert calls the weakest permissible, were created by an industry trade group rather than the government agency. For those inclined to contemplate worst-case scenarios the prospect of an earthquake rupturing the Cushing tanks would be an environmental catastrophe far greater than the Exxon Valdez.

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When most of these tanks were constructed, seismic activity in Oklahoma was negligible. In 2011, the state experienced a 5.6 quake. Last year, they had a 5.8—the same magnitude as the quake that rocked Washington and much of the eastern seaboard six years ago. That Oklahoma event toppled the exteriors of historic buildings and prompted the Pawnee nation to declare a state of emergency. Seismologists at the United States Geological Survey say the area around Cushing is capable of an even stronger quake—maybe even a 7.0. Earthquake magnitude is measured exponentially, which means that a 7.0 quake would be 15 times larger than the biggest one to hit Oklahoma so far. And it would release over 60 times as much energy.

What would it do to the Cushing tanks? I posed that question to each of the five largest oil companies there.

Michael Barnes, senior manager of U.S. Operations and Project Communications at Enbridge, which is holds nearly half the oil at Cushing, says it's the company's policy not to comment on speculative questions such as mine "because by their very nature they are hypothetical." What he would say is that the company regularly participates in safety drills, workshops and other activities. That includes protocols preparing for seismic activity.

"In the event of an earthquake, procedures are in place to respond quickly and confirm Enbridge tanks and other facilities were not impacted and can continue to operate safely," says Barnes. "This includes dispatching technicians and other experts to perform visual inspections and check instrumentation on tanks, pipes, motors and pumps."

I received a similar response from the other energy companies with major Cushing holdings: that they have procedures and protocols for natural disasters, but that they would not comment on the specific designs of their tanks, nor how those tanks would fare in a major earthquake.

Getting an answer out of the government can be just as frustrating. A big part of the problem is the Byzantine system of governmental agencies regulating these tank farms. This oversight varies from state to state. In Oklahoma, most energy concerns are controlled by the Oklahoma Corporation Commission (OCC). But, says their spokesperson Matt Skinner, the OCC only regulates intrastate pipelines and tanks.

"If any part of that oil leaves the state or comes from elsewhere," says Skinner, "it becomes totally outside of our jurisdiction."

Determining that jurisdiction is no easy matter. The EPA regulates "non-transportation-related oil storage tanks," but that excludes farms like Cushing, which are tied to pipelines. The person I talked to there couldn't tell me who regulates Cushing, nor could the spokesperson for the Department of Energy, which oversees our country's petroleum reserve sites. The Department of Transportation regulates oil and gas pipelines, unless they cross federal lands, in which case they are the purview of the Bureau of Land Management, or if they are operated by the military. Gas and oil produced on the outer continental shelf falls under the Department of the Interior, which

works in concert with the Department of Transportation to regulate its movement.

I called those offices as well, asking if they knew what agency regulated tanks like the ones at Cushing. No one I spoke to knew—including at the public affairs office of the Department of Transportation. As it turns out, a tiny office in the DOT known as the Pipeline and Hazardous Materials Safety Administration (PHMSA) regulates the tanks. Established by President George W. Bush in 2004, PHMSA was intended to increase security around the transportation of hazardous fluids like gas and oil. As such, it was never really meant to govern stationary storage. I asked their spokesperson what seismic regulations were in place for tank farms like Cushing. He referred me to Appendix C of the Pipeline Safety Regulations. And it is true that there are seismic considerations there: provisions regarding safety reporting, any "unintended" or "abnormal" movement of a pipeline, or reduced capacity of a pipeline because of seismic activity. But none of these considerations mentions storage tanks per se. I asked that same spokesperson to direct me towards the language relating to tanks. He has yet to respond.

None of this surprises the OCC's Matt Skinner. "I've gone through the standards a bunch of times," he says. "I haven't found any relating to tanks and seismic activity."

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If the government isn't explicitly regulating the ability of the tanks to withstand an earthquake, then who is? Turns out that what standards do exist are created by the American Petroleum Institute, a national trade organization representing the oil and gas industry. And the standards are not overly rigorous, say seismologists.

Tom Heaton, professor of Geophysics and Director of the Earthquake Engineering Research Laboratory at Caltech says most, if not all, of the tanks in Cushing are built to the weakest industry design standards. He thinks even a moderate quake could be enough to violently push the oil from one side of the tank to another. In geological terms, the phenomenon is known as a seiche: an internal wave or oscillation of a body of water. The more oil is in a tank, the more dangerous that seiche becomes.

That makes tank farms like Cushing particularly vulnerable in the face of other natural disasters like Harvey and Irma as oil and pipeline companies engage in a kind of shell game for oil storage—full tanks do better in high wind conditions like hurricanes and tornadoes; they fare far worse in earthquakes.

And certainly there is precedent for the kind of damage Heaton predicts. In the years after the 1994 Northridge earthquake in California, the National Institute of Standards and Technology (NIST), found evidence of seismically-induced oil tank damage going back as far as the 1930s and as recently as the 1994 quake, some of which was catastrophic.

But Ken Erdman is circumspect about just how much damage a major quake might wreak on the Cushing tank farms. In addition to his role at Matrix, Erdmann also heads up the API committee that creates standards for the tanks. He says it's true that ones in Cushing weren't built for moderate or severe quakes, and that the shaking caused by one would almost certainly be

"beyond allowable limits" for the API standards utilized at the Oklahoma farms. Probably, he says, you'd see buckling and deformation of the tanks rather than full failure.

The real problem, he says, would be the pipelines themselves, says Ron Ripple, Mervin Bovaird Professor of Energy Business and Finance at the University of Tulsa. Ripple estimates that an earthquake or other disaster would have to knock out half those tanks to have a real impact on the market. Of bigger concern to him are the pipelines, which control a larger volume of oil. He points to the October 2016 explosion of the Colonial Pipeline in rural Alabama as a corollary. The resulting fire kept crews from repairing the pipeline proper for six days. During that time, oil commodity prices jumped 60 percent—the highest spike in nearly a decade. Exporters clamored to find work-arounds, including tankers capable of moving the oil by sea. As a consequence, freight cargo rates increased by nearly 40 percent. Meanwhile, motorists in southern states rushed the pumps, elevating prices there, too—forcing the governor of Georgia to issue an executive order warning about price gouging.

It wouldn't be unreasonable, says Ripple, to see a similar scenario were the Cushing pipelines to go down. The Colonial Pipeline moves about 100 million gallons of oil and gasoline a day—about the equivalent of the Seaway Pipeline, just one of the more than dozen that converge on this town. That pipeline was also shut down in late 2016, after authorities in Cushing noticed a spill. The effect of that shutdown had the opposite effect, pushing the price of US oil below $50 a barrel, as international traders worried they wouldn't get their deliveries.

"Prices move through the markets fairly quickly," says Ripple. "We tend to see opportunistic changes in prices right after an event. Some of those look like a pretty close cause-and-effect relationship between supply and demand. Other times, you'll see impacts that leave us all scratching our heads. In the end, you just don't know how the market and consumers will react."

Johnson Bridgwater, director of the Oklahoma Chapter of the Sierra Club, says he's mindful of the economic effects of such a spill, but it's the impact on the landscape and the people who occupy it that most concerns him. Imagine, says Bridgwater, if Ripple's scenario of losing half the tanks came to fruition.

"That's fifty million barrels," he says. "We'd be looking at our own on-land *Exxon Valdez*."

Worse, actually. The *Valdez* was carrying just over a million barrels of oil. A quarter of that spilled. And light crude, the kind of oil stored in Cushing, poses particular challenges to an environment, often killing animals or plants on contact and emitting dangerous fumes that can kill both human and animal residents.

"This would not be a simple cleanup," says Bridgwater. "You'd have an uninhabitable community for a long time."

That shouldn't be acceptable to anyone, says U.S. Representative Bobby Rush, the Chicago area Democrat who serves as the ranking member on the Committee on Commerce and Energy's Subcommittee on Energy.

"Over the past five years or so Oklahoma has become more active as an earthquake zone. PHMSA must account for these changing circumstances and implement appropriate regulations that apply to tank farms located in these more sensitive areas to make them more sturdy and secure. The fact of the matter is that we must ensure that these tanks, which hold vast amounts of oil, are designed to withstand seismic activity in order to protect both the public safety and the local, state, and national economies that rely heavily on this resource."

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Court ruling leaves HFC future in hands of EPA, Congress Back

By Eric Wolff | 08/09/2017 05:09 PM EDT

The effort to get the U.S. to comply with a treaty eliminating a heat-trapping chemical now faces a grueling path after a major courtroom setback this week — and it may depend on EPA using its power to regulate chemicals.

The D.C. Circuit Court's ruling Tuesday forced EPA to abandon its plan to use the Clean Air Act to limit use of hydrofluorocarbons, a refrigerant that would be phased down under recent changes to the Montreal Protocol. Proponents of the effort, including environmentalists and the air conditioning industry, will now need the Senate to approve the treaty and Congress to pass a new law authorizing EPA to implement it, or they will have to persuade EPA Administrator Scott Pruitt to act — no small feat considering the EPA chief's disdain for both climate change initiatives and regulations.

The changes to the Montreal Protocol agreed to in Kigali, Rwanda, last year would curtail global use of HFCs, a move that scientists say could prevent up to 0.5 degrees Celsius — 0.9 degrees Fahrenheit — of warming by the end of the century. U.S. industry groups have supported the Kigali agreement and had backed EPA's plan to implement it under the Clean Air Act's Section 612. That section, put in place nearly 30 years ago as authorizing language to implement the initial Montreal Protocol, established a market mechanism that was designed to reduce ozone-damaging chemicals.

But the court's rejection of using Section 612 may require new legal authority to empower EPA to act if the U.S. eventually ratifies the Kigali amendment.

"You'll have a treaty and have Congress look at it and pass implementing legislation," said Stephen Yurek, CEO of the Air Conditioning, Heating, and Refrigeration Institute, whose members are the world's biggest makers of HFCs — and will produce most of the next generation chemicals.

In its ruling, the D.C. court suggested a slew of laws EPA could use to regulate HFCs: The Toxic Substances Control Act, the National Ambient Air Quality Standards, regulating as a hazardous

air pollutant, and regulating HFCs in cars and trucks. But several lawyers said TSCA was the only credible alternative.

"There's a lot of authority under TSCA to regulate chemicals and chemical uses," said Jane Montgomery, a partner with Schiff Hardin who works with power companies. "It's not as straightforward as what they intended to under 612, but there's an environmental harm portion of TSCA. ... For managing the sale and manufacturing and use, TSCA is the most appropriate statute we have."

Yurek said AHRI was still reviewing TSCA as an option, but he feared that it would be a blunt instrument, requiring EPA to issue a rule that immediately limited or banned HFCs, in contrast to the phase-down approach created under Section 612 of the Clean Air Act.

"I'm concerned that it's much more of a command-and-control-type regime, you have different categories, and potentially banning," he said.

Under the TSCA update Congress passed last year, EPA must assess HFCs before regulating them, and then issue a rule, a process that could take about five years, legal experts said. The agency would ultimately have the authority to limit or even prohibit them, Montgomery said. And in its ruling, the D.C. Circuit upheld several of EPA's tools used to assess the global warming impact of HFCs, bolstering the case for a potential TSCA rule.

AHRI and environmental attorneys largely dismissed the court's other suggestions for EPA to comply with the Kigali goals. The NAAQS program focuses on just six pollutants, none of which are HFCs, they said. Congress similarly created a fixed list of pollutants under the hazardous air pollutants rules, limiting that program's broader application, attorneys said. And refrigerants used in car and truck air conditioners make up only a small part of the refrigerants market.

"These authorities are even less congruent with the authority the EPA invoked in this rulemaking to regulate ozone-depleting chemicals and their substitutes down the road," said Brendan Collins, a partner with law firm Ballard Spahr who represents power companies and oil and gas companies.

EPA says it is still reviewing the court decision, but it's not clear whether Pruitt would advance another rule to govern HFCs, even though it is backed by business interests. Proponents of the Kigali treaty could draw a skeptical reception from the Trump administration, which has been dismissive of both multi-party treaties and climate science — though the administration did defend the rule in court in February. The White House would need to submit the treaty amendment to the Senate for ratification.

Kigali advocates have long aimed to keep a low profile and quietly persuade staffers to support the effort as the administration got up to speed. AHRI is now trying to determine whether the court decision will require a change in its strategy, or if it can apply the same pro-U.S. business approach to the more conservative House.

"We have to decide [if] we do a more public push or keep the schedule," Yurek said. "Right now, the plan is that we continue to wait until the end of this year, and continue to educate both House and Senate."

Green groups who back the ban on HFCs may try a more direct route by appealing to the D.C. Circuit for en banc review. There are seven D.C. Circuit judges appointed by Democrats, versus four appointed by Republicans, potentially giving the appeal an edge — though that advantage flips at the Supreme Court, should the case go that far.

"We are exploring the options," said David Doniger, director of climate programs for the Natural Resources Defense Council. "Including rehearing based on the dissent."

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Subject: POLITICO's Morning Transportation, presented by the Association of American Railroads: A 'hair-raising' TSA investigation — Crackdown on Cuba travel — Transpo highlights from Election 2017

By Tanya Snyder and Stephanie Beasley | 11/09/2017 10:00 AM EDT

With help from Brianna Gurciullo

'DISTURBING': Following a DHS inspector general briefing on baggage screening vulnerabilities, House Homeland Security Committee Chairman Michael McCaul (R-Texas) said TSA needs to get new computed tomography screening machines in all U.S. airports - ASAP, Stephanie Beasley writes . McCaul, who called the briefing "disturbing," urged committee members to keep details from the IG report classified but said it included a total of eight recommendations that he hoped TSA would quickly adopt. (TSA later agreed with the recommendations said it's "committed to aggressively implementing" them.)

Thompson: Almost doesn't count: Top committee Democrat Bennie Thompson (Miss.) told POLITICO that he found the IG report "hair-raising" and that it did not appear TSA screenings had improved greatly since a 2015 IG audit showing screeners failed 95 percent of covert tests. Thompson said the IG's findings re-energized his desire to stop the diversion of more than $1 billion annually in TSA security fees for deficit reduction. However, he acknowledged his previous attempts to move a proposal through the House tanked due to a lack of GOP support.

On the sunny side of the street: TSA Administrator David Pekoske told reporters after the hearing that TSA would focus on providing additional workforce training and developing a host of new technologies, including CT scanners, biometrics and automated screening lanes.

IT'S THURSDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Tanya steering the ship this week. Send your tips, complaints and fashion advice to tsnyder@politico.com or @TSnyderDC.

"It was out at the crossroads down round Willow bank / Seen a Buick with Ohio plates behind the wheel was Frank / Well I chased him through them county roads till a sign said Canadian border 5 miles from here / I pulled over the side of the highway and watched his taillights disappear."

GET LISTENING: Follow MT's playlist on Spotify. What better way to start your day than with songs (picked by us and readers) that are all about flying, driving, commuting and sailing?

[GUIDE TO TAX REFORM] Easily understand and explain tax reform. Tax reform is complicated, to say the least. Download POLITICO Pro's Guide to Tax Reform and become an expert. Includes six tax-related infographics. GET YOUR GUIDE TO TAX REFORM.

YOU KAN DO IT: The Senate is expected to hold a procedural vote midday today on Derek Kan's nomination to be DOT undersecretary for policy, with a confirmation vote likely to follow

Monday evening. Kan is a former aide to Senate Majority Leader Mitch McConnell. He has been serving as an adviser at DOT since June, when he left his job as the general manager of Lyft. Kan also previously served on Amtrak's board of directors.

BRING 'EM OUT: New rules for Americans traveling to Cuba go into effect today. The highlights: No more "people-to-people" travel except through an organization (with a representative present). The administration put new limitations on some types of educational travel and travel in "support for the Cuban people." The Miami Herald has a thorough breakdown here. Both Airlines for America and Cruise Lines International Association told MT that they and their members are digesting the new regs.

HE SAID, SHE SAID: Republicans in both chambers, amid loud rhetoric about the inadequacy of the Cuban security regime, have been pushing legislation that, among other things, would require TSA to audit all 10 Cuban airports operating flights to the United States. But here's the thing: TSA says it's already doing that. TSA inspectors have visited Cuba several times since regularly scheduled U.S.-Cuba flights resumed last year. New York Republican John Katko, who sponsored the House version of the bill (H.R. 3328 (115)) and was part of a House delegation denied visas to visit Cuba last year to inspect their security, responded to TSA's report: "My thoughts are, it's not enough," he said. Pros get all the details here.

BALLOT DANCE: Tuesday wasn't just a good night for Democrats - it was a good night for transportation ballot measures. Seven were approved with just one being rejected by voters. In Denver, a $431 million general obligation bond for surface transportation was approved 73 percent to 27 percent. Athens-Clarke County, Ga., approved a new one-cent sales and use tax and $95 million bond issuance for transportation, 74 percent to 26 percent. Only Allen County, Ohio, went against the grain, turning down a .025 percent sales and use tax for the Regional Transit Authority. (h/t Jeff Davis , Eno Transportation Weekly)

LOBIONDO-N'T KNOW: Rep. Frank LoBiondo will retire in 2019, but he can't say what he'll do after his last day in Congress. "I have no idea. Have not talked to anybody. Have not looked at anything," he told Brianna on Wednesday. The New Jersey Republican said he arrived at the decision to retire "very quickly."

** **A message from Association of American Railroads**: Moving 54 tons of goods annually for every American takes a lot of muscle, and a lot teamwork. See how intermodal has turned trucks and trains from competitors into collaborators while delivering for U.S. industry and consumers. http://bit.ly/2itLz6q **

PARTY LINES: Raymond Martinez got the nod from the Senate Commerce Committee Wednesday to lead FMCSA - but that was the easy part. Bruce Landsberg's nomination for NTSB's board and former Rep. Leon "Lynn" Westmoreland's nomination to the Amtrak board of directors were done by voice vote, though most Democrats were on record opposing one or both. Diana Furchtgott-Roth, nominee to lead research and technology at DOT, moved forward 14-13 split along party lines - no surprise considering the beating she took from Dems at her nomination hearing.

RPC ON ATC: The Senate Republican Policy Committee Wednesday sent out a primer for members on the House's proposal to separate air traffic control from the FAA. Called "NextGen Delayed, Just Like Your Plane," the policy paper focuses on delays in rolling out the FAA's NextGen program and other arguments that the FAA isn't right for the job. The paper also notes the concerns of general aviation, small airports and Captain "Sully" Sullenberger, and says that a move to spin off the FAA's air traffic control functions would "almost definitely" be met with a constitutional challenge.

Curious: Senate Republicans - especially those on the Commerce Committee, which has jurisdiction over aviation -- have been distinctly uninterested in taking up any large-scale air traffic control overhaul. So the policy paper's bent in favor of the plan is curious, as is the timing, since debate over the bill (H.R. 2997 (115)) went dormant after Congress passed a six-month FAA extension in late September. A Senate Republican source says the document is meant to give members an overview of the issue, in case they're asked about it by constituents or industry - not to sway members one way or another.

STICK TO THE RULES: Fifty-one Democrats (and Dem-leaning Independents), led by Sen. Ben Cardin (D-Md.) and Rep. Earl Blumenauer (D-Ore.), sent a letter Wednesday to DOT Secretary Elaine Chao, expressing their dismay at DOT's proposed rule repealing the greenhouse gas emissions rule, which allows state and local transportation agencies to track vehicle emissions on the National Highway System and set goals for reducing them. The lawmakers note in the letter that the transportation sector is responsible for nearly 30 percent of U.S. emissions.

ATRI-ED AND TRUE METHOD: The American Transportation Research Institute released its recommendations for funding the nation's transportation infrastructure: namely, a gas tax increase, which they call "the only meaningful mechanism" for realizing Trump's $1 trillion infrastructure dream. They say mileage-based user fees and tolling won't cut it, but do support a new federal vehicle registration fee "to fill funding gaps associated with electric vehicle use."

SAFE AND SOUND: Securing America's Future Energy (SAFE) has some ideas for making trucking more fuel-efficient, starting with performance-based standards for commercial vehicles. In the interim, they want Congress to authorize the use of twin 33-foot trailers - a controversial issue. Read the rest here.

MT MAILBAG: The National Governors' Association and a host of other state and local groups sent a letter to Senate Commerce Committee leaders expressing their "deep appreciation" for the approach they took in their self-driving car bill (S. 1885 (115)) to balancing state and federal responsibilities.

THE AUTOBAHN:

- "Uber in deal with NASA to build flying taxi air control software." Reuters.

- Via launch on-demand public transit system as alternative to bus service in two U.S. cities. Via.

- "Construction Industry Pushes Back Against GOP Tax Reform Provisions." For Construction

Pros.

- "The future of in-flight entertainment may include gyms." The New York Post.

- "House panel declines to restore infrastructure financing tool in GOP tax bill." The Hill.

- "Federal drone advisory panel knocked for 'lack of transparency and poor management.'" The Washington Post.

- "A self-driving shuttle in Las Vegas got into an accident on its first day of service." The Verge.

THE COUNTDOWN: DOT appropriations run out in 30 days. The FAA reauthorization expires in 143 days. Highway and transit policy is up for renewal in 1,057 days.

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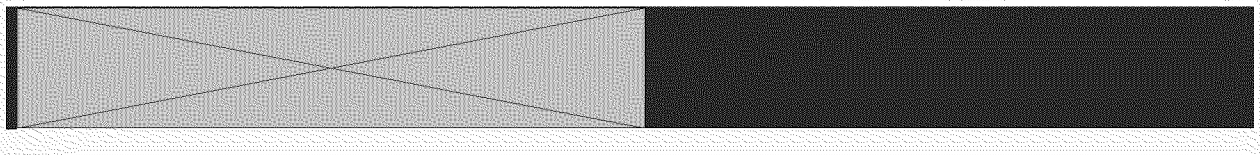
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Powerful chairman of federal workforce committee leaves Congress on Friday

By Joe Davidson

Rep. Jason Chaffetz (R-Utah) waves after addressing the Utah GOP Convention in Sandy, Utah, on May 20. (Rick Bowmer/AP)

Rep. Jason Chaffetz (R-Utah), chairman of the House Oversight and Government Reform Committee, will leave a legacy when he quits Congress at 10 a.m. Friday, but we might not have his mug to remind us.

If incoming Chairman Trey Gowdy (R-S.C.) does as Chaffetz did, portraits of past chairmen will not decorate the committee's hearing room. Chaffetz ended that long-standing practice, also followed by other committees, when he took over one of the most powerful panels in 2015, opting for photos of everyday Americans instead.

"Now that Trey Gowdy is the chairman, my guess is they're going to put up a mirror," Chaffetz said with a hearty laugh.

Chaffetz will leave the everyday Americans who are federal employees a legacy that includes a deliberate policy against bashing feds, as had been more common before he took the chair. Yet he promoted a punitive tax measure and other proposals that implicitly did just that. During an interview, he praised cooperation with the ranking Democrat on his committee, expressed frustration with his House Republican leadership and offered a conspiratorial concern about feds in the "deep state." Chaffetz has mixed views on President Trump and was "pleasantly surprised that he is inquisitive and personally engaged" on topics including the federal workforce and U.S. Postal Service reforms.

I spoke with Chaffetz in his spacious Rayburn building office Monday as he prepared for his return to private life, which might be temporary. In addition

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to the boxes stacked along the wall, it's noticeable what's missing — a big wooden desk, a common Capitol Hill status symbol.

Instead, a circle of black leather chairs dominates the office, facilitating group discussions. A small table along the side is his workspace. He's forged a strong working relationship with top committee Democrat Rep. Elijah E. Cummings (Md.), a passionate defender of the federal workforce, despite their heated differences on some employee issues.

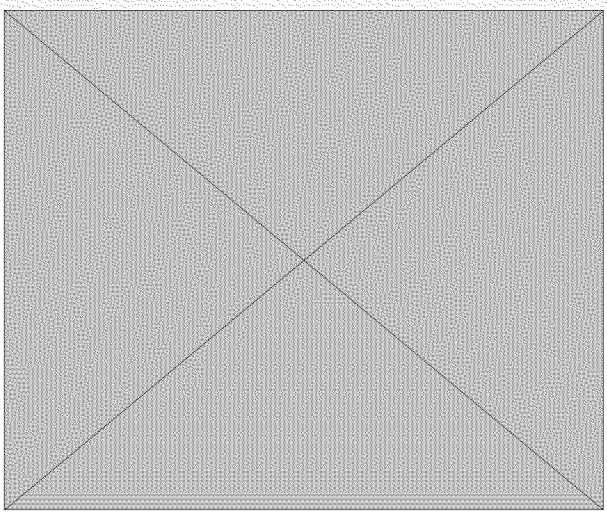
For example, Cummings has fought Chaffetz's repeated attempts to disqualify serious tax delinquents from federal employment, meaning some could be fired. While Chaffetz regularly praises employees, his legislation is a gratuitous swipe at a workforce that statistics show is more diligent at paying taxes than the general population.

Chaffetz, elected to a fifth term in November, recalled his accomplishments, disappointments and views on various topics during the interview.

Secret Service: One of his proudest accomplishments was his work to improve the Secret Service after a series of embarrassing lapses damaged the agency's reputation. "I really think it was probably one of the most effective things we did," Chaffetz said. "I really think we made some major changes in the agency."

Postal reform: After many years of trying, the committee under Chaffetz approved legislation to stabilize faltering Postal Service finances. The bipartisan bill was supported by postal management, unions and industry mailers. This major accomplishment, however, turned to frustration when the Republican leadership did not schedule the bill for a House vote.

That leaves him the "most frustrated and just flat-out disappointed … I'm fairly critical of my own leadership because I see no good reason not to move it. It saves money, it's bipartisan and it's desperately needed … I'm dumbfounded as to why it hasn't been brought up."



Asked why, the offices of House Speaker Paul D. Ryan (R-Wis.) and Republican Majority Leader Kevin McCarthy (Calif.) had no comment.

Civil service reform: At a signing ceremony for a Department of Veterans Affairs employee accountability bill Friday, Trump said federal civil service protections are based on "outdated laws." Chaffetz agrees.

"There needs to be a swifter way to get rid of the bad apples," he said. "There are certain protections that need to be maintained. … Employees ought to have an opportunity to make their case. … When somebody's doing something truly horrific, we got to get rid of them."

Federal unions: "I'm frustrated the unions weren't more willing participants in trying to find that balance to get rid of the truly bad apples. … I wish they had the same vision I have … I wish they could see that one bad apple would truly infect a thousand. I wish they were more concerned about protecting the mass of federal employees by getting rid of the one who is causing all the disruption. … They seem to protect every employee no matter what, and that hurts the whole."

Randy Erwin, president of the National Federation of Federal Employees, strongly disagreed. "Our interest is in preserving due process so that good employees have the protections they need to do their jobs on behalf of the American people without fear of unfair or politically motivated reprisal," he said. "Those protections are essential to the functioning of our democracy. Our union has no interest in rigging the system to insulate genuine problem employees from the possibility of removal. Nobody benefits from that. … It is safe to say that we do not share Representative Chaffetz's vision for the

Deferred resignations: Early outs and buyouts

Federal compensation: On Trump's proposed cuts to federal employee retirement, Chaffetz said that "there needs to be a more comprehensive approach." He favors a defined contribution system instead of the defined benefit that provides federal pensions. In practice, that would result in workers paying more out of pocket toward retirement.

Chaffetz would like to see higher pay for some feds in critical positions, such as information technology. The IT workforce shortage, he said, is "the biggest personnel challenge that we face."

Deep state: Chaffetz blames a poorly defined "deep state" group mentality in the government — "no one specific individual" — with thwarting the work of Congress. "I don't think it's a mystery that by and large the federal workforce leans more to the left than they do to the conservative end of the political spectrum. I think there are a lot of things done to embarrass Donald Trump. There are a lot of things done to protect President Obama."

Of course, Trump does a lot of things to embarrass himself and the nation.

Will Chaffetz again seek public office? "I'm a definite maybe."

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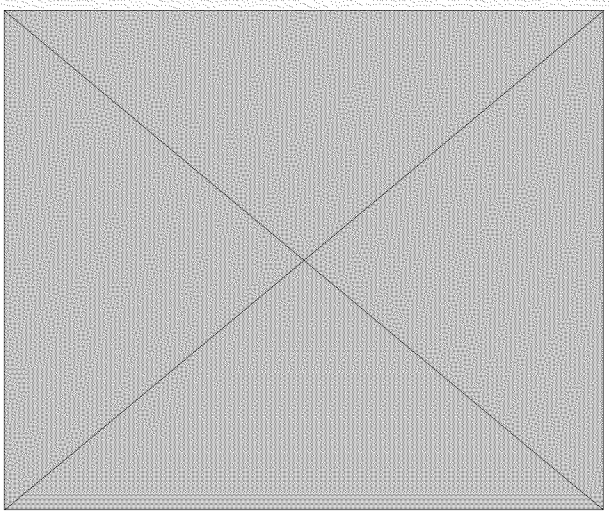
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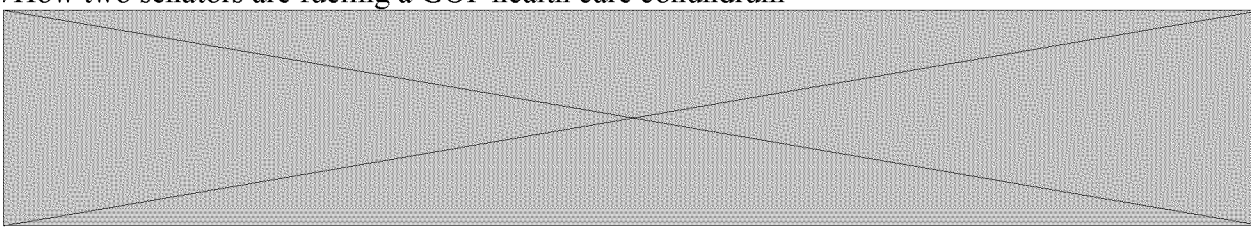
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How two senators are fueling a GOP health care conundrum

James C. Capretta | National Review

Republican senators Ted Cruz (R-TX) and Mike Lee (R-UT) are pushing for an amendment to the Senate GOP's Better Care Reconciliation Act, which would substantially alter the current landscape of health-insurance regulation. These senators' strong commitment to this amendment, and the insistence on its inclusion in the Senate bill by conservative groups, reveals a broad misunderstanding among conservatives of what is wrong with health care and what is needed to build a market-driven system.

Reuters

Where executive power and national monuments meet

John Yoo and Todd Gaziano | Los Angeles Times

Suppose President Trump declared much of California, Nevada, and Oregon — states that just happened to vote against him — off-limits to economic development and recreational use. According to some environmentalists and legal scholars, we would have to live with this result. They believe a president can permanently designate federal land as a monument and restrict its uses. But a presidential power to create permanent national monuments flies in the face of the plain text of federal law.

Reuters

Why the outrage over Trump's Warsaw speech is inane

Marc A. Thiessen | AEIdeas

Donald Trump's speech in Warsaw's Krasinski Square was the best of his presidency. If you took Trump's name off of the speech transcript and read it without knowing which American president had delivered these words, almost any objective observer would say it was a magnificent statement of American values. We need more of this from Donald Trump, not less.

Twenty20

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Andrew G. Biggs | Forbes

Who's better prepared for retirement: a $12,000

worker who saves nothing on top of Social Security or a $100,000 worker who maxes out his 401(k)? The answer may surprise you. You can't know how well Americans are preparing for retirement simply by looking at whether they participate in a 401(k) or how much they contribute due to the mechanics of Social Security.

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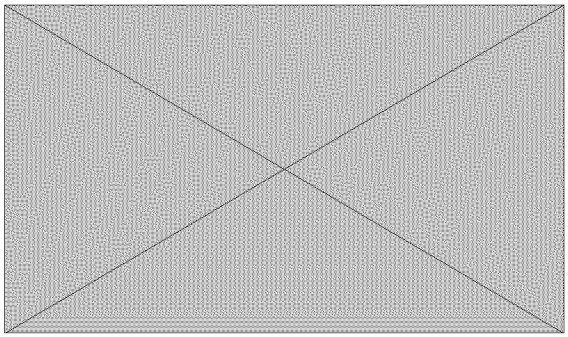
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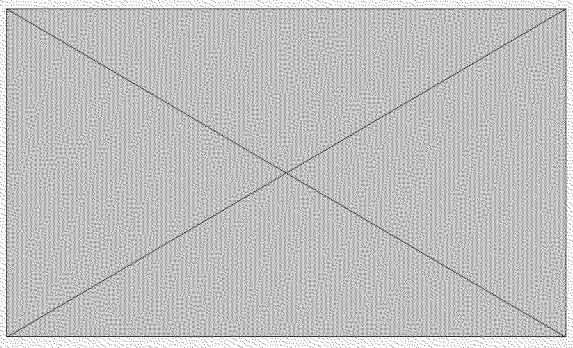


Reuters

5 reasons not to tax college endowments

Michael R. Strain | Bloomberg View

The late Daniel Patrick Moynihan's prescription for building a world-class city? "Build a great university and wait 200 years." Moynihan understood that fruit grows when a few square blocks are seeded with producers and consumers of knowledge. Republicans seem not to share Moynihan's understanding. Their tax proposal would subject private universities with endowments of more than $250,000 per full-time student to a 1.4 percent excise tax.

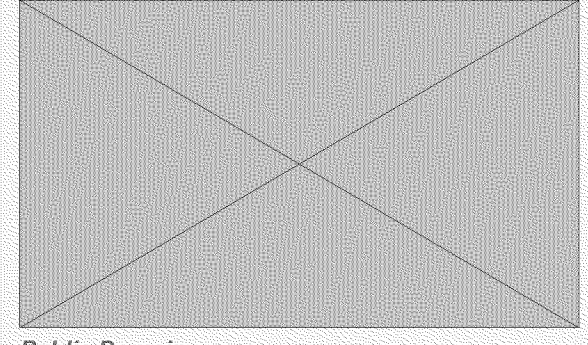


Reuters

Net neutrality comes full circle

Bret Swanson | AEIdeas

Last week, Sen. Al Franken (D-MN) fulfilled a prophecy of net neutrality critics. Be careful what you wish for, many of us warned, when much of Silicon Valley urged regulation of internet service providers. It would be technically, legally, and politically infeasible to regulate just one slice of the internet. Right from the start, one of net neutrality's big conceptual problems was that it was not, in fact, neutral.



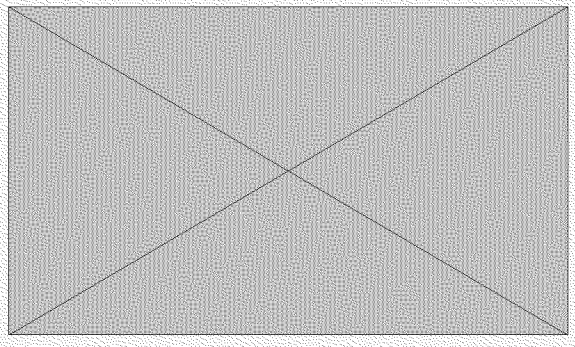
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America's net

neutrality boomerang comes full circle

Dalibor Rohac | The American Interest

In 1964, Barry Goldwater addressed the Republican National Convention with a famous speech that argued "extremism in defense of liberty [was] no vice" and "moderation in pursuit of justice [was] no virtue." Few understood him as predicting the future of right-wing politics across the English-speaking world. Yet that speech foreboded perfectly the revolutionary zeal that has since spread through conservatism on both sides of the Atlantic.



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Gerard Robinson and Stan Veuger | AEI

Prisoner rehabilitation is one of the most contested criminal justice issues today. Are our prisons designed for corporal punishment, human improvement, or both? Efforts to rehabilitate prisoners have thus taken a front seat in criminal justice reform debates. Watch as AEI convenes a group of experts, advocates, and returned citizens to discuss the promise, history, and future of prison education and reentry programs.

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Grant Duwe | AEI

Iran questions the nuclear deal as North Korea defies the West
Michael Rubin | Foreign Military Studies Office

Watch live today: Reps. Kevin Yoder (R-KS) and Stephanie Murphy (D-FL) on taxes and child care
Angela Rachidi, Katharine B. Stevens, and Alan D. Viard | AEI event today at 3:00 PM ET

The president's trade policy is a stunning example of economic self-harm
James Pethokoukis | AEIdeas

Report: New Jersey's distinctive approach to career education
Andy Smarick | AEI

The US should welcome PESCO and encourage Europe to do more
Dalibor Rohac | AEIdeas

Podcast: Leah Belsky on Coursera and massive open online courses
Andy Smarick and John P. Bailey | AEI 'New Skills Marketplace' podcast

TPP-11 lives, and that's a very good thing
Claude Barfield | AEIdeas

Watch live this morning: Improving career education by reforming high schools and community colleges

Nat Malkus and Andy Smarick | AEI event today at 9:00 AM ET

Around the web: Is it time for Republicans to panic about 2018?

Matt Winesett | AEIdeas

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From: Bloomberg BNA
Sent: Fri 5/26/2017 11:11:22 PM
Subject: [SPAM] May 26 -- Energy and Climate Report



Energy and Climate Report

May 26, 2017 - Number 101

News

Energy
IRS Sets Tax Credit Values for Captured CO2
The 2017 tax credit for carbon dioxide captured and sequestered in secure geological storage is $22.48, the Internal Revenue Service said.

Energy
Release—Finally—of Appliance Efficiency Standards Applauded
Energy efficiency advocates and industry groups are breathing a sigh of relief after the Trump administration lifted a temporary hold on appliance standards for ceiling fans, pool pumps, air conditioners and refrigeration products.

Enforcement
Bosch Tied to Diesel-Cheating Claims Against Fourth Carmaker
Robert Bosch GmbH, the world's largest auto-parts supplier, was linked to emissions-cheating allegations against a fourth automaker on May 25, raising questions about the German company's role in the scandal gripping the car industry.

Environmental Justice
Exxon Refinery Neighbor Group Scoffs at Texas-EPA Agreement
Environmental groups say a settlement between the Texas state environmental regulator and the EPA over a potential civil rights violation in permitting of an Exxon Mobil Corp. refinery is too little, too late.

General Policy
Week Ahead: Lawmakers May Get Earful on Energy, Environment
Members of Congress holding town hall meetings in their home districts during the week of May 29 are expected to hear about energy and environment concerns as part of the public's reaction to President Donald Trump's new budget proposal.

International Climate
Six to One Against Trump on Climate in 'Honest' Exchange at G-7
German Chancellor Angela Merkel said Donald Trump was isolated on climate change at the Group of Seven, as the president said he's in no rush to decide whether to scrap U.S. involvement in the Paris Agreement.

International Climate
Trump 'Leaning' to Understand Europe View on Climate, Cohn Says
Donald Trump is working to understand the European view on climate change, his chief

economic adviser said, suggesting the U.S. president is sensitive to the diplomatic backlash he'd face in scrapping the Paris Agreement on global warming.

Motor Vehicles

Bipartisan Senate Bill Tweaks Fuel Efficiency Standards

A bipartisan Senate bill meant to standardize the federal government's regulation of fuel efficiency in cars and trucks would effectively loosen the efficiency standards that apply to automakers, allowing them to build and sell larger vehicles, according to environmentalists.

Natural Gas

Florida Pipeline's Legal Battles Persist After Construction

The owners of almost 700 miles of new pipeline into Florida aim to start the flow of natural gas in June—if federal regulators give the go-ahead despite objections and lawsuits from the Sierra Club and others.

Renewable Energy

Energy-Generating Kites Backed by Shell Set for Test in Scotland

Power-generating kites backed by Royal Dutch Shell Plc, Schlumberger Ltd. and EON SE will start tests in the U.K. this summer, with the aim of developing a technology that could eventually replace offshore wind turbines.

Vehicle Fuels

Shell Sees Solution to Energy-System Gaps in 'Hydrogen Grid'

Royal Dutch Shell Plc is looking to build a hydrogen empire in a bid to fix the biggest problem the energy transition faces: the question of how to store power in the long term.

Water Pollution

EPA Seeks Input on Postponing Utility Wastewater Limits

The EPA is moving ahead with its proposal to postpone compliance deadlines for a regulation governing wastewater discharges from steam-generating power plants, giving the power sector and the public 30 days to comment on the plan.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Tue 5/23/2017 5:07:56 PM
Subject: Playbook Power Briefing, presented by the Coalition for Affordable Prescription Drugs (CAPD): BRENNAN says Russia may have recruited Trump campaign aides -- TOM MACARTHUR resigns as Tuesday Group co-chair -- TRUMP talks Middle East peace; lands in Rome

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Today's Playbook Power Briefing presented by the Coalition for Affordable Prescription Drugs (CAPD)
05/23/2017 01:04 PM EDT

By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

Happy Tuesday afternoon.

BULLETIN at 10:36 a.m. -- "WASHINGTON (AP) - Former CIA director says he warned Russia against meddling in the 2016 election in Aug. 4 call to Russia intel chief."

-- "Brennan: Russia may have successfully recruited Trump campaign aides," by Austin Wright: "'I encountered and am aware of information and intelligence that revealed contacts and interactions between Russian officials and U.S. persons involved in the Trump campaign that I was concerned about because of known Russian efforts to suborn such individuals,' he told lawmakers. 'And it raised questions in my mind again whether or not the Russians were able to gain the cooperation of those individuals.'

"By the time he stepped down as CIA director on Jan. 20, he added, 'I had unresolved questions in my mind about whether or not the Russians had been successful in getting U.S. persons, involved in the campaign or not, to work on their behalf, again, either in a witting or unwitting fashion.'" http://politi.co/2rdujJl

BREAKING -- "MacArthur resigns as co-chairman of 'clearly divided' Tuesday Group," by POLITICO New Jersey's Katie Jennings: "Rep. Tom MacArthur resigned Tuesday as co-chairman of the caucus of GOP moderates known as the Tuesday Group in the wake of deep divisions among its members over the House Obamacare replacement bill he helped craft."

"'You can't lead people where they don't want to go,' MacArthur said in an interview with POLITICO New Jersey Tuesday morning. 'I think some people in the group just have a different view of what governing is.' MacArthur announced his resignation as co-chairman moments ago during the group's regular Tuesday meeting in Washington. He said he alerted House Speaker Paul Ryan on Monday." http://politi.co/2rdPLyk

PRESIDENT DONALD TRUMP touched down at around 6:25 p.m. local time at Rome's

Fiumicino Airport, per pooler Mike Memoli of the Los Angeles Times. From Mike: "There was a more toned-down arrival in Rome than in the previous two stops. At 6:38 pm POTUS and FLOTUS emerged from the plane and waved from the top of the stairs before descending and working the line of greeters. FLOTUS has changed clothes since the last stop, ditching her white dress for a black dress with cinched by another wide gold belt, and black heels with red soles. Two ceremonially dressed carabinieri stood a few feet in front of the stairs holding silver swords in front of them. They saluted as POTUS walked by." The motorcade is en route to Rome.

THE LATEST ON MANCHESTER -- "Manchester attacker is Salman Abedi," by POLITICO Europe's Giulia Paravicini: "Salman Abedi, a British man of Libyan origin, carried out Monday's suicide-bomb attack in Manchester, Western European security officials told POLITICO on condition of anonymity. Abedi, who was born in 1994, died at the scene after killing 22 others and injuring more than 50 in the attack on concert-goers at the Manchester Arena, one of the officials said." http://politi.co/2qLtLJp ... ***POLITICO Europe's liveblog*** http://politi.co/2rdTR9C

-- "Isis claims responsibility for suicide bombing that killed at least 22 people," by The Independent's Lizzie Dearden: "The terrorist group released statements in several languages through its central media body praising the atrocity, claiming more than 100 'crusaders' were killed or wounded at the 'shameless' concert. 'With Allah's grace and support, a soldier of the Khilafah [caliphate] managed to place explosive devices in the midst of the gatherings of the crusaders in the British city of Manchester,' said the English version. It suggested the atrocity was not a suicide attack, despite police statements saying the perpetrator died at the scene, and did not name him as a 'martyr.'" http://ind.pn/2rdu2Gu

-- THE AP says U.S. intelligence officials have not confirmed ISIS's involvement in the attack.

-- PRIME MINISTER THERESA MAY'S statement: "All acts of terrorism are cowardly attacks on innocent people, but this attack stands out for its appalling, sickening cowardice -deliberately targeting innocent, defenceless children and young people who should have been enjoying one of the most memorable nights of their lives. ... We struggle to comprehend the warped and twisted mind that sees a room packed with young children not as a scene to cherish, but as an opportunity for carnage. ...

"For as so often, while we experienced the worst of humanity in Manchester last night, we also saw the best. The cowardice of the attacker met the bravery of the emergency services and the people of Manchester. The attempt to divide us met countless acts of kindness that brought people closer together. And in the days ahead, those must be the things we remember." ***Full text*** http://bit.ly/2rd5bTs ... ***Video*** http://bit.ly/2rcWmcm

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** As list prices for brand drugs continue to rise, employers are partnering with PBMs to keep drug costs under control. In fact, every dollar an employer invests in a PBM service

returns six dollars in savings. Learn more at www.affordableprescriptiondrugs.org. ******

THE BUDGET IS HERE ... AND THERE ARE NO SURPRISES -- It is worth rereading Andrew Restuccia, Matt Nussbaum and Sarah Ferris' budget story that we highlighted in this morning's Playbook for the broad strokes of the Trump budget. http://politi.co/2rMUjZA Meanwhile, remember that a budget is a blueprint of spending priorities. This won't become law, and is unlikely to ever get a vote in either chamber. ***The White House's budget rollout site*** http://bit.ly/2rMAhOC

-- WAPO'S ANALYSIS: "How Trump's budget helps the rich at the expense of the poor," by Max Ehrenfreund: "Trump announced a tax overhaul that would reduce or eliminate trillions of dollars in taxes that are paid primarily by the wealthy, including the estate tax and the marginal rate on ordinary income paid by the richest taxpayers. He would lessen spending on Medicaid, the federal program that provides health insurance to the poor, by $1.4 trillion over a decade, and he would allow states to impose strict limits on other major anti-poverty benefits such as food stamps.

"The budget also called for repealing President Obama's health-care reform, which helped cover poor and middle-class households with funds raised in part through greater taxes on the rich. Republicans argue that Obama's emphasis on the differences between rich and poor was misguided, and that policymakers should instead try to improve the fortunes of Americans across the board." http://wapo.st/2rMzU6O

TRUMP TALKS MIDDLE EAST PEACE -- "Trump: Israelis and Palestinians are 'ready to reach for peace'," by Annie Karni in Jerusalem: "In a brief speech at the Israel Museum, President Donald Trump on Tuesday said he feels confident, after two days of meetings, that the Israelis and the Palestinians are eager for a peace deal. 'Palestinians are ready to reach for peace,' Trump proclaimed, after a morning meeting in Bethlehem with Mahmoud Abbas, president of the Palestinian Authority. 'I know you heard it before. I'm telling you, that's what I do, they are ready to reach for peace.' He added that 'my very good friend Benjamin.... Benjamin Netanyahu wants peace.'

"But it is unclear if either side actually shares Trump's confidence. During a meeting in the Oval Office with Trump earlier this month, Abbas -- an 82-year-old leader who is in succession mode and lacks an electoral mandate -- threw his hands up in the air and shrugged when Trump expressed confidence about a renewed peace process. And while introducing Trump on Tuesday, Netanyahu took a dig at Abbas, who would have to be his partner in any peace deal.

"The Israeli prime minister expressed skepticism that Abbas would have condemned the Manchester terrorist attack that killed 22 if it had been perpetrated, instead, by a Palestinian suicide bomber on Israeli victims. More likely, Netanyahu said, that bomber 'would have received a stipend from the Palestinian Authority.' Israeli journalists covering Trump's visit also noted that Netanyahu, an embattled politician who is dependent on his far-right coalition government here, has tried to avoid talking about peace since the 2015 election." http://politi.co/2rOJ5mk

-- THE PRESIDENT'S NOTE in the book of remembrance at Yad Va'shem, Israel's Holocaust memorial, per the Times of Israel's Raoul Wootliff: "It is a great honor to be here with all of my friends -- so amazing & will never forget!" ***See Trump's note*** http://bit.ly/2rdkhs8 ... ***President Obama's note during his 2013 visit*** http://bit.ly/2qcEOJc

-- TRUMP'S NEW COVER PHOTO on Twitter is a picture of him visiting the Western Wall. http://bit.ly/2rdGwhk

FOR YOUR RADAR -- "Burr says new steps coming to get Flynn to comply with subpoena," by Burgess Everett: "The Senate Intelligence Committee will likely take new actions Tuesday to force President Donald Trump's former national security adviser Michael Flynn to comply with a subpoena, Chairman Richard Burr said in an interview.

"The committee served Flynn with a subpoena to compel him to turn over documents regarding his contacts with Russian officials, but Flynn has asserted his right not to incriminate himself. The committee is mulling compelling him to appear before the panel and perhaps subsequently holding Flynn in contempt of Congress, among other options designed to make him produce the documents. Burr, a North Carolina Republican, said he's made a decision on how he'll try to force Flynn to turn over the documents and will likely make it public Tuesday afternoon after discussing it with top committee Democrat Mark Warner of Virginia. The committee will hold a regular meeting on Tuesday afternoon." http://politi.co/2rdFoKI

PROTECTING THE FIRST FAMILY -- "NYPD expects to shell out $42.5M protecting Trump family by end of June," by the N.Y. Daily News' Erin Durkin: "The NYPD expects to shell out $42.5 million by the end of June protecting President Trump, his namesake tower and his family, officials said Monday. Trump's one-day trip back to the city earlier this month, his first since taking office, cost the city $1.2 million, deputy commissioner Vincent Grippo told the City Council at a budget hearing.

"Meanwhile, the city racked up $7.3 million in overtime bills from inauguration day through the end of March protecting Trump Tower, where Melania Trump and son Barron continue to live, even though President Trump has not been back since taking office. That's on top of the $23.8 million spent guarding the tower between Election Day and the inauguration." http://nydn.us/2rdcJ8E

HAPPENING TONIGHT -- The 5th annual Capital Soccer Classic is tonight at RFK Stadium. The embassy tournament starts at 5 p.m., the congressional game at 6:30 p.m. and the staffer tournament at 7:30 p.m. Members of Congress participating: Reps. Don Bacon (R-Neb.), Gus Bilirakis (R-Fla.), Suzanne Bonamici (D-Ore.), Kathy Castor (D-Fla.), Ruben Kihuen (D-Nev.), Steve Knight (R-Calif.), Darin LaHood (R-Ill.), Rick Larsen (D-Wash.), Erik Paulsen (R-Minn.) and David Valadao (R-Calif.). Others attending include Danish ambassador Lars Gert Lose, CNN's Chris Cillizza and Roger Bennett, part of the popular Men in Blazers soccer commentary duo. ***Free tickets***

http://bit.ly/2rMaQwu

REMEMBERING ROGER MOORE -- "Roger Moore - Saint, Persuader and the suavest James Bond - dies aged 89," by The Guardian's Benjamin Lee: "He was the epitome of the suave English gent, quipping sweatlessly in a bespoke three-piece suit, who enjoyed an acting career spanning eight decades. On Tuesday, Roger Moore's children announced his death at the age of 89 in Switzerland, saying: 'he passed away today ... after a short but brave battle with cancer.'" http://bit.ly/2rdhqiH

MEDIAWATCH -- "CNN Taps Politico's Tara Palmeri As Political Analyst," by The Hollywood Reporter's Rebecca Sun: "She also has signed with WME in all areas." http://bit.ly/2rd2Pnh ***Tara's role at CNN is in addition to her work here.***

-- Kate Sullivan starts on June 5th as a news assistant at CNN. She was previously chief of staff at TEDxGeorgetown and communications director for Georgetown's OWN IT Summit. Sullivan graduated from Georgetown this past weekend after spending 14 years abroad with her parents in Tokyo, Mexico and London.

AFTERNOON READ -- "This Secretive Billionaire Makes The Cheese For Pizza Hut, Domino's And Papa John's," by Forbes' Chloe Sorvino: "Two floors above this dairy deluge, in a dark-wood-paneled office with white marble floors, Corinthian columns and gold accents, sits James Leprino, the Willy Wonka of cheese. 'It's hard for me to believe I agreed to this,' the 79-year-old billionaire says. 'I really like to keep my privacy.' ... But after nearly 60 years running the business and more than a decade on Forbes' list of billionaires, Leprino, worth an estimated $3 billion, is finally willing to be interviewed about how his family's grocery in Denver's Little Italy became the world's top producer of pizza cheese--the slightly derisive term competitors use to describe its mozzarella. In all, Leprino Foods sells more than a billion pounds of cheese a year, to the tune of $3 billion in revenue." http://bit.ly/2rMY5SA

PLAYBOOK METRO SECTION -- "Hirshhorn to host solo show by Chinese dissident artist Ai Weiwei," by WaPo's Peggy McGlone http://wapo.st/2rdRweU

TRANSITIONS -- Nicole Cornish is joining Subject Matter as its first president and chief operating officer. She most recently was U.S. chief operating officer of Burson-Marsteller. http://politi.co/2rdbztU

SPOTTED: John Kerry flying from DCA to Boston today on an American Airlines flight.

****** **A message from the Coalition for Affordable Prescription Drugs (CAPD):** One in two Americans rely on their employers to provide health care benefits. So, employers partner with PBMs to provide access to effective medications at the most affordable price. PBMs drive savings in part by using clinical expertise to identify generic alternatives that achieve the same health outcomes for a lower price. With generics accounting for 89 percent of prescriptions filled in 2015, but only 27 percent of drug costs, that represents a savings of $227 billion across the U.S. health care system in

just one year. Learn more at www.affordableprescriptiondrugs.org. ******

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EHS Federal Regulatory Alert

June 19, 2017 - Number 116

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Summaries

AIR
Ambient Air Monitoring Reference and Equivalent Methods
AIR

Notice of the EPA announces the designation of new ambient air monitoring reference methods and equivalent methods in accordance with regulations under 40 CFR 53. The notice specifies the designation of a new reference method for measuring concentrations of carbon monoxide and a new equivalent method for measuring concentrations of nitrogen dioxide in ambient air. Contact: Robert Vanderpool; EPA, National Exposure Research Laboratory; 919-541-7877; Vanderpool.Robert@epa.gov

82 FR 27816 (06/19/2017)

Regulatory Update

AIR
Light-Duty Vehicle GHG Emissions Standards/Off-Cycle Credits
AIR

Notice of the EPA announces a request for comments on applications from BMW of North America, Ford Motor Co., and Hyundai Motor Group for off-cycle carbon dioxide credits under the light-duty vehicle greenhouse gas (GHG) emissions standards (40 CFR 86.1869-12). The notice describes each manufacturer's off-cycle credit calculation methodologies for various technologies, including an air conditioning compressor manufactured by Denso, a high-efficiency alternator, and glass/glazing and solar reflective surface coating technologies. Comments are due July 19, 2017. Contact: Roberts French; EPA, Office of Transportation and Air Quality; 734-214-4380; french.roberts@epa.gov

82 FR 27819 (06/19/2017)

Regulatory Update

AIR

Texas/Alternative Emissions Limitations for Ground Flares

AIR

Notice of the EPA announces the approval of two requests from Chevron Phillips Chemical Co., of The Woodlands, Texas, for alternative means of emission limitation (AMEL) for the use of a multipoint ground flare (MPGF) at certain new facilities in Texas. The approval allows for the operation of an MPGF during limited high-pressure maintenance, startup, and shutdown events and during upset events at an ethylene plant in Baytown. The approval also allows for the operation of an MPGF during the first two stages of routine operations and periods of maintenance, startup, shutdown, and upset at a polyethylene plant in Old Ocean. The notice specifies the operating conditions and monitoring, recordkeeping, and reporting requirements necessary to achieve volatile organic compound and hazardous air pollutant emissions reductions that are at least equivalent to those required under the applicable emissions standards at 40 CFR 60, 61, and 63. The approval is effective June 19, 2017. Contact: Andrew Bouchard; EPA, Office of Air Quality Planning and Standards; 919-541-4036; bouchard.andrew@epa.gov

82 FR 27822 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Direct-to-Consumer Advertising for Prescription Drugs and Biological Products

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration, Office of Prescription Drug Promotion, to seek OMB approval for a new information collection request regarding direct-to-consumer (DTC) print advertising for prescription drugs and biological products for rheumatoid arthritis and overactive bladder. The collection includes one pilot study and two main studies in five U.S. cities, using eye tracking technology to measure participants' attention to the important safety information, the brief summary, and the indication and benefit claims in the DTC print ads. Comments are due Aug. 18, 2017. Contact: JonnaLynn Capezzuto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 27842 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

FDA Electronic Records, Electronic Signatures

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding the acceptance of electronic recordkeeping and electronic signatures (21 CFR 11). The collection addresses standard operating procedures and controls for persons using closed and open systems to create, modify, maintain, or transmit electronic records. The collection also addresses procedures and controls for persons using electronic signatures, the use of identification codes and passwords, and the requirement for persons to certify in writing to the agency that they will regard electronic signatures used in their systems as legal equivalents to handwritten signatures. Comments are due Aug. 18, 2017.

Contact: Domini Bean; FDA, Office of Operations; 301-796-5733; PRAStaff@fda.hhs.gov

82 FR 27838 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Louisiana/Sabine Pass Expansion Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of the schedule of environmental review for the Sabine Pass Expansion Project in Acadia, Cameron, and Evangeline parishes in Louisiana. The project, proposed by Kinder Morgan Louisiana Pipeline LLC, of Downers Grove, Ill., includes modifications to four existing meter stations, construction of one delivery interconnect at the Sabine Pass Liquefaction Facility, installation of three compressor units at Compressor Station 760 as part of the Lake Charles Expansion Project, construction of header pipelines, and replacement of a meter and increase in capacity at the existing Pine Prairie Meter Station. The issuance of the environmental assessment is scheduled for July 28, 2017, and the 90-day federal authorization decision is due Oct. 26, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 27808 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Louisiana/St. James Supply Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of the schedule of environmental review for the St. James Supply Project in Pointe Coupee, St. Helena and St. James parishes in Louisiana. The project, proposed by Transcontinental Gas Pipe Line Co., of Houston, consists of several facilities that will provide 161,500 dekatherms per day of firm transportation capacity to deliver natural gas from the existing Compressor Station 65 to the Yuhuang Chemical Plant in St. James Parish. The issuance of the environmental assessment is scheduled for July 24, 2017, and the 90-day federal authorization decision is due Oct. 22, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlinesupport@ferc.gov

82 FR 27812 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Minerals Leases/Suspensions Pending Appeal and Bonding
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of the Interior, Office of Natural Resources Revenue, announces the submission of a continuing information collection request to the OMB regarding suspensions pending appeal and bonding (30 CFR 1243). The collection addresses the submission of appropriate surety instruments to suspend compliance with orders or decisions and to stay the accrual of civil penalties pending administrative appeals for minerals leases on federal and Indian

lands. Comments are due Aug. 18, 2017. Contact: Kimberly Werner; ONRR, Office of Enforcement; 303-231-3801; Kimberly.Werner@onrr.gov

82 FR 27868 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Nevada/Trout Creek Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a hydroelectric application by Wells Rural Electric Co. of Wells, Nev., for a minor new license for the Trout Creek Hydroelectric Project in Elko County, Nev. The existing project includes an intake structure, pipeline, a penstock, and a powerhouse with a 125-kilowatt turbine-generator unit. Comments are due Aug. 14, 2017. Contact: Alan Mitchnick; FERC; 202-502-6074; alan.mitchnick@ferc.gov

82 FR 27803 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Oncology Prescription Drug Promotion/Disclosures
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a new information collection request regarding the impact of disclosures as they relate to presentations of preliminary or descriptive scientific and clinical data in promotional labeling and advertising for oncology products. The collection concerns a three-phase study of oncologists, primary care physicians, and nononcology mid-level practitioners recruited via the internet. The study will assess whether disclosures mitigate potentially misleading presentations of preliminary or descriptive data in oncology drug product promotion, whether the language of the disclosure influences effectiveness, and if a general statement about the clinical utility of the data in addition to a specific disclosure influences processing of claims and disclosures. The study will also assess whether primary care physicians, oncologists, and mid-level practitioners differ in their processing of claims and disclosures about preliminary or descriptive data and physician preference for disclosures. Comments are due Aug. 18, 2017. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 27845 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Orphan Drug Medicinal Product Designation
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request concerning the Common European Medicines Agency/FDA application form for orphan drug medicinal product designation (21 CFR 316), which allows sponsors to apply for incentives provided for orphan drugs. The collection addresses

applications for designation, requests for written recommendations concerning the nonclinical laboratory studies and clinical investigations necessary for approval of marketing applications, and application amendments (Form FDA 3671). Comments are due Aug. 18, 2017. Contact: Amber Sanford; FDA Office of Operations; 301-796-8867; PRAStaff@fda.hhs.gov

82 FR 27836 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Pharmacogenomic Data Submissions
GENERAL ENVIRONMENT AND SAFETY

Notice of the Food and Drug Administration announces the submission of a continuing information collection request to the OMB regarding pharmacogenomic data submissions by sponsors of investigational new drug applications, new drug applications, or biologics license applications (21 CFR 312, 314, and 601). The collection addresses agency guidance regarding when pharmacogenomics data must be submitted during the drug development process and the voluntary genomic data submission process. Comments are due July 19, 2017. Contact: Jonnalynn Capezutto; FDA, Office of Operations; 301-796-3794; PRAStaff@fda.hhs.gov

82 FR 27841 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Sensitive Security Information Threat Assessments
GENERAL ENVIRONMENT AND SAFETY

Notice of the Transportation Security Administration announces the submission of a revised information collection request to the OMB regarding an individual's access to sensitive security information made contingent upon satisfactory completion of a security threat assessment (49 CFR 1520). The revision allows members of the TSA PreCheck Application Program to provide a known traveler number to facilitate the assessment. Comments are due July 19, 2017. Contact: Christina Walsh, TSA, Office of Information Technology; 571-227-2062; TSAPRA@tsa.dhs.gov

82 FR 27852 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Testing of Regulated Drug Products Communications
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding drug product communications. The collection addresses the testing of messages in advance of communications campaigns for regulated drug products on a variety of subjects concerning perceptions and the use of such products. Comments are due Aug. 18, 2017. Contact: Domini Bean; FDA, Office of Operations; 301-796-5733; PRAstaff@fda.hhs.gov

82 FR 27840 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Wisconsin/White River Hydroelectric Project
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application by Northern States Power Co., of Eau Claire, Wis., for a noncapacity amendment of license for the White River Hydroelectric Project in Ashland County, Wis. The applicant requests approval to replace one of the two turbine generator units, to increase the total authorized installed capacity of the project to 1.2 megawatts, and to increase the hydraulic capacity of the project to 350 cubic feet per second. Comments, motions to intervene, and protests are due July 13, 2017. Contact: Steven Sachs; FERC; 202-502-8666; Steven.Sachs@ferc.gov

82 FR 27801 (06/19/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Wyoming/Ryckman Creek Resources Storage Field
GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of a prior notice request by Ryckman Creek Resources LLC, of Houston, to perform certain activities at its natural gas storage field in Uinta County, Wyo. The applicant proposes to convert certain existing observation wells to vertical injection/withdrawal wells, reenter and recomplete certain former oil production wells to use as other well types, and construct related connecting flow lines, access roads, and appurtenances. The notice specifies that the agency will complete an environmental assessment or issue a notice of schedule of environmental review by Sept. 11, 2017. Protests and motions to intervene are due Aug. 11, 2017. Contact: FERC; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 27802 (06/19/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Serious Injury Reporting Using the Model Minimum Uniform Crash Criteria
HAZARDOUS MATERIALS TRANSPORTATION

Notice announces the intention of the Federal Highway Administration to seek OMB approval for a new information collection request regarding state compliance with serious injury reporting using the Model Minimum Uniform Crash Criteria (MMUCC) 4th edition. The MMUCC is a collaborative effort to generate uniform crash data that are accurate, reliable, and credible for data-driven highway safety decisions within a state, between states, and at the national level. The collection concerns the ability of states to report serious injuries using the new federal definition of "suspected serious injury," including states' maintenance of a statewide crash database capable of aggregating each injury status attribute for suspected serious injury, use of verbatim terminology and definitions for the injury status attribute, and ensuring the seven serious injury

types are not included in any other attributes in the states' injury status data elements. Comments are due Aug. 18, 2017. Contact: Keith Williams; FHWA, Office of Safety Programs; 202-366-9212

82 FR 27952 (06/19/2017)

Regulatory Update

NOISE
Highway Noise Barrier Inventory
NOISE

Notice announces the intention of the Federal Highway Administration to seek OMB approval for a new information collection request regarding the highway noise barrier inventory maintained by state departments of transportation (23 CFR 772.13). The collection will update the current inventory to include noise barriers constructed from 2014 through 2016 and will be distributed nationally for use in the highway traffic noise program. Comments are due Aug. 18, 2017. Contact: Mark Ferroni; FHWA, Office of Planning, Environment, and Realty; 202-366-3233

82 FR 27955 (06/19/2017)

Regulatory Update

RADIATION
Illinois/Metropolis Works Facility
RADIATION

Notice of the Nuclear Regulatory Commission announces the receipt of a license renewal application from Honeywell International Inc., of Morris Plains, N.J., for the source materials license (SUB-526) for the Metropolis Works facility in Metropolis, Ill. The license authorizes the facility to convert uranium ore into pure uranium hexafluoride, via the dry conversion process, for use in enrichment operations. The licensee is requesting a renewed term of 40 years. Hearing requests or petitions for leave to intervene are due Aug. 18, 2017. Contact: Tilda Liu; NRC, Office of Nuclear Material Safety and Safeguards; 404-997-4730; Tilda.Liu@nrc.gov

82 FR 27880 (06/19/2017)

Regulatory Update

RADIATION
Standard Specifications for Granting of Patent Licenses
RADIATION

Notice announces the intention of the Nuclear Regulatory Commission to seek OMB approval for a continuing information collection request concerning standard specifications for granting of patent licenses (10 CFR 81). The rule allows the NRC to grant nonexclusive licenses or limited exclusive licenses for patented inventions and requires periodic submission of reports on efforts to bring the invention to a point of practical application and the extent to which licensees are making the benefits of the invention reasonably accessible to the public. The collection addresses information from license holders seeking to extend their licenses, issue sublicenses, or transfer the licenses and the submission of pleadings or other papers filed in any patent

infringement lawsuit and evidence from proceedings relating to a licensed patent. Comments are due Aug. 18, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 27879 (06/19/2017)

Regulatory Update

SOLID WASTE
Illinois Municipal Solid Waste Landfill Program
SOLID WASTE

Notice of the EPA announces a determination of adequacy for proposed revisions to Illinois' Research, Development, and Demonstration Permit Program for municipal solid waste landfills. The revisions incorporate by reference May 10, 2016, amendments to federal standards under 40 CFR 258.4 that increased the permissible number of three-year permit renewals from three to six, for a total permit term of up to 21 years. The determination is effective Aug, 18, 2017, unless adverse comments are received by July 19, 2017. Contact: Carol Staniec; EPA Region 5, Land and Chemicals Division; 312-886-1436; staniec.carol@epa.gov

82 FR 27814 (06/19/2017)

Regulatory Update

SOLID WASTE
Michigan Municipal Solid Waste Landfill Program
SOLID WASTE

Notice of the EPA announces a determination of adequacy for proposed revisions to Michigan's Research, Development, and Demonstration Permit Program for municipal solid waste landfills. The revisions incorporate by reference May 10, 2016, amendments to federal standards under 40 CFR 258.4 that increased the permissible number of three-year permit renewals from three to six, for a total permit term of up to 21 years. The determination is effective Aug, 18, 2017, unless adverse comments are received by July 19, 2017. Contact: Cynthia Meyer; EPA Region 5, Land and Chemicals Division; 312-886-5868; meyer.cynthia@epa.gov

82 FR 27816 (06/19/2017)

Regulatory Update

SOLID WASTE
Minnesota Municipal Solid Waste Landfill Program
SOLID WASTE

Notice of the EPA announces a determination of adequacy for proposed revisions to Minnesota's Research, Development, and Demonstration Permit Program for municipal solid waste landfills. The revisions incorporate by reference May 10, 2016, amendments to federal standards under 40 CFR 258.4 that increased the permissible number of three-year permit renewals from three to six, for a total permit term of up to 21 years. The determination is effective Aug, 18, 2017, unless adverse comments are received by July 19, 2017. Contact: Camille Lukey; EPA Region 5, Land and Chemicals Division; 312-886-0880; lukey.camille@epa.gov

82 FR 27815 (06/19/2017)

Regulatory Update

WATER
Florida/Miami Anchorage
WATER

Final rule of the U.S. Coast Guard amends regulations under 33 CFR 110.188 to divide the Miami anchorage into two separate anchorage areas. The rule establishes two anchorage areas with a combined area of approximately 1.5 square miles and reduces the total anchorage area by approximately 3 square nautical miles. The rule also requires vessels anchored in the Miami anchorage to maintain a 24-hour bridge watch with a licensed or credentialed desk officer proficient in English, prohibits vessels from anchoring with engines off or in a "dead ship" status, and requires vessels to seek permission of the captain of the port prior to anchoring for longer than 72 hours. The rule is intended to reduce potential damage to threatened coral posed by anchoring vessels. The rule is effective July 19, 2017. Contact: Paul Lehmann; USCG, Sector Miami Waterways Management Division; 305-415-6796; Paul.D.Lehmann@uscg.mil

82 FR 27773 (06/19/2017)

Regulatory Update

WATER
Oregon and Washington State/NPDES Permit for Offshore Seafood Processors
WATER

Notice of the EPA announces the availability of proposed revisions to a draft National Pollutant Discharge Elimination System general permit (WAG520000) for offshore seafood processors in federal waters off the coasts of Oregon and Washington. The agency is re-proposing the draft general permit issued Aug. 24, 2015 (80 FR 51253) and the associated fact sheet and biological evaluation based on comments received. The agency seeks comments on revised permit conditions, including a seasonal prohibition on wastewater discharges in waters shallower than 100 meters and a year-round discharge prohibition over the Heceta/Stonewall Banks complex. The revisions also clarify the jurisdiction of the permit, add a best management practice that vessels be moving while discharging to aid dispersion of the discharge, and clarify sea surface monitoring requirements. In addition, the revisions add provisions to mitigate impact to seabirds, update standard NPDES language and conditions, and modify the notice of intent for permit coverage and the annual report. Comments and hearing requests are due Aug. 3, 2017. Contact: Catherine Gockel; EPA Region 10, Office of Water and Watersheds; 206-553-0325; gockel.catherine@epa.gov

82 FR 27817 (06/19/2017)

Regulatory Update

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Media
Sent: Thur 9/14/2017 9:38:55 AM
Subject: Morning Media: The White House vs. ESPN's Jemele Hill -- Bill O'Reilly's back -- Following up on fake news

By Alex Weprin | 09/14/2017 05:37 AM EDT

W.H. PRESS SECRETARY: JEMELE HILL COMMENTS A 'FIREABLE OFFENSE': "I'm not sure if he's aware, but I think that's one of the more outrageous comments that anyone could make, and certainly something that I think is a fireable offense by ESPN." So said White House press secretary Sarah Huckabee Sanders, at the White House press briefing on Wednesday afternoon. Her comments came after ESPN "SportsCenter" anchor Jemele Hill called President Trump "a white supremacist who has largely surrounded himself w/ other white supremacists."

-Hill released a new statement on Twitter late last night addressing the controversy: "My comments on Twitter expressed my personal beliefs. My regret is that my comments and the public way I made them painted ESPN in an unfair light. My respect for the company and my colleagues remains unconditional."

-ESPN, meanwhile, released a statement of its own: "Jemele has a right to her personal opinions, but not to publicly share them on a platform that implies that she was in any way speaking on behalf of ESPN. She has acknowledged that her tweets crossed that line and has apologized for doing so. We accept her apology."

-Hill received plenty of support after her comments took hold in the conservative media. The National Association of Black Journalists said it "supports Hill's First Amendment rights on all matters of discussion, within and outside the world of sports, as they do not impinge on her duties as a host and commentator." Meanwhile, outlets like Deadspin weighed in with more colorful support.

-She has never shied away from politics, as this excellent and timely story in The Ringer shows, but it has never defined who she was as a sports broadcaster. In recent months, ESPN has found itself a target from conservatives, claiming that a "liberal bias" is causing viewers to flee, with much of the blame heaped on outspoken staffers such as Hill.

-So what happens next? The statements from Hill and ESPN seem to be part of an effort to put the controversy to rest. ESPN's public editor Jim Brady says he plans to address the matter.

Good morning and welcome to Morning Media. I always want to improve Morning Media and make it more useful to you, so please send me tips, ideas and feedback! I'm on Twitter **@alexweprin** and on email at **alexweprin@gmail.com**. Morning Media is produced with help from **Cristiano Lima (clima@politico.com / @ludacristiano)**. **Archives**. **Subscribe.**

FOLLOWING UP ON FAKE NEWS: Two important stories about fake news and easterun european propaganda worth reading. First, The New York Times' Jim Rutenberg travels to

Moscow to talk to Vladimir Putin's press secretary, Dmitri Peskov. The whole piece is worth reading, but this paragraph stuck out to me:

"By way of example, he pointed to 'this girl, from show business, Kim Kardashian.' Kardashian is among the most popular people in all of social media, with 55 million Twitter followers, nearly 18 million more than President Trump. 'Let's imagine that one day she says, 'My supporters - do this,' ' Peskov said. 'This will be a signal that will be accepted by millions and millions of people. And she's got no intelligence, no interior ministry, no defense ministry, no K.G.B.' This, he said, was the new reality: the global proliferation of the kinds of reach and influence that were once reserved for the great powers and, more recently, great media conglomerates. Even Peskov sounded slightly amazed considering the possibilities. 'The new reality creates a perfect opportunity for mass disturbances,' he said, 'or for initiating mass support or mass disapproval.'"

-Then there is this excellent CNN investigation, which sees a correspondent travel to a Macedonian town where the big business is making fake news in the U.S. and elsewhere. One operator is already gearing up for the 2020 presidential election.

MUST WATCH: Sean Spicer, in his first TV interview since leaving the White House, on ABC's Jimmy Kimmel Live." Spicer talks his infamous inauguration crowd briefing, his relationship to the press, and how President Trump would give feedback after briefings. Among other things, Spicer says a free press is "paramount to democracy." More from Cristiano, here.

BILL O'REILLY'S BACK: As part of a book tour for the latest book in his "Killing" series, former Fox News host Bill O'Reilly spoke to The Hollywood Reporter's Marisa Guthrie. The most newsy bits:

-He will decide next month where he goes from here career-wise: "I'm waiting to see very specific details of the projects that people have pitched to us. And there have been many. I think by early October, we should have a pretty good vision of what we're going to do."

-His Billoreilly.com paid subscription service has "hundreds of thousands" of subscribers.

-He was happy when President Trump came to his defense, even as he faced sexual harassment allegations that led to his departure from Fox. "He's very loyal to his friends. I think he understands that no one was mistreated on my watch, because that's the truth. He knows the politics of it because he has been in the same circumstance - accused - and the press will take any allegation and make it a conviction."

-He was not happy with how he was let go: "They made a decision. It was purely a business decision. But the way it was done, I'm over in Rome [on vacation]. My [legal] team was caught by surprise because we had an amazing amount of exculpatory stuff that we had presented. And it just - it was sad. That's the word, sad."

STORMY WEATHER WITH SINCLAIR-TRIBUNE TIE-UP? An advocacy group is using the recent hurricanes to fight the proposed Sinclair-Tribune merger, suggesting that Sinclair's

history of cutting local weather reporting reporting puts local communities at risk. The group, Save Local Media, plans to launch its new campaign today. It will highlight how Sinclair let go of veteran weather reporters, or downsized weather teams, after acquiring new stations. "Too often we think in abstract or ideological terms about these huge media mergers," said former FCC Commissioner and Common Cause Special Adviser Michael Copps in a statement. "Harvey and Irma bring it into real-life terms- people's' safety and people's' lives. Let's hope the FCC can think about in in these terms, too." Save Local Media is made up of organizations like the American Cable Association, Dish, Common Cause and Public Knowledge, and it opposes Sinclair's proposed takeover of Tribune, which would make the company the largest owner of local broadcast stations in the U.S.

UNIVISION TO DEFEND 'DREAMER' STAFF: Univision's chief legal and corporate affairs officer Jonathan Schwartz sent a memo to staff at the company Wednesday, explaining what the company was doing to support DACA and defend DREAMers that work for the company. The memo outlines the public-facing actions the company is taking, including PSAs and letters to congress, and what the company will do for its own employees affected. "We stand by the DREAMers across the nation and we will continue to take extensive steps to respond to the Administration's proposed action given the enormous negative impact on the communities we serve," Schwartz wrote. "We also are very mindful that our own DREAMer employees face the prospect of both losing their work authorization and their protection from the risk of deportation."

-To that end, the company is planning to reimburse employees that are part covered by DACA for the biannual fee, and it will "provide individual legal support, at the Company's expense, for any of our DREAMer employees with respect to DACA matters, including if they are subjected to deportation proceedings."

SPOTTED: At the Magic Hour rooftop lounge at the Moxy Hotel in New York, for the premiere party for "Page Six TV." New York Post publisher Jesse Angelo, Fox News co-president and Fox TV stations chief Jack Abernethy, NBC "Today" host Hoda Kotb, "Page Six TV" hosts John Fugelsang, Elizabeth Wagmeister, Bevy Smith and Carlos Greer. "When Rupert Murdoch had the idea for Page Six forty years ago, it was about what are the secrets that CEOs and their mistresses have, what really is happening behind the velvet rope at amazing nightclubs like this, what are people listening to in the halls of power, and of course what are the big stories," Angelo told the crowd. "When we went about creating this show we knew when we had to make the same thing."

MUST READS:

-This Esquire piece on London Evening Standard editor George Osborne, who was sacked as chancellor of the exchequer by Prime Minister Theresa May following Brexit. And this Newsweek piece on Hans A. von Spakovsky, the newest member of President Trump's election integrity commission.

REVOLVING DOOR:

-Tom LoBianco is rejoining the AP's D.C. bureau, after a stint at CNN.

-The New York Times has named Jia Lynn Yang deputy national editor. She joins from The Washington Post, where she was deputy national security editor. Also joining the Times from WaPo: Thomas Gibbons-Neff.

EXTRAS:

-For the first time in six years, MTV's ratings are on the rebound, according to Reuters.

-The FCC has been inundated with complaints about CNN, despite the fact that the regulatory agency does not weigh in on cable content.

-The New York Times is folding its product suggestion site The Sweethome into sister site The Wirecutter, and rebranding both as "Wirecutter."

-Anthony Scaramucci will serve as guest co-host of TMZ's syndicated TV show on Monday, and will also appear on a webcast hosted by Harvey Levin.

-Vice is casting for a D.C.-based political reality show, according to THR's Jeremy Barr.

-21st Century Fox executive chairman Lachlan Murdoch said that his company's core brands were FX, Fox News, Fox Sports, Nat Geo and India's Star TV. Notably missing from that group, the Fox broadcast network, which started the whole company.

-WFAN morning show host Craig Carton has resigned, after he was indicted on fraud charges.

To view online:
http://www.politico.com/media/tipsheets/morning-media/2017/09/14/the-white-house-vs-espns-jemele-hill-bill-oreillys-back-following-up-on-fake-news-001348

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Thur 11/9/2017 3:03:56 PM
Subject: POLITICO's Morning Score: Virginia fallout — GOP's suburban nightmare — The Trump conundrum

By Kevin Robillard | 11/09/2017 10:00 AM EDT

With Zach Montellaro and Elena Schneider

THE FALLOUT - "Republicans have a serious suburban problem in 2018," by Campaign Pro's Scott Bland: "Republicans thought Donald Trump's 2016 performance in the suburbs was as low as the GOP could go. Then Ed Gillespie went even lower. The Republican nominee for Virginia governor underperformed the unpopular president in a toxic political environment for the GOP - losing by landslide margins even in some territory where, just three years prior, he had nearly broken even in a run for Senate. ... The GOP started the year seeing a silver lining in Trump's bad suburban 2016 results. He didn't drag other Republicans down with him, they said, and if the party could figure out how to pair its traditional suburban strength with Trump's rural enthusiasm, it would be unbeatable. But in the past 24 hours, that ambition has given way to alarm. Republican strategists described Gillespie's 9-point loss and other election results around the country as a massive early warning signal for the 2018 elections, when House Republicans must defend 23 mostly suburban districts that Trump lost last year. 'If it were just Virginia, we could put it down to federal workers and contractors, but it happened in Pennsylvania and elsewhere, too,' Chris Wilson, a GOP strategist, wrote in an email. 'If you're a GOP incumbent in a heavily suburban, college educated district, I think you're worried today and rightfully so.'" **Full story.**

- "GOP faces wrenching call: Running with or away from Trump," by POLITICO's Alex Isenstadt: "With Trump's approval ratings cratering in swing states across the country, some senior party strategists are imploring lawmakers to abandon the president. Others argue that shunning Trump and his populist base is simply out of the question and that anything other than a full embrace of the president would spell electoral disaster. ... White House advisers spent Wednesday combing through the election results and fuming about Gillespie's have-it-both-ways approach. By keeping Trump at arm's length, they said, Gillespie squandered an opportunity to motivate conservatives whose support he needed. ... The dilemma is expected to be a major topic of discussion next week at the Republican Governors Association annual meeting in Austin, Texas. And top House GOP campaign strategists, trying to preserve their now-tenuous majority, said they wanted to look more deeply into the Virginia results before drawing conclusions. 'It's quite a predicament,' said Tony Fabrizio, a longtime GOP pollster who worked on the Trump campaign. 'You can't be the anti-Trump guy in the primary. But you don't want to be the 100-percent-for-Trump guy in the general,' he added. 'When you go to one extreme or the other, that's when you fall short.' ... In the end, Gillespie released about $500,000 worth of mailers highlighting the president's endorsement of him." **Full story.**

- "House GOP faces its fears after Virginia election," by Elena Schneider: "Virginia's elections set off a wave of panic inside the House GOP Tuesday night, increasing worries that the party's majority is in jeopardy in 2018 and that more incumbents may decide to retire rather

than run for reelection next year. ... Paul Shumaker, a Republican strategist based in North Carolina, talked to several of his political clients Wednesday morning, warning them: 'First of all, you have to run the race of your life. Second, you have to carve out a unique set of issues for yourself, which is very hard to do for down-ballot races, and localize issues to overcome concerns voters might have about Trump.' 'That's a tall order,' Shumaker said. ... 'What terrifies Republicans most about losing the majority is having more of these retirements, which could speed up after Virginia,' said a Republican fundraiser. 'The number of swing district retirements - [Reps. Martha] McSally, [Dave] Reichert, [Charlie] Dent, and we're expecting five or six more - could be the true measure of Democratic ability to flip the House.'" **Full story.**

- "Battered by Trump, Obamacare triumphs at the polls," by POLITICO's Rachana Pradhan: "A remarkable 4 out of 10 Virginians in early exit polls said health care was their top issue in a race that saw Democrat Ralph Northam, the current lieutenant governor, handily defeat Republican Ed Gillespie to become Virginia's next governor. And in Maine, voters in a landslide backed Obamacare Medicaid expansion, which their governor had vetoed on five separate occasions. ... 'We have an opportunity to send a very clear signal to anyone who is spending time and money opposing the ACA,' said Jonathan Schleifer of the Fairness Project, which poured funding into the Maine ballot measure campaign and is trying to boost lookalike Medicaid initiatives in states such as Utah and Idaho." **Full story.**

- "Democratic women sweep into office in state elections," by Campaign Pro's Maggie Severns: "Women running for office for the first time may have wrested control of the Virginia House of Delegates from Republicans, who held the chamber since the 20th century. Another female Democrat flipped the Washington state Senate to her party's control, alongside Democratic women who picked up state legislative seats in Georgia and Michigan, while Manchester, N.H. elected its first Democratic mayor in decades in Joyce Craig - who is also the city's first-ever female mayor. ... Tuesday's elections will at least double the share of women represented in Virginia's House of Delegates. They also represented close to half of the candidates this year, and two thirds of the candidates running in the crucial 17 House of Delegates districts won by Hillary Clinton in 2016." **Full story.**

- THE KIDS ARE ALL WOKE - Estimates show Northam winning 69 percent of young voters, turnout spiking: Estimates from the Center for Information and Research on Civic Learning and Engagement at Tufts University has 34 percent of registered voters age 18-29 turning out for the governor's race, up from 18 percent in 2009 and 26 percent in 2013. And while Gov. Terry McAuliffe won these voters 45 percent to 40 percent over Republican Ken Cuccinelli, Northam won them 69 percent to 30 percent over Gillespie. There was no similar turnout surge in New Jersey, where 18 percent of voters age 18-29 turned out, essentially the same as in 2009 and 2013. **Full story.**

- THE NUMBERS - NGP VAN sees 5.5 million door knocks: NGP VAN, which is used by basically every Democrat running for office and major progressive organization, logged 5.5 million door knocks and 5.1 million phone calls using their software to contact Virginia voters since January 2017.

- Memo Moment: Here's polling data and memos from Latino Decisions, Women's Voices

Women Vote Action Fund, and Planned Parenthood Action Fund.

RECRUITING UPDATE - Democrats push Bredesen in Tennessee Senate, per The New York Times' Alexander Burns and Jonathan Martin: "In the Senate, too, Democrats are seeking to expand the map. Facing a narrow path to a majority, they are strenuously wooing Phil Bredesen, a former Tennessee governor, to run for the seat that Sen. Bob Corker is vacating. Mr. Bredesen has been courted personally by Sen. Chuck Schumer of New York, the minority leader, as well as several former governors who now serve in the Senate, including Mark Warner of Virginia, according to Democrats briefed on the overtures. And the Democratic Senatorial Campaign Committee commissioned a poll aimed at coaxing Mr. Bredesen to run. Mr. Bredesen is in Washington this week for meetings and is said to be nearing a decision." **Full story.**

Days until the 2018 election: 362.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com, dstrauss@politico.com and mseverns@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin, @danielstrauss4 and @maggieseverns.

ENDORSEMENT WATCH - FIRST IN SCORE - "End Citizens United endorses 5 House challengers," by Campaign Pro's Elena Schneider: "The group is now backing Democrats Ann Kirkpatrick (AZ-02), Brendan Kelly (IL-12), Elissa Slotkin (MI-08), Dan McCready (NC-09), and Mikie Sherrill (NJ-11). Sherrill is in a crowded primary and Kirkpatrick, a former congresswoman, has challengers as well, but the other three have clearer paths to the Democratic nomination in their Republican-held districts." **Full story.**

- FIRST IN SCORE - EMILY's List endorses Kim Schrier in WA-08: EMILY's List is backing pediatrician Kim Schrier in Washington's 8th Congressional District, the seat held by the retiring Reichert. The endorsement could give Schrier a leg-up in the crowded all-party primary. "At a time when congressional Republicans continue to sabotage health care for millions of families, Kim's perspective as a doctor and a patient with a pre-existing condition is needed in Washington now more than ever," EMILY's List President Stephanie Schriock said.

PRIMARY CONCERNS - "This Megadonor Has Spent Millions On Republicans. Now He's Thinking About Running Against One," by BuzzFeed News' Tarini Parti: "Republican megadonor Foster Friess was busy writing checks to GOP candidates, contemplating the future of health care, and getting coffee with liberals for his campaign to 'restore civility' in politics last month, when he got an unexpected call from President Trump adviser and provocateur Steve Bannon. 'I get this call, 'Foster would you consider running against [Wyoming Sen. John] Barrasso ?' And I said, 'What's your name?' 'Steve Bannon?' Because we're pretty much strangers, it kind of struck me as how did he even get my name or my number?' Friess, a multimillionaire investor, is now launching a 'listening tour' to help him decide whether he should challenge Barrasso - his 'personal friend' and 'hero' - in a GOP primary, he told BuzzFeed News in a 90-minute, wide-ranging interview this week. ... Friess says he has aired his policy

frustrations with elected officials, including Barrasso, with no tangible outcomes. He now plans to decide in the next three to four months if he should mount a Senate bid himself." **Full story.**

- "In shake-up, Pennsylvania GOP Senate candidate to run for lieutenant governor, join Wagner ticket," by the Philadelphia Inquirer's Jonathan Tamari and Chris Brennan: "In a shake-up for two statewide races, Main Line Republican Jeff Bartos is dropping out of Pennsylvania's U.S. Senate race and joining the gubernatorial ticket of state Sen. Scott Wagner, according to three Pennsylvania GOP sources. A formal announcement is expected Thursday. Bartos will run as Wagner's lieutenant governor candidate. His decision removes the main obstacle for U.S. Rep. Lou Barletta on his path to the Republican nomination for the Senate." **Full story.**

2018 WATCH - "Cynthia Coffman is running for governor of Colorado, adding to long list of GOP primary candidates," by the Denver Post's Jesse Paul and John Frank: "Colorado Attorney General Cynthia Coffman will enter the crowded, messy Republican race for governor Wednesday, saying she is the candidate that can bridge the prosperity divide between urban and rural Colorado. ... The one-term top prosecutor faces a difficult path to victory in a race against a handful of candidates with big names and more campaign cash, particularly given her more moderate approach on social issues." **Full story.**

- "George Brauchler mulling jump from crowded governor's race to open GOP attorney general primary," by the Denver Post's Mark K. Matthews and Jesse Paul: "Republican gubernatorial candidate George Brauchler is weighing a run for attorney general now that Cynthia Coffman, currently in the post, has entered the governor's race, according to his campaign and several GOP sources. Brauchler already has reached out to some of his potential rivals - notably U.S. Rep. Ken Buck , R-Windsor, who said earlier this year that he might seek Coffman's job if she left the post. Buck said in an interview Wednesday that he was staying put in Congress." **Full story.**

AIR WARS - 45Committee pressures Heitkamp, Manchin, Donnelly on tax reform: GOP outside group 45Committee is out with ads pressuring Democratic Sens. Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Indiana Sen. Joe Donnelly to vote for tax reform. 45Committee, which is partially funded by Sheldon Adelson, uses footage from each senator's most well-known ad in the 30-second spots. **Watch the ads here, here and here.**

WEB WARS - FIRST IN SCORE - GOP outside group targets Brown with new site: Senate Leadership Fund, the super PAC controlled by allies of Senate Majority Leader Mitch McConnell, is out with a new website targeting Democratic Sen. Sherrod Brown, www.sherrodfiles.com . The group will have paid digital ads directing voters to the site. "This website is the latest installment in our substantial paid digital campaign against our 2018 Democrat targets," SLF spokesman Chris Pack said. "We look forward to exposing Sherrod Brown's extremely liberal record that is out of touch with the people of Ohio." The site attacks Brown as a "hippie liberal."

AROUND THE MAP - Quick takes from across the country:

SENATE

Alabama: A poll conducted by Strategy Research has Republican Roy Moore leading Democrat Doug Jones 51-40, WBRC reported.

Nebraska: Susan B. Anthony List endorsed Sen. Deb Fischer, per a statement from the group.

Ohio: Rev 18, a super PAC founded by controversial Trump supporters and whose first endorsement was Josh Mandel, is shutting down, Cleveland.com reports.

HOUSE

CO-06: Republican Roger Edwards told Colorado Politics that he plans to challenge Rep. Mike Coffman in the GOP primary.

IL-06: All eight Democrats vying for the nomination will hold a public forum on Dec. 12, via Patch.com.

MN-08: Republican Stewart Mills, who has narrowly lost twice to Rep. Rick Nolan (D-Minn.), said he will not run in 2018, via The Ely Echo.

NV-03: Republican Michelle Mortensen, a consumer advocate for the local CBS affiliate, launched her bid for the open seat, per a statement from her campaign.

TX-05: Dallas County Republican Party Chairman Phillip Huffines passes on a bid, via The Dallas Morning News.

WV-03: State GOP Chairman Conrad Lucas is running for the seat, via the Charleston Gazette-Mail.

GOVERNOR

Alabama: Jason Childs, a Democrat and founder for Center for Progress in Alabama, announced his run, via The Alabama Reporter.

Nevada: Attorney General Adam Laxalt has hired veteran GOP operatives Kristin Davison and Stephen Puetz to help run his campaign, the Nevada Independent reports.

South Carolina: Democrat Marguerite Willis, an attorney, said she is considering a run, via The State.

Wisconsin: Wisconsin Gov. Scott Walker, running for a third term, has flip-flopped and now says governors should be able to serve more than three terms in office, the Associated Press reports.

CODA - QUOTE OF THE DAY: "There is a reverse story here that could be written, about

how people should be spending more time thinking about the commemoration or the one-year anniversary, the birthday, of Trump shocking everyone. That, to me, is a much more significant moment than Virginia." - Breitbart Editor-in-Chief Alex Marlow, explaining why some conservative media outlets didn't extensively cover Tuesday's election results.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 11/15/2017 10:46:09 AM
Subject: Morning Energy, presented by Chevron: Mixed signals from U.S. as world leaders arrive in Bonn — More shots fired in RFS fight — Senate panel votes on ANWR measure today

By Anthony Adragna | 11/15/2017 05:44 AM EDT

With help from Sara Stefanini, Eric Wolff and Alex Guillén

POLITICAL COPS HIT THE CLIMATE BEAT: Politicians roll into Bonn, Germany, today to take over the final three days of the COP23. The opening ceremony will include German Chancellor Angela Merkel, French President Emmanuel Macron, and U.N. Secretary General António Guterres around 10 a.m. EST. The goal over the remaining days of the summit is to make as much progress as possible on the complex rules supporting the Paris climate agreement.

No Bonn voyage: Citing "a family emergency," career State Department diplomat Tom Shannon will no longer arrive in Bonn today to lead the U.S. delegation to the climate talks, Pro's Emily Holden reports. Other delegations had been anxiously waiting to see what tone and direction he'd set for the U.S. at the talks. Leading the delegation in his place will be Judith Garber, acting assistant secretary of State for oceans and international environmental and scientific affairs.

Optimism among other diplomats: Career U.S. diplomats negotiating technical elements of the deal with their foreign counterparts have stuck to many of the same stances they did under the Obama administration and that's raising hopes the Paris accord will survive the presidency of Donald Trump, POLITICO's Emily Holden, Kalina Oroschakoff and David Siders report. Christiana Figueres, a former United Nations climate envoy who helped orchestrate the Paris climate agreement's adoption two years ago, said that in the long-term effort to reduce greenhouse gas emissions, Trump is "going to be a blip" in history.

Walking the line: Dave Banks, Trump's energy adviser, argued the U.S. policy on fossil fuels is totally separate from what American diplomats are discussing in negotiation halls. The administration hasn't made any effort to start renegotiating the agreement, which would have set off an immediate diplomatic fray. And Banks said Shannon would not have pushed the administration's coal efforts if he made the trip. "So you think he's going to say, 'We're going to promote coal'? No, that's a policy discussion. It's not a negotiation," Banks said.

How one senior African negotiator summed up the situation for career State diplomats: "I think the mandate is not to be a blocker. They engage, but in the end they're not the ones calling the shots," he said.

WELCOME TO WEDNESDAY! I'm your host Anthony Adragna, and ME led you astray with an imprecise trivia question. Alaska has the most federal land by acreage and Nevada has the greatest percentage federal land within its border. Sorry! For today: Which former congressman was convicted of voter fraud by forging ballots at a nursing home? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring technology reporter Margaret Harding McGill and the artwork of Pulitzer Prize-winning cartoonist Matt Wuerker. Click HERE to watch.

New for Pros! The Pro app brings real-time policy intelligence and customizable notifications to your smartphone and tablet. Download the Pro app for iPhone and iPad | Get the Pro app on Google Play.

ANWR SET TO CLEAR COMMITTEE: The Senate Energy Committee convenes at 9 a.m. to consider reconciliation legislation offered by Chairman Lisa Murkowski that would open a small part of the Arctic National Wildlife Refuge to oil and gas development. The CBO estimates the package would raise $1.092 billion over the 10-year budget window, though Democrats and public lands groups say that overestimates how much lease sales could raise. Expect the package to pass on a largely party-line vote with West Virginia Democratic Sen. Joe Manchin likely to vote in favor.

ME first — New ad blitz launched: The League of Conservation Voters is unveiling a $550,000 television ad campaign in the districts of Republican Reps. Erik Paulsen, Bruce Poliquin, John Katko and Washington today opposing the effort to open ANWR to drilling. Watch it here.

BISHOP: SOMETHING'S GOTTA GIVE: Don't expect Congress to send tens of billions in relief funds to Puerto Rico until the island's government and a congressionally created independent financial oversight board are able to work together, House Natural Resources Chairman Rob Bishop told reporters. "If they don't do that, then it's going to be a very difficult ask to ask this body to appropriate a whole bunch of money without some kind of guarantee that things will be different," he said. "The power struggle has got to stop if they expect Congress to actually come up with the money." Bishop said he doesn't think additional legislation is necessary to improve that relationship, but he's willing to insert language into forthcoming spending packages if necessary.

What about Whitefish? Bishop's not worried about the details of the now-cancelled contract, but wants to ensure the process that led to it is never replicated. "The details of Whitefish and PREPA are insignificant — that's history," he said. "The process that created Whitefish cannot happen again and cannot be replicated. This is what's bothersome to me." He declined to say whether Ricardo Ramos, the head of the utility who inked the Whitefish deal, should be fired.

That comes as documents showed the utility ignored advice from its law firm of Greenberg Traurig to include language in the contract that would cap the amount of money Whitefish Energy could charge, allow PREPA to terminate the agreement for any breach of contract and make Whitefish responsible for paying Puerto Rican taxes, Pro's Ben Lefebvre reports.

CRUZ TO IOWA: COME TO THE TABLE OR NORTHEY GETS IT: Sen. Ted Cruz,

having seemingly failed to secure a meeting with Midwestern senators brokered by the White House, has turned to newly fledged Iowa Gov. Kim Reynolds to try and bring corn-staters to the table. Cruz wrote to Reynolds Tuesday to explain why he has put a hold on the nomination of Iowan Bill Northey to become an undersecretary for the Department of Agriculture. He cites high costs of biofuel credits in the Renewable Fuel Standard that refiners in Texas and elsewhere say is hurting their bottom line (Reuters reported yesterday that at least one refinery is selling off high priced credits to meet debt payments). "Both sides of the debate must negotiate in good faith to find a mutually agreeable solution to secure the fate of liquid fuels in America," Cruz wrote.

You started it! Cruz said Iowa Sens. Joni Ernst and Chuck Grassley blocked "multiple EPA nominations (and threatened to do the same to judicial nominations)" to protect the RFS from EPA interference. Ernst blocked only EPA air chief Bill Wehrum. The rumor that Grassley, who chairs the Senate Judiciary committee, threatened to block judicial nominations has circulated for months. A spokesman told ME that the Iowa Republican "did not place a hold on any EPA nominee and has not threatened to place a hold on any judicial nominee."

What about that meeting? Cruz and eight colleagues wrote to Trump last month asking the White House to broker a meeting with the Midwestern senators within three weeks. Three weeks is up today, and as of Monday, aides to two Midwestern Senators said they had received no outreach from the White House to set up a meeting.

** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat—buckwheat. Watch the video: http://politi.co/2yQ8q7z **

PAGING GRASSLEY: It's not just Cruz you have to worry about. Sen. Lamar Alexander, one of the chamber's top wind energy critics, took aim at the production tax credit in a floor speech Tuesday. The Senate Finance Committee is expected to beginning processing amendments today to its tax bill, and Alexander said the wind incentive should go on the chopping block. "I'm here today to challenge my colleagues to be willing to consider all energy subsidies for mature technologies - wind, solar, oil and gas - as candidates for elimination in a tax reform bill," he said. "These dollars could be better spent to lower rates for taxpayers." Senate tax-writers did not follow the lead of their House counterparts and left the PTC alone in their tax bill, and Grassley, a senior Finance Committee member, is likely to make sure it stays that way after the markup.

Green group targets bill: The Sierra Club launched a digital ad campaign urging 29 House Republicans to oppose the chamber's tax package H.R. 1 (115). "The GOP's plan even manages to raise taxes on the middle class, while sneaking in an outrageous attack on the Arctic Refuge by opening it up for drilling," Melinda Pierce, the group's legislative director, said in a statement.

FOR YOUR RADAR: Vice President Mike Pence joins Energy Secretary Rick Perry, FEMA Administrator Brock Long and Texas Gov. Greg Abbott in Austin for a briefing on recovery efforts from Hurricane Harvey today at 1:40 p.m. EST.

VOTE EXPECTED ON MINE SAFETY PICK: A final vote is scheduled for noon today to

confirm David Zatezalo to be assistant secretary of Labor for Mine Safety and Health. Majority Leader Mitch McConnell hailed his "keen understanding of the challenges and risks sometimes associated with mining" on the floor Tuesday and said "this firsthand experience will serve him well in his new role." The cloture vote was 52 to 45.

House clears flood insurance, final NDAA bills: Lawmakers cleared by a 237-189 vote legislation H.R. 2874 (115) would reauthorize and overhaul the National Flood Insurance Program, which has struggled to meet its obligations to policyholders in the midst of a string of hurricanes, Pro Financial Services' Zachary Warmbrodt reports. The House also passed a compromise defense policy bill H.R. 2810 (115) that includes language requiring a study of the threats posed by climate change to military installations by a 356-70 vote, Pro Defense's Connor O'Brien reports.

SASC CLEARS ARMY CORPS NOM, EPW UP NEXT: The Senate Armed Services Committee on Tuesday gave the green light to R.D. James' nomination to run the Army Corps of Engineers, but thanks to the Corps' dual role in water policy, he also has to clear the Environment and Public Works Committee before he can hit the floor. An EPW spokesman said the hearing for James will happen sometime in December, though that timeline means a committee vote may not happen until the new year.

HEARING ROUNDUP — E&C SUBPANEL VOTES ON AIR BILLS: The House Energy and Commerce Environment Subcommittee today marks up legislation on the brick MACT H.R. 1917 (115), wood heaters H.R. 453 (115), racing vehicles H.R. 350 (115) and a bill H.R. 1119 (115) meant to help waste coal-to-energy power plants cope with the Cross-State Air Pollution Rule and the mercury rule. That vote takes place at 10 a.m. in Rayburn 2123.

Science panel tackles research bills: The full House Science Committee marks up a series of bills today, including one H.R. 4376 (115) making upgrades to DOE research capacities and another H.R. 4378 (115) boosting nuclear energy research infrastructure. The session convenes at 10 a.m. in Rayburn 2318.

EPW looks at reducing emissions: Senate EPW holds a hearing entitled "Promoting American Leadership in Reducing Air Emissions Through Innovation" at 10 a.m. in Dirksen 406. Look for the National Association of Manufacturers to call for Congress to "work with the EPA to fix [the New Source Review program] so that it functions properly and does not stand in the way of efficiency." Watch here.

MAIL CALL! RESTORE CLIMATE WEBPAGES: Seven members of the Senate Democratic caucus asked EPA Administrator Scott Pruitt in a letter to restore a series of removed webpages on climate change and for explanations of modifications. "These latest website alterations are part of a sequence of disturbing EPA actions that appear designed to censor dialogue about climate change in the United States," the group, led by Cory Booker, wrote.

WHAT A WASTE: The Environmental Defense Fund is out with a new report finding wide discrepancies between flaring rates among the top 15 oil and gas producers working in the Texas

Permian Basin and concluding the industry continues to struggle to tamp down on natural gas waste.

NEW LIFE FOR OLD MINES? The Rocky Mountain Institute released new research on how to evaluate old mining sites for potential renewable energy siting opportunities. Link here.

TAKE A GLANCE! The Federalist Society launched the Regulatory Transparency Project, which it aims to "foster a national discussion about where government regulation seems to be doing more harm than good."

MOVERS, SHAKERS: Members of New Jersey Gov.-elect Phil Murphy's transition team on environmental and energy issues include: former NRG Energy CEO David Crane, former John Kerry senior advisor Kathleen Frangione, Earthjustice VP Lisa Garcia and former state Board of Public Utilities President Jeanne Fox, according to NJ.com.

QUICK HITS

— Grand Staircase-Escalante monument will be pruned by half, Hatch official says. Salt Lake Tribune.

— LG&E and KU credits LED lights as it announces plans to shut down two coal-burning units. Louisville Courier Journal.

— Climate Change and Water Woes Drove ISIS Recruiting in Iraq. National Geographic.

— Lawsuit Seeks to Stop Work on Appalachian Gas Pipeline. AP.

— Trump's team may move the Bureau of Land Management headquarters to Salt Lake City. Salt Lake Tribune.

— 61 EPA Staff Have Left Chicago Office in 2017, And They're Missed. WTTV.

— U.S. Steel dumps more toxic chromium near Lake Michigan, faces lawsuit. Chicago Tribune.

HAPPENING THIS WEEK

8:00 a.m. — Roll Call Live's "Energy Decoded," Newseum, 555 Pennsylvania Ave NW, 8th Floor Knight Conference Center

9:00 a.m. — Business Meeting to consider Reconciliation Legislation, Senate Energy and Natural Resources Committee, Dirksen 366

10:00 a.m. — "Legislative Hearing on Bills to Empower Indian Tribes, Promote Self-Determination," House Natural Resources Indian, Insular and Alaska Native Affairs Subcommittee, Longworth 1324

10:00 a.m. — House Science Committee markup of several bills, Rayburn 2318

10:00 a.m. — House Energy and Commerce Environment Subcommittee marks up several bills, Rayburn 213

10:00 a.m. — "Promoting American Leadership in Reducing Air Emissions Through Innovation," Senate Environment and Public Works Committee, Dirksen 406

10:00 a.m. — The Information Technology and Innovation Foundation holds a panel discussion on "ARPA-E: A Catalyst of Clean Energy Innovation," 1101 K Street NW, Suite 610A

10:30 a.m. — "Legislative Hearing on National Park, Fish and Wildlife Service Bills," House Natural Resources Federal Lands Subcommittee, Longworth 1334

12:00 p.m. — "Restore the Mississippi River Delta releases report on priority restoration projects for the Mississippi River Delta, RSVP: alina@sandersonstrategies.com

12:30 p.m. — "Coming Clean: Improving Transparency and Accountability to End Pollution's Chokehold on Development," World Resources Institute, 10 G Street NE, Suite 800

12:30 p.m. — University of Wisconsin researchers discuss comprehensive assessment of ethanol mandate impacts on climate change, RSVP: lubetkin@nwf.org

2:00 p.m. — "Nord Stream and European Energy Security," Jamestown Foundation, Choate Conference Room, Carnegie Endowment for International Peace, 1779 Massachusetts Avenue, NW

2:30 p.m. — Media briefing on PJM's energy price formation proposal, RSVP: kassandra.meholick@edelman.com

4:30 p.m. — The Friends Committee on National Legislation hosts conversation with Reps. Costello and Eshoo about climate change and conservation, 205 C Street NE

6:00 p.m. — Press briefing on Marine Mammal Protection Act featuring Actress Miranda Cosgrove, Rayburn 2045

THAT'S ALL FOR ME!

** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat—buckwheat. We're still planting and keeping an eye on our littlest neighbor. Watch the video: http://politi.co/2yQ8q7z **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/11/mixed-signals-from-us-as-world-leaders-arrive-in-bonn-025554

Stories from POLITICO Pro

State Department: Shannon to miss climate talks Back

By Emily Holden | 11/14/2017 03:43 PM EDT

BONN, Germany — Tom Shannon, the State Department career diplomat who was set to head the U.S. delegation at international climate talks here, will not attend, according to the State Department.

Delegations from other countries had been waiting to see what tone and direction Shannon would set at the talks for the U.S. He was to be the top politically appointed U.S. diplomat at COP23.

Acting Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs Judith Garber will travel to Bonn on Wednesday to lead the delegation.

To view online click here.

Back

House Natural Resources: Puerto Rico utility ignored lawyers' advice in hiring Whitefish Energy Back

By Ben Lefebvre | 11/14/2017 05:12 PM EDT

Puerto Rico's electric utility ignored advice from its own lawyers when it signed a contract with Whitefish Energy in the aftermath of Hurricane Maria, according to documents released ahead of a House Natural Resources Committee hearing today.

Law firm Greenberg Traurig advised Puerto Rico Electric Power Authority to include language in the contract that would cap the amount of money Whitefish Energy could charge, allow PREPA to terminate the agreement for any breach of contract and make Whitefish responsible for paying Puerto Rican taxes, among other requirements. But none were included, the committee said in its summary of the documents.

PREPA last month canceled the $300 million contract with Whitefish, a relatively unknown, two-man operation based in Montana.

Puerto Rico Gov. Ricardo Rossello reiterated to lawmakers that he has launched two investigations into how the contract came about, but Natural Resources Chairman Rob Bishop (R-Utah) said the governor would have to do more if he wants Congress to support his request for disaster assistance.

"You have a credibility gap," Bishop said of PREPA's behavior. "You're asking for $90 billion. Simply telling me you've launched two investigations isn't sufficient."

PREPA Director Ricardo Ramos, who declined to attend the House hearing, told the Senate Energy and Natural Resources Committee earlier today that he ultimately chose Whitefish Energy because no other companies would work with the bankrupt territory. In response to questions from Ranking Democrat Maria Cantwell (D-Wash.), Ramos said he was not aware of anyone with PREPA receiving kickbacks from the company.

To view online click here.

Back

House passes flood insurance renewal in wake of massive storms Back

By Zachary Warmbrodt | 11/14/2017 07:23 PM EDT

House Republicans overcame bipartisan opposition Tuesday to pass a bill that would reauthorize and overhaul the National Flood Insurance Program, which has strained to pay out billions of dollars to policyholders after this year's run of devastating hurricanes.

The House passed the bill in a 237-189 vote following months of debate and dealmaking over how much to scale back the primary tool that millions of homeowners rely on to protect themselves from the financial risks of flooding.

The bill, H.R. 2874 (115), would reauthorize the NFIP for five years and enact several operational changes championed by Financial Services Chairman Jeb Hensarling (R-Texas), the fiscal conservative who led an effort to pare back the program as part of the reauthorization bill.

During the process, Hensarling clashed with influential business groups and coastal Republicans who argued that his committee's proposals threatened homeowners and local economies.

After agreeing to a series of concessions going back to this summer, Republicans secured the votes they needed. The bill the House passed Tuesday retained measures sought by Hensarling that would make it easier for private companies to compete with the NFIP in the flood insurance market and prohibit the government from offering coverage to certain homes that flood over and over again.

"It is a bankrupt program," Hensarling said on the House floor. "It is unsustainable."

The vote marked Congress' first attempt this year to pass a long-term renewal of the flood insurance program before it expires on Dec. 8. The Senate, where negotiations are ongoing, was not expected to take up the House package.

The debate in the House this week underscored why progress has been so slow on the issue.

Hensarling and other lawmakers who helped draft the House bill argued that the changes they were seeking in the program would help protect taxpayers while giving consumers the opportunity to find more affordable options beyond what the government offers.

"A federal program that conceals actual risk through artificially low rates is neither compassionate nor responsible," Rep. Dennis Ross (R-Fla.) said.

But Republicans representing coastal districts urged their colleagues to vote against the bill, warning that it would make flood insurance less affordable for their constituents and threaten the solvency of the NFIP. They were unpersuaded by sections of the bill that would limit premium increases and allow states to create programs that would identify homeowners who need financial assistance. Other sections of the bill would escalate premium increases and charge homeowners more to fill a reserve fund.

Critics argued that the nascent private flood insurance market championed by Hensarling would not necessarily be a boon for homeowners, and that insurers would likely cherry pick the least risky properties while leaving behind the rest for the government to cover.

Califronia Rep. Maxine Waters, the top Democrat on the Financial Services Committee, fought the legislation. House Minority Whip Steny Hoyer (D-Md.) also tried to rally opposition, a spokeswoman said.

Until two weeks ago, House Majority Whip Steve Scalise, who represents a southern Louisiana district, had also withheld support for the bill. Scalise, the No. 3 House Republican, came around after Hensarling agreed to ease proposed penalties for properties that repeatedly flood.

Still unsatisfied, Rep. Frank LoBiondo (R-N.J.) spoke out against the legislation on the House floor Tuesday, questioning why the concerns of his constituents and others in the Northeast didn't have more sway in the debate.

"I'm angry and disappointed I have to fight with my own party on these issues," said LoBiondo, who last week announced his plans to retire.

In the end, 14 Republicans and 175 Democrats voted against the bill. Fifteen Democrats voted for it. The White House on Monday said it supported the bill, despite wanting to see additional changes to the flood program.

The House Financial Services Committee drafted the legislation well before hurricanes Harvey, Irma and Maria ravaged the southern coast of the United States and its territories. As the proposal lingered for months, the monster storms added a new sense of urgency behind efforts to update the flood insurance program.

An earlier series of devastating hurricanes had overwhelmed the program's financial resources, forcing it to borrow money from Treasury that it could not repay.

A new set of claims piled up this fall, and the program hit its roughly $30 billion borrowing limit. In response, Congress agreed in October to forgive $16 billion of the NFIP's debt.

The program borrowed another $6.1 billion on Nov. 9, FEMA said Tuesday, bringing its debt to more than $20.5 billion.

"No legislation currently pending before the 115th Congress addresses the underlying, core challenge facing the NFIP — the reality that the NFIP was not designed to address catastrophic losses," said Tom Glassic, a consultant who previously served as senior insurance counsel to the Financial Services Committee.

"This makes it likely we'll be dealing with many of the same issues in five or six years or whenever the NFIP is next up for reauthorization."

Meanwhile, senators from both parties oppose the proposals in the House package and are pushing their own competing bills. One would freeze interest payments that the NFIP pays on its debt — an issue the House bill does not address directly.

Sen. John Kennedy (R-La.) said the House proposal failed to strike the right balance between "the integrity of the program, the financial stability of the program and the affordability." Sen. Bob Menendez (D-N.J.) said it was "Republicans' first concrete step towards dismantling a critical program that more than 200,000 New Jersey families rely on."

"It doesn't resolve all of the issues that we have in the Senate," Banking Chairman Mike Crapo (R-Idaho) said in an interview Tuesday.

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Back

House passes $700B compromise defense bill Back

By Connor O'Brien | 11/14/2017 05:29 PM EDT

The House on Tuesday overwhelmingly passed a $700 billion compromise defense policy bill that would authorize a military buildup beyond that proposed by President Donald Trump, but vastly exceed the cap on defense spending to fund it.

The vote was 356-70.

The Senate will debate the fiscal 2018 National Defense Authorization Act after Thanksgiving and is expected to handily approve it and send it to the president for his signature.

With fewer contentious issues than in previous years, the annual legislation was hammered out by House and Senate Armed Services leaders in just a few weeks.

In all, the measure would authorize nearly $700 billion in national defense spending. Within that, the bill endorses $626.4 billion in base spending, including $20.6 billion for nuclear national security programs under the Energy Department. And it would authorize $65.7 billion for a separate Pentagon war account.

The legislation, which tallies billions of dollars more than Trump's $603 billion budget request, would authorize more spending for missile defense technology to counter North Korea, more ships and fighters, and would continue to rebuild the Army.

On the floor Tuesday, House Armed Services Chairman Mac Thornberry (R-Texas) called the bill a down payment on a yearslong military buildup.

"We will not rebuild and fix our problems in one year or one bill ... but we can head in the right direction," Thornberry said. "That's what this conference report does."

But the final NDAA is also tens of billions of dollars above the $549 billion cap on national defense spending set by the Budget Control Act for the current 2018 fiscal year.

House and Senate leaders must strike a budget deal that increases the caps in order to boost defense spending as prescribed by the bill, approved on Tuesday by the House.

"It goes $80 billion, roughly, over the budget caps, and the bill can't do that on its own," said House Armed Services ranking Democrat Adam Smith of Washington state.

"Unless the budget caps are lifted and the appropriators pass the appropriations bill, that doesn't happen," Smith said. "And we haven't made a lot of progress on that."

The final measure includes a 2.4 percent troop pay raise, higher than the 2.1 percent sought by the Pentagon.

It would authorize 90 F-35 Joint Strike Fighters, 20 more than the Pentagon requested, and 24 Navy F/A-18 Super Hornets, 10 more than requested. And it would boost Navy shipbuilding by authorizing 13 new ships, five more than requested, including an extra Littoral Combat Ship, destroyer and amphibious ship.

The bill would also authorize more personnel in the active-duty military services and Reserves.

Notably, the Army would grow by 7,500 active-duty soldiers and the active-duty Marine Corps would increase by 1,000. The Air Force would grow by 4,100 active-duty personnel. And the Navy would increase by 4,000 active-duty personnel.

The legislation also continues efforts, spearheaded by Senate Armed Services Chairman John McCain (R-Ariz.), to shake up the Pentagon's senior leadership ranks.

It would establish the Pentagon's newly created chief management officer as the third most

senior post and give it more information technology functions performed by the chief information officer.

The final NDAA compromise would also eliminate one assistant secretary of Defense and limit the total number of deputy assistant secretaries to 48.

Additionally, the bill includes a series of provisions aimed at streamlining the Pentagon's acquisition process, including a proposal pushed by Thornberry to set up an online marketplace for purchasing commercial products.

Lawmakers, however, dropped a House-backed proposal to create a new Space Corps under the Air Force.

Instead, the final bill would require an independent plan to establish a separate service responsible for space as well as a slew of changes to streamline national security space acquisitions and operations.

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Back

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May 26, 2017

Today on Climate Beat . . .

. . . we went abroad, as our daily news roundup previewed likely climate conversations that will occur among G7 leaders at their summit today and tomorrow. White House economic adviser Gary Cohn said Trump "wants to clearly hear what the European leaders have to say" on the Paris Agreement, from which President Donald Trump is still weighing an exit.

But some observers say Trump could put off a decision on the Paris deal for years, until 2019, and they suggest Trump has won his first negotiating battle on the agreement by forcing foreign leaders and environmentalists to accept he can lower the U.S. emissions target.

Back home, environmental, labor and other groups are appealing to EPA Administrator Scott Pruitt to reverse his plan to pause certain requirements of the Obama-era methane emissions rule for new oil and gas drilling, just one day after EPA appears to have sent for White House review a proposal to implement the stay.

The Department of Energy, meanwhile, is moving forward with implementing several Obama-era appliance efficiency standards after previously delaying their effective dates – including an efficiency standard for ceiling fans over which environmentalists and several states had sued.

Speaking of the courts, an environmental law group is urging a federal court not to let industry intervenors abandon a landmark constitutional climate case brought by youth plaintiffs. The group charges industry groups' attempts to leave the case are due in part to fear they'll have to release data demonstrating their potential liability as part of discovery proceedings.

And, last but certainly not least, don't miss some of our must-read stories from this past week to send you into the holiday weekend.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 7/13/2017 3:53:37 PM
Subject: House panel approves bipartisan update to Safe Drinking Water Act

By Annie Snider

07/13/2017 11:49 AM EDT

A House measure to update the Safe Drinking Water Act is gaining bipartisan momentum after lawmakers approved a slate of amendments during subcommittee markup this morning.

Among the changes made to the Drinking Water System Improvement Act by the House Energy and Commerce Committee's environment subpanel is a boost to the popular Drinking Water State Revolving Fund's authorization, allowing $8 billion in spending over five years. Also approved were amendments supported by Democrats to require states to spend a minimum share of federal dollars on disadvantaged communities, encourage removal of lead service lines and require projects supported with federal funds to use American-made iron and steel.

Rep. Paul Tonko (D-N.Y.), the top Democrat on the subcommittee, said the measure that will now go to the full committee was a compromise after his party pushed for major increases in federal funding and changes to the process EPA must follow in order to set new drinking water standards.

"This bill reflects compromise. It is not the bill Democrats would have written on our own," Tonko said. "We have met halfway to get this bill on the path to being able to be supported by every or nearly every member of this committee."

WHAT'S NEXT: The measure heads to the full House Energy and Commerce Committee for consideration.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/07/house-panel-approves-bipartisan-update-to-safe-drinking-water-act-090452

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA Environment & Energy
Sent: Thur 11/16/2017 12:06:25 PM
Subject: First Move: Progress in Bonn? • Energy Regulator's Almost-Full Slate • Parks' Visibility

What you need to know to start your day.

Progress in Bonn? • Energy Regulator's Almost-Full Slate • Parks' Visibility

By Chuck McCutcheon

Much of the U.N. climate gathering in Bonn has focused on high-level public gatherings. Behind closed doors, though, negotiators appear to be making headway in at least one area: the international trading of emissions credits.

Talks have begun in earnest on working out rules about how countries can avoid double-counting of emissions credits and ensure transparency, as well as whether the U.N. climate secretariat should oversee the system, Dean Scott reports.

Negotiators say a clear sign of progress in Bonn was an agreement to have a U.N. technical group start drafting the first text of the market-mechanism rulebook. Some negotiators hope that by spring 2018, more than 190 countries would get to look at the text.

FERC's monthly meeting today could be the last one it has without a full slate.

It's currently got three out of its five members. Incoming Republican Chairman Kevin McIntyre and Democratic Commissioner Richard Glick are expected to be sworn in any day now after winning Senate confirmation earlier this month.

The independent energy regulator hasn't had five sitting commissioners since October 2015. But having three commissioners is at least a quorum—something the agency had lacked for much of this year.

Commissioners, including Chairman Neil Chatterjee, are expected to talk during and after the meeting about goals for how the agency will act on the Energy Department's contentious grid resiliency proposal. Rebecca Kern is covering.

Federal appeals judges in Washington, D.C., today will hear arguments in a case involving an Obama-era rule aimed at improving visibility at national parks and wilderness areas.

At issue is a 2012 EPA regulation that allowed states to use emissions trading

under the Cross-State Air Pollution Rule to fulfill Clean Air Act requirements under the regional haze program. That program requires power plants to install pollution controls to improve the visibility at parks and other federally protected areas. Jennifer Lu is covering.

Other Stories We're Covering

- Drilling in Alaska's Arctic National Wildlife Refuge is now, politically, closer than ever to reality. But even after the Senate's energy panel approved a measure that would grant the go-ahead, the bill still faces a test on the Senate floor as part of the Republican tax overhaul.
- The EPA official in charge of environmental enforcement will discuss the Trump administration's priorities. Renee Schoof is covering.
- The National Clean Water Law Seminar wraps up today in Savannah, Ga., looking at the clean water sector's legal and regulatory challenges. Among the topics is the rewriting of a regulation clarifying the Clean Water Act's geographic reach; an agency official said the EPA "will do our best" to meet its end-of-2018 goal to do so. Amena H. Saiyid is covering
- Bloomberg's Sustainable Business Summit ends a two-day meeting in London Ali Qassim is following.
- Senate Republicans have been urging President Trump to send them nominations; the president said he'll nominate two for the Energy Department: a private equity firm senior adviser for the agency's chief financial officer and a Nuclear Energy Institute official to head congressional and intergovernmental affairs.

Quote of the Day

"Don't be lulled into a false sense of safety that it can't or won't happen here."
—Chemical Safety Board Chairwoman Vanessa Sutherland, imploring chemical facilities to reassess their operations plans and worst-case scenario assumptions in the wake of recent Gulf Coast disasters.

An Oregon State University bee researcher collects bees in a hive in 2014.
Photographer: Natalie Behring/Getty Images

Around the Web

- One of Trump's nominees for the EPA might be in trouble: Both of North Carolina's Republican senators say they won't support Michael Dourson to lead the agency's chemicals office.
- New research shows how fungicides, particularly one often found in bumblebee and honeybee hives, may hurt the bees' health.
- Few national issues divide as sharply by education as climate change, an analysis of opinion polls shows.
- More than 60 EPA employees left the agency's Chicago-based Region 5 office between Trump's inauguration and mid-October.

Today's Events

- **9 a.m. • Clean Water Act** • Association of Clean Water Administrators starts two-day workshop on Clean Water Act variances.
- **10 a.m. • Carbon Emissions** • Virginia's Air Pollution Control Board meets to discuss the Clean Energy Virginia carbon-reduction standard.
- **12 p.m • Efficient Buildings** • Alliance to Save Energy sponsors discussion on grid-interactive efficient buildings.
- **All Day • Law** • Federalist Society's National Lawyers Convention starts three-day conference on administrative agencies and regulation.

For all of today's Bloomberg Environment headlines, visit Environment & Energy Report

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/31/2017 8:19:03 PM
Subject: May 31 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

EPA Methane Regulations Officially on Hold

Posted May 31, 2017, 03:11 P.M. ET

By David Schultz

An Obama-era EPA rule designed to limit methane leaks from oil and gas wells is officially on hold, as the agency's new leadership begins the formal process of weighing whether to repeal it altogether.

The Environmental Protection Agency is reconsidering the methane rule because it says the final version of the rule, which came out last summer, diverged too far from a draft version, preventing the public from fully weighing in, according to a notice scheduled to be published in an issue of the Federal Register. The Obama administration had included this rule as a part of its Climate Action Plan because methane is a potent greenhouse gas.

In addition to beginning the reconsideration process, the EPA is pushing back some of the rule's upcoming compliance deadlines by 90 days. Had the agency not done this, oil and gas drillers would have had to start complying on June 3 with these parts of the rule, which deal with gas leak monitoring and pneumatic pump standards.

Within hours after the EPA announced its move, both the Natural Resources Defense Council and the Environmental Defense Fund said they would file lawsuits against the agency to try to stop it from rolling back the methane rule.

Exelon: Still Time for Pennsylvania to Help Three Mile Island

Posted May 31, 2017, 03:00 P.M. ET

By Rebecca Kern

Pennsylvania's Legislature still has time to help keep Exelon Corp.'s financially struggling Three Mile Island nuclear plant operating, Exelon's Joseph Dominguez told Bloomberg BNA.

"We're continuing the discussion with policymakers that we really began six or seven months ago: Talking about the value proposition of nuclear, both from an environmental standpoint, as well as from fuel diversity and grid resilience standpoint," Dominguez, Exelon's vice president of

governmental and regulatory affairs and public policy, told Bloomberg BNA May 31.

"We'll see if there's interest among policymakers to do the things that Illinois and New York were able to do," he said. "We still have some time to have this discussion, but there is a sense of urgency in terms of starting to introduce policymakers to the subject."

Exelon announced May 30 that it plans to prematurely close Three Mile Island, located about 90 miles west of Philadelphia, by Sept. 30, 2019, due to financial losses at the plant. It was the scene of the worst nuclear accident in U.S. history in 1979.

Last year, the Illinois Legislature approved a $235 million-a-year lifeline for Exelon's Quad Cities and Clinton reactors after the company announced they would close. Also, New York's Public Service Commission's Clean Energy Standard—passed last summer—will issue credits for zero-emitting resources, such as nuclear plants, starting this June.

'Hundreds of Millions' in Losses

Dominguez told Bloomberg BNA that the plant has lost "hundreds of millions of dollars" over the past six years.

Dominguez said even though the company has announced the closure of the plant, "it's not too late" for the plant to be saved by legislation or action from the Pennsylvania Public Utility Commission. "Generally speaking, about a year before the shutdown date is a critical date," he said.

The plant has not cleared the regional grid operator PJM Interconnection LLC's annual capacity market for the past three years. PJM's capacity auctions are held annually ensure enough power generation resources are available to meet demand in the region covering 13 states and the District of Columbia.

In New York and Illinois, both of the Exelon-related policies triggered lawsuits, as well as complaints to Federal Energy Regulatory Commission, but FERC has been hamstrung in addressing them because of its lack of a quorum since February.

"It's a sad reality that policymakers really need to see the potential loss of these facilities, given their otherwise busy agenda, to really take note sand start figuring out solutions," he said.

Dominguez said that Exelon would like to see the Legislature introduce a bill to amend Pennsylvania's Alternative Energy Portfolio Standard to include nuclear energy as a carbon-free energy resource. The standard was signed into law in 2004 and provides credits on tiered level for "alternative energy" sources, including solar, wind, hydropower, geothermal, biomass, biologically derived methane gas coal-mine methane and fuel cell resources.

Currently, there is no legislation introduced in the Pennsylvania Legislature. However, Dominguez said a bicameral Nuclear Energy Caucus, with nearly 80 members, was formed in May by state Sens. Ryan Aument (R) and John Yudichak (D) and Reps. Becky Corbin (R) and Rob Matzie (D).

Governor: Let's Talk

Pennsylvania Gov. Tom Wolf (D) said through spokesman J.J. Abbott that he is willing to talk with lawmakers about the issue.

"Pennsylvania is a major supplier of energy and we need a diverse energy sector," Abbott said, according to PennLive.com. "Governor Wolf is concerned about potential layoffs and empathizes with these employees.

"As we move forward, we expect a robust conversation about the state's energy sector. Governor Wolf is open to these conversations and looks forward to engaging with the General Assembly about what direction Pennsylvania will go in regards to its energy sector, including the future of nuclear power."

Environmentalists Revive Lawsuit Against Federal Coal Leasing Program

Posted May 31, 2017, 03:55 P.M. ET

By Tripp Baltz

One of the litigants in an on-hold lawsuit over the Interior Department's coal leasing program said it's necessary to restart the case in light of the department's decision to begin processing coal lease applications again.

The focus of the unopposed motion is to challenge Interior Secretary Ryan Zinke's March 29 revocation of an order by his predecessor, Sally Jewell, to pause the issuance of new federal thermal coal leases until an environmental analysis could be done on the environmental impact—including the climate change effects—of coal mining, Bob LaResche, a rancher in Clearmont, Wyo., told Bloomberg BNA May 31 (W. Org. of Res. Councils v. Zinke, D.C. Cir. App., No. 15-5294, motion filed 5/26/17).

Jewell in January 2016 said the halt in coal leases would continue at least until the Bureau of Land Management had prepared and issued a Programmatic Environmental Impact Statement analyzing the effects of coal mining on the climate.

"Now that Zinke has cancelled the PEIS, it's time to reactivate our litigation to force it to be done," said LaResche, chair of the Powder River Basin Resource Council, one of the eight organizations in the Western Organization of Resource Councils that sued the Interior Department in October 2015.

An Interior Department spokeswoman referred Bloomberg BNA's request for comment to the Justice Department, which declined to comment. Travis Deti, executive director of the Wyoming Mining Association, a defendant-intervenor in the case, did not immediately respond to Bloomberg BNA's request for comment.

NEPA Violation Alleged

The environmental groups alleged the department's failure to conduct an analysis of the environmental effects of coal mining violated the National Environmental Policy Act. When Jewell ordered the PEIS to be done, the groups said they had essentially received "all the relief" they were seeking. They joined with the defendants in seeking an abeyance in the case pending the completion of the analysis.

Zinke's issuing an immediate halt to the analysis "makes it necessary for us to restart the case again" to address "numerous and varied concerns," LaResche said.

"The coal leasing program has evolved from what it once was to being run by industry," he said. "Bids are generally non-competitive; most leases don't have more than one bidder. There's not

enough transparency there."

LaResche said the groups are concerned that coal mining companies "continue to lease millions and billions of tons of coal when they shouldn't be leasing any." Companies have 20 years worth of projects already leased, he said.

In addition to the reality of climate change, LaResche said, the coal companies are facing shrinking markets, and scientific evidence has emerged that coal threatens public health and safety. "For a federal agency to ignore the huge new body of knowledge acquired since 1979 is just whistling past the graveyard," he said in a statement emailed to Bloomberg BNA. "This is not how a responsible nation operates."

Friends of the Earth also is a plaintiff in the litigation.

Trump Said to Still Be Mulling Whether to Leave Paris Accord

Posted May 31, 2017, 12:50 P.M. ET

By Jennifer A. Dlouhy, Jennifer Jacobs and Margaret Talev

President Donald Trump hasn't yet decided whether to keep the U.S. in the landmark Paris agreement on climate change but is leaning toward exiting the accord, according to two people familiar with the matter.

The administration is preparing for several different outcomes and is lining up experts to speak to the media when an announcement is made, according to another person familiar with the discussions who, like the others, requested anonymity ahead of a decision.

Top administration officials are divided on what to do, with some, including Ivanka Trump and Secretary of State Rex Tillerson, urging Trump to stay in the deal. Others, including Environmental Protection Agency Administrator Scott Pruitt and White House Chief Strategist Steve Bannon, lead a faction that wants a U.S. exit.

There is consensus in the administration that the terms of the Paris deal must change, and it's exploring whether that requires a full exit or a scaled-back U.S. commitment to cut emissions, according to one of the people. Trump is scheduled to meet with Tillerson at the White House on May 31, and the president said he'd declare an outcome soon.

"I will be announcing my decision on the Paris Accord over the next few days," Trump tweeted on May 31.

Highly Anticipated Decision

Trump's decision is highly anticipated, and leaders of the six other nations in the Group of Seven heavily lobbied him at a summit in Sicily last week to keep the U.S. in the pact. But Trump has called climate change a "hoax" and criticized the deal as "one-sided" against the U.S. White House legal advisers have warned that staying in the accord could undercut Trump's efforts to rescind rules on power-plant emissions and methane leaks.

Axios reported earlier May 31 that the president would exit the Paris deal, and the New York Times followed with a report that he is likely to pull the U.S. out of the accord. Several administration

officials contacted by Bloomberg said that a decision hadn't yet been made, and Trump has a record of shifting course on major decisions up until the last moment.

The move to leave would have significant environmental and diplomatic consequences. As the richest nation and the second-largest emitter of carbon dioxide, the U.S. is central to efforts to address global warming. The Vatican and companies as diverse as Exxon Mobil Corp. and Apple Inc. had urged the president to remain in the pact.

The Paris accord is broader than any previous climate agreement. It calls for reducing carbon dioxide emissions in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the Industrial Revolution. That's the upper limit scientists have set to keep climate change from hitting an irreversible tipping point, unleashing catastrophic floods, droughts and storms.

With an exit, Trump would make a clean break from his predecessor, Barack Obama, who made the Paris accord a top priority of his second term and pledged the U.S. would slash carbon dioxide emissions 26 percent by 2025. Withdrawal would put the U.S. in league with just two other nations -- Syria and Nicaragua -- that aren't participating in the agreement.

Trump has already moved to dismantle programs to fight global warming. He ordered a review of fuel-economy standards for cars and light trucks, which along with other vehicles are the U.S.'s largest source of greenhouse gases. And he set in motion a process to scrap the Clean Power Plan, which would have required utilities to slash their carbon dioxide emissions. EPA is also moving to rescind rules to prevent methane leaks.

Post-Leave Options

If he decides to leave, Trump has two options for jettisoning U.S. involvement.

The first—withdrawing from the Paris agreement—can't happen immediately. Under the deal's terms, he must wait until November 2019 to formally submit his bid to quit. It would take another year after that before the U.S. is actually out, under this process.

The other option—exiting the United Nations Framework Convention on Climate Change—goes beyond simply walking away from the Paris accord. The treaty, unanimously adopted by the U.S. Senate and signed by President George H.W. Bush, has been the foundation of 25 years of global climate talks. Scrapping the 1990s-era treaty would be a clear signal that this administration has no interest in cooperating with other nations on efforts to address global warming.

U.S. climate efforts won't completely cease if Trump walks away from Paris.

States including California, New York and Massachusetts continue to move forward with aggressive policies to cut carbon emissions. Anheuser-Busch InBev NV, Apple, Amazon.com Inc., Alphabet Inc.'s Google and other companies continue their push to power their facilities with wind and solar energy. Low-carbon wind, solar and natural gas are so cheap that the Department of Energy is studying what it can do to help ailing, older coal and nuclear plants.

—With assistance from Nick Wadhams.

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EU, China to Reaffirm Paris Agreement Commitment, as U.S. Wavers

Posted May 31, 2017, 01:14 P.M. ET

By Stephen Gardner

The European Union and China will reaffirm their commitment to the United Nations Paris Agreement on climate change during a June 1–2 summit in Brussels, despite uncertainty about continued U.S. participation in the deal.

An EU official who asked not to be named told Bloomberg BNA May 31 that one of the main conclusions of the summit will be a statement setting out the intention of the two major economic powers to implement their pledges under the Paris Agreement, which was agreed at the end of 2015 and is intended to keep global warming to no more than 2 degrees Celsius (3.6 degrees Fahrenheit) above pre-industrial levels.

"This agreement stands whether another major emitter pulls out or not," the official said. The EU-China summit will emphasize the "global responsibility" of the two powers in the context of the lack of clarify about the US's intentions, the official added.

China and the EU both have ratified the Paris Agreement and pledged to tackle greenhouse gas emissions in line with nationally determined contributions, or promises submitted to the U.N. The EU said it will reduce emissions by 40 percent by 2030 compared to 1990, while China said its emissions will peak by 2030 at the latest, and has made pledges on renewable energy and afforestation.

There is "much stronger expectation" from countries around the world that "Europe should assume leadership" in the effort to tackle global warming, and the EU was ready to lead, said Maros Sefcovic, European Commission vice president for Energy Union. The commission is the EU's executive arm.

Detail on Cooperation

The EU official said the summit statement will give "considerable detail" on how the EU and China will work together to fulfill their Paris pledges, for example by cooperating on renewable energy. It also will emphasize implementing existing pledges, rather than offering new pledges to deepen emissions cuts, according to the official.

"One of the new qualities of our relationship is that we don't just comment together, but we act together," the official said, adding that clean energy for Chinese cities would be "a key area of cooperation between us."

President Donald Trump has caused consternation in the EU about possible U.S. withdrawal from the Paris Agreement. EU leaders at a Group of Seven summit in Italy May 26–27 pushed Trump to respect the Paris deal on climate change, but concluded the U.S. was "not in a position to join in the consensus" on the implementation of the global deal.

During the June 1–2 summit, the EU will be represented by Donald Tusk, president of the European Council, and by Jean-Claude Juncker, president of European Commission. State Council Premier Li Keqiang will head the Chinese delegation.

Solar Stocks Fall on Reports That U.S. May Exit Paris Agreement

Posted May 31, 2017, 03:04 P.M. ET

By Brian Eckhouse

Solar manufacturers fell sharply on reports May 31 that President Donald Trump is leaning toward withdrawing the U.S. from the landmark 2015 Paris climate accord.

JinkoSolar Holding Co., the biggest solar manufacturer, dropped 3.2 percent to $18.23 at 11:01 a.m. in New York, after sliding as much as 8 percent. Canadian Solar Inc., the largest North American panel producer, slid as much as 6.5 percent, while First Solar Inc., the top U.S. company, fell as much as 4.4 percent and rival SunPower Corp. was down as much as 4.2 percent.

Trump said in a tweet May 31 that he will announce "over the next few days" whether he will pull the U.S out of the global climate pact, and according to reports from publications including Axios, he's already decided to do so.

"The stocks are reacting to headlines, and the U.S. potentially pulling out of Paris is a big headline," Gordon Johnson, a New York-based analyst at Axiom Capital Management, said in an interview May 31. "With Trump in office, the pressure for utilities and others to do solar is going to decline. That will negatively affect demand."

It's not just solar manufacturers that were affected. Sunrun Inc., the biggest independent U.S. rooftop solar company, was down as much as 3 percent. NRG Energy Inc., the largest U.S. independent power producer and the owner of almost 5 gigawatts of renewable energy, fell as much as 1.5 percent.

While solar isn't driven primarily by a carbon price, "it does suggest that the U.S. may subsidize coal, which would be bad for U.S. manufacturers like First Solar and SunPower," said Jenny Chase, a Zurich-based solar analyst at Bloomberg New Energy Finance.

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EU Proposes Truck Monitoring as Preparation for Emissions Standard

Posted May 31, 2017, 02:38 P.M. ET

By Stephen Gardner

Manufacturers of trucks and other heavy-duty vehicles sold in the European Union would be required to monitor and report their vehicles' carbon dioxide emissions and fuel economy performance, under a long-delayed proposal published by the European Commission May 31.

The commission, the EU's executive arm, announced in May 2014 that it would propose the measure in 2015, but then said "further analysis" was needed. The lack of a harmonized measure for truck carbon dioxide emissions puts the EU at odds with the U.S., which has had an emissions standard for heavy-duty vehicles since 2011.

Commission vice president for Energy Union, Maros Sefcovic, conceded that the EU was "the last major economy" that does not "have this very important sector covered."

Road freight was "developing in such a way that it is one of the main contributors of greenhouse gas emissions and air pollution in Europe," and collecting data about truck emissions would give the commission the evidence it needed to propose the emissions standard, Sefcovic said.

The requirement for manufacturers to monitor and report their trucks' emissions will be followed up in 2018 with a proposal for a carbon emissions standard for trucks, Sefcovic said.

The proposal on truck emissions was put forward as part of a package of transportation-related measures that the commission issued May 31.

Road-Use Charging Plan

According to the proposal, truck manufacturers would be required from Jan. 1, 2019, to use a common methodology to calculate the emissions of vehicles above 7.5 metric tons. The data would be made public from 2020.

The plan moved "in the right direction, but the real test of the EU's intentions will be the ambition of the CO2 standards" when they are proposed in 2018, the nongovernmental organization Transport & Environment said.

The EU already has fuel economy and carbon standards for passenger cars and light vans. The commission said it would make proposals within 12 months to update these standards for the post-2020 period.

In a related move May 31, the commission proposed amending a 1999 directive to update rules EU countries must follow when levying road use charges on heavy vehicles. Currently, 24 of the EU's 28 member nations impose charges on trucks crossing their territory.

It would require countries with road charges for trucks to introduce differentiated pricing based on trucks' carbon emissions. This would "incentivize the use of the cleanest and most efficient" heavy vehicles, the commission said.

Both the proposed requirement on the monitoring of truck emissions and the road-charging directive require the approval of the European Parliament and the Council of the EU, which represents the governments of EU countries.

Exxon Investors to Company: Make Climate Curb Fallout Public

Posted May 31, 2017, 03:31 P.M. ET

By Joe Carroll

Exxon Mobil Corp. investors, in a split with the company, urged the explorer to publish a detailed analysis next year on how carbon curbs could affect the value of its oil fields, refineries and pipelines.

The non-binding measure, backed by investors including the California Public Employees' Retirement System and the Church of England investment fund, comes amid reports President Donald Trump may soon abandon the 2015 Paris Climate Accord. More than 60 percent of voters approved the resolution during Exxon's annual general meeting in Dallas.

While Exxon's management opposed the measure, Chief Executive Officer Darren Woods said he remains committed to the Paris pact's goals and methods. Even with that agreement in place, he said, oil demand will grow in the coming decades, particularly in underdeveloped regions of the world.

"Energy needs are a function of population and living standards," Woods said in his first annual meeting since becoming chief executive officer on Jan. 1. "When it comes to policy, the goal should be to reduce emissions at the lowest cost to society."

Population growth and a desire for higher living standards will increase usage of petroleum-derived fuels, especially for transportation, because there are few widely-available alternatives, according to Woods. There's a huge untapped energy market among the 1 billion people who currently have no access to electricity and the 3 billion who don't use modern cooking fuels, he said.

Exxon shares fell 0.6 percent to $80.61 at 2:15 p.m. in New York trading.

"It's going to take a global solution" to limit greenhouse gas emissions that contribute to climate change, Woods said.

The remarks come amid news reports that Trump is on the verge of pulling the U.S. out of the Paris agreement. On May 31, Trump tweeted he would announce his decision within days.

Woods said his forecast assumes governments adhere to the strictures of the Paris pact, which calls for limiting emissions to prevent global temperatures from exceeding pre-industrial levels by 2 degrees Celsius.

Woods has been a staunch advocate for keeping the U.S. in the Paris group, as was his predecessor Rex Tillerson, who is now Trump's secretary of state. In his first blog post after becoming CEO, Woods advocated low-emission fuels, carbon capture and biofuels as tools for meeting the goals of the Paris agreement.

In May 2016, the proposal received a 38 percent "yes" vote after the company said it already disclosed ample data about emissions and risk management. As a result of this year's 62 percent "yes" vote, the board will reconsider its opposition.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Thur 11/9/2017 3:01:37 PM
Subject: POLITICO's Morning Energy, presented by ExxonMobil: Senate expected to send Pruitt an air chief today — Senate Energy slots in Nov. 15 ANWR markup as text released — East vs. West coal battle heats up — New hurdle for nuclear waste bill

By Anthony Adragna | 11/09/2017 09:59 AM EDT

With help from Emily Holden and Eric Wolff

HELP'S ON THE WAY: The Senate is expected to confirm William Wehrum today at 11:30 a.m. to run EPA's air office, sending Administrator Scott Pruitt a key, if controversial, lieutenant as he embarks on a sweeping agenda to roll back a host of Obama-era air regulations. Barring any huge surprises (the cloture vote was along party-lines), Wehrum is expected to receive unanimous Republican backing and universal Democratic opposition.

Al Franken made a candid hot mic comment during the cloture vote. Watch here.

Pressure to testify ramps up: With help on the way to the agency, look for Congress to further lean on Pruitt to return for oversight hearings. House Energy and Commerce Environment Subcommittee Chairman John Shimkus told reporters he's personally told Pruitt within the past two weeks that he needs to appear before the committee. "I know that I said, 'You know you're eventually going to have to come before the committee, and the sooner you do it the better,'" he said. "He was quiet." House Science Chairman Lamar Smith said in a letter his staff was working on finding "a mutually convenient time" for Pruitt to come. From ME's perspective, Hill Republicans may have to do more than nicely ask for Pruitt to appear.

Speaking of Pruitt, a tipster tells ME they spotted the administrator in first class on a flight from D.C. to Detroit on Wednesday morning. An agency spokeswoman wouldn't say where he was going or what he was doing once he arrived.

Hey, EPA: That's not how this works. Pruitt is a Cabinet official, not a private citizen. His responsibilities include testifying before Congress regularly, and the public has a right to know where he is on a given day. Unlike Pruitt, other Cabinet officials - including Secretary of State Rex Tillerson, Defense Secretary Jim Mattis, Agriculture Secretary Sonny Perdue, Commerce Secretary Wilbur Ross (even President Donald Trump himself) - regularly provide their daily schedules in advance.

So where is he today? Pruitt's slated to meet with the American Chemistry Council's board of directors for 2-1/2 hours on Kiawah Island, S.C.

IF IT'S THURSDAY, ME'S HERE FOR YOU! I'm your host Anthony Adragna, and EPA deputy nominee Andrew Wheeler was first (on the morning of his confirmation hearing!) to identify that Sen. Shelley Moore Capito's father, Arch Moore, served three terms as West Virginia governor before legal troubles ended his career. For today: Which former lawmaker left the House to become a public works commissioner? Send your tips, energy gossip and comments

to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ANWR LEGISLATION RELEASED: Senate Energy Chairman Lisa Murkowski released a four-page reconciliation package late Wednesday that would open Arctic National Wildlife Refuge in Alaska to oil and gas drilling. According to the CBO, the measure would net $1.092 billion over the 10-year budget while limiting development to 2,000 acres of federal land. The release allows the committee to move on to a markup on Nov. 15. Efforts to open ANWR to drilling are staunchly opposed by Democrats, including Ranking Member Maria Cantwell, and environmental advocates. Remember instructions in the budget resolution, H. Con. Res. 71, require Murkowski's committee to raise $1 billion in revenue over the next decade.

Hot docs: Text of the chairman's mark here. Summary of the mark here. Map of the area under consideration here.

NEW EAST V. WEST BEEF: Energy Secretary Rick Perry's grid resiliency push to boost the coal and nuclear sectors is casting a brighter light on the ever-expanding divide between the coal industry's Appalachian mines and Wyoming's Powder River Basin, Pro's Alex Guillén reports. And though the Trump administration has paid close attention to boosting the fortunes of Appalachia in its early months, experts say the industry's future appears brighter out West. "The industry recognizes it's just a fact of geology and Mother Nature and economics," said analyst Michael Dudas of Vertical Research Partners. "Over the past decades, the mix has certainly gone away from Appalachia towards the Powder River Basin."

Eastern and Western coal states have been on different trajectories for decades, with 56 percent of U.S. coal production in 2015 coming from the Western region and just 25 percent from Appalachia. Western coal is easier to access and reserves are so abundant that companies were able to absorb an Obama-era moratorium on new leases largely unfazed. "In the grand scheme of things, economically, we're the better bet for a utility," Travis Deti, executive director of the Wyoming Mining Association, said.

But the nostalgia factor: Appalachia is the nation's sole producer of metallurgical coal, high-grade fuel used to make steel and other metals and is better-positioned to export its coal. But beyond those factors, it continues to occupy an overwhelming cultural and political presence in parts of the country. "Our advantage is we have the best coal miners in the world and we got probably some of the best coal in the world right here. The Lord blessed us in that standpoint," Bill Raney, president of the West Virginia Coal Association, said.

NUCLEAR WASTE BILL HITS NEW HURDLE: A dispute between Shimkus and House Appropriators over how money from the Nuclear Waste Fund is spent must be resolved before a bipartisan nuclear waste bill can hit the floor, Pro's Darius Dixon reports. At issue is mandatory spending in the Shimkus bill that would go to operating costs related to Yucca Mountain and additional payments through a "benefits agreement" with the state of Nevada. Current law has Congress dole out monies from the fund during the annual appropriations process and lawmakers on that panel don't want to cede that power. "My frustration is that we are serious but the appropriators, right now, are still wedded to a year-to-year process," Shimkus told Darius.

It's a pile-on! Even if the bill gets out of the House, there's been little appetite to move on the issue in the Senate where leadership doesn't want to put vulnerable Nevada Republican Sen. Dean Heller in a tough spot. "Senate Republicans have made it clear they don't want to move forward on Yucca Mountain because it could hurt Sen. Heller," a senior Senate aide said. Heller said in an interview - with a smile - he'd been pushing Majority Leader Mitch McConnell to keep Yucca funding out of the next spending package. "I think we'll get there," he added.

** **Presented by ExxonMobil:** We're collaborating with FuelCell Energy on a novel idea to use fuel cells to capture carbon at natural gas power plants, and in the process reduce emissions and increase electrical output. This technology could be a game changer in addressing the world's growing need for energy, while also reducing the impact on the environment. Learn more. **

HOW ABOUT A MEETING? The Senate's number two Democrat has no plans to lift his hold on multiple Interior nominees until Secretary Ryan Zinke meets with his office about his review of national monument designations, your ME host reports. "A meeting, how about that for a radical idea?" Sen. Dick Durbin told ME when asked what it would take to lift the holds. "We asked the secretary to meet with us and he won't do it." Zinke demanded the senators "lift the random and senseless holds" in a tweet late Wednesday.

ROUGH WATERS FOR CORPS NOMINEE? Rickey Dale "R.D." James, Trump's pick to run the Army Corps of Engineers, is likely to face scrutiny today before the Armed Services Committee over what critics say are his conflicts of interests, Pro's Alex Guillén reports . His thousands of acres of valuable Missouri farmland lie within the New Madrid floodway, a relief-valve channel that can be used to divert floodwaters from the Mississippi and Ohio rivers. James, a long-time member of the powerful Mississippi River Commission, has admitted to being conflicted about flooding the area because of his ties there. "I could not displace from my mind what the decision would mean to my friends and neighbors," James told the Defense Media Network in 2012.

His defenders include both of Mississippi's senators - Thad Cochran and Roger Wicker - and major waterways groups. Once he clears the Armed Services Committee, he will go through another hearing and vote before the Senate Environment and Public Works Committee. The session gavels in at 10 a.m. in Dirksen G-50.

OLD KING COAL: Michael Bloomberg and Bloomberg Philanthropies today will announce a $50 million cash infusion to launch the Europe Beyond Coal campaign to reduce the continent's dependence on coal energy. Done in partnership with the European Climate Foundation and a sister campaign on ongoing U.S efforts, both groups plan a Nov. 11 event on the sidelines of the UN's COP23 to discuss their new push.

Taking stock: As the climate confab in Bonn continues, a new analysis from Data-Driven Yale finds nearly 15,000 subnational and non-state actors have set close to 100,000 goals to curb climate change. The researchers synthesized information from 17 platforms and organizations, finding that more than 7,000 cities representing 17 percent of the world's population have climate targets. Most (5,831) are in Europe, and 554 are in North America. The study identified

climate commitments from about 6,225 companies and investors with $36.5 trillion in revenue, and from 34 of the world's 57 largest banks, as well as 700 U.S. colleges and universities

HYDROPOWERING THROUGH: The House voted 257 to 166 on Wednesday to approve the Hydropower Policy Modernization Act H.R. 3043 (115) revamping the permitting process for hydropower projects. "This bill won't change outcomes or environmental standards. Instead, it will speed up the relicensing process and save time and money," bill sponsor Rep. Cathy McMorris Rodgers said in a statement. Twenty-six Democrats backed the measure, while three Republicans voted against it.

BISHOP'S 'DISAPPOINTED' BY PREPA'S ABSENCE: House Natural Resources Chairman Rob Bishop told ME he's "disappointed" but not surprised the head of Puerto Rico's utility backed out of a congressional hearing earlier this week. "They would have had to face all the questions about Whitefish, so I kind of understand why they didn't necessarily want to be there," he said. "If we're trying to solve the problem, spending a lot of time on Whitefish would be fun but not necessarily essential with moving forward."

FIGURE IT OUT: Democratic Sens. Sheldon Whitehouse and Michael Bennet asked FERC in a Wednesday letter to reverse course and include the social cost of carbon as part of its review of pipeline projects. They included a point-by-point rebuttal of a recent draft FERC analysis in which the commission said it would not include the figure estimating societal costs of carbon pollution in its analyses.

ATLANTIC SUNRISE CAN PROCEED: A three-judge panel of the D.C. Circuit denied a request Wednesday from community and environmental groups to halt construction of the Atlantic Sunrise natural gas pipeline while a broader challenge to FERC approval of the project proceeds, Pro's Darius Dixon reports. "Petitioners have not satisfied the stringent requirements for a stay pending court review," the court said in its order.

MAIL CALL! THANKS, MR. PRESIDENT! A group of advanced biofuel producers, including ethanol giants Archer Daniels Midland and POET, sent a letter to Trump thanking him for past support of the ethanol industry and asking him to make sure advanced biofuel volumes are raised from proposed levels. "Mr. President, we very much appreciate your ongoing commitment to the biofuels industry and the Americans who work every day to produce biofuels and other bio-based, agricultural products," the letter says.

Hey, House, lay off our wind tax credit: Rhode Island Gov. Gina Raimando and South Dakota Gov. Dennis Daugaard are asking House tax writers to lay off changes to the wind tax credit. In a letter to Ways & Means Chairman Kevin Brady and ranking member Richard Neal , the pair, who are also the current and past chairmen of the Governors Wind and Solar Energy Coalition, say the bill should drop its provisions that change how wind projects qualify and that eliminate an inflation adjustment. Fifteen House members, led by Rep. David Young, made a similar plea in their own letter Wednesday.

Not sold: A group of 17 environmental and public health groups sent a letter to the House on Wednesday strongly opposing the chamber's tax package, H.R. 1 (115) . "The plan puts at risk

our clean energy future by preserving tax breaks for dirty energy sources while slashing them for cleaner forms of energy," the letter, signed by groups like the Center for Biological Diversity, Sierra Club and Oil Change International, says. "And if the tax plan itself weren't harmful enough, it is also being packaged in the Senate with unrelated, controversial legislation that hands over the pristine and sacred Arctic National Wildlife Refuge to exploitation by Big Oil."

Energy research can be fun(ded)! A group of business leaders sent a letter to top House and Senate appropriators urging robust energy research funding. "Ensuring America stays at the forefront of global energy technology research is both an economic and security imperative," the letter, signed by leaders including Southern Co's Tom Fanning, ClearPath's Jay Faison and the U.S. Chamber's Thomas Donohue, says.

GOOD YEAR FOR PARKS: The Trust for Public Land ran the numbers and voters around the country approved $1.5 billion in local and state ballot measures for parks and conservation. Twenty-six of the 30 local park and open space measures passed. "At a time when Americans seem to be increasingly divided, one thing we all agree on is that we love our parks, whatever our political party," Will Rogers, the group's president, said in a statement.

TAKE A GLANCE! Energy In Depth, a research program of the Independent Petroleum Association of America, is launching a website today pushing back on claims made by the #ExxonKnew campaign.

QUICK HITS

- How Coal Giant Peabody's Ideas Ended Up in Trump's Coal Study. Bloomberg.

- Coal-fired plant shifted $1bn offshore while pocketing $117m from Australian taxpayers. The Guardian.

- End may be nearing for Diablo Canyon nuclear plant. San Franciso Chronicle.

- Shell Enchilada oil platform in Gulf of Mexico shut after fire. Reuters.

- Homeland nominee questions human role in climate change. AP.

- California Gov. Jerry Brown delivers a blunt climate change message in Germany. Los Angeles Times.

THAT'S ALL FOR ME!

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 6/28/2017 3:19:35 PM
Subject: DOJ environment nominee tussles with Feinstein on climate change

By Alex Guillén

06/28/2017 11:15 AM EDT

Jeffrey Bossert Clark, President Donald Trump's pick to run the Justice Department's environmental division, declined multiple times today to say whether he thinks greenhouse gases pose a threat to human health or welfare.

At a confirmation hearing today, Clark told Sen. Dianne Feinstein (D-Calif.) that he stands by his past criticism of EPA's 2009 endangerment finding on economic grounds, and he noted that the Supreme Court put the Clean Power Plan on hold last year in part "because it would have worked a fundamental transformation of how the power sector is regulated."

However, Clark declined to answer Feinstein's questions about whether he agrees with the scientific consensus that human activity is the main driver of climate change. Clark said his "personal views aren't relevant" and such issues are a matter for EPA and other agencies.

"I want to know what your beliefs are and I think we're entitled to it before I cast my vote," replied Feinstein, the top Democrat on the Judiciary Committee.

"What my beliefs are is fidelity to the law and then respect for the facts as they're found by the agency," Clark said. "If an agency makes a decision that's within the bounds of the Constitution and within the bounds of statutory law ... then that's owed a defense."

Feinstein then asked whether Clark believes climate change poses economic risks.

"I have seen economic studies that indicate that climate change could cause negative effects, yes," he replied.

WHAT'S NEXT: The Judiciary Committee will vote on Clark's nomination sometime after it returns from next week's Independence Day recess.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/06/doj-enviro-nominee-tussles-with-feinstein-on-climate-change-089818

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Media
Sent: Wed 11/15/2017 10:36:03 AM
Subject: Morning Media: Posties praise Dan Balz -- DOJ's dozens of leak investigations -- Bannon's 'second thoughts' on Moore -- Tina Brown's advice

By Michael Calderone | 11/15/2017 05:34 AM EDT

"THE STORY WE REPORT ON TODAY is the most important story that most of us will cover in our lifetimes," The Washington Post's chief political correspondent, Dan Balz, said Tuesday upon accepting the John Chancellor award at Columbia University. "And we have to get it right in every way possible. Seeking truth, getting as close to it as we can every day, is more essential than ever."

- In nearly four decades at the Washington Post, Balz has covered every major political story, including 21 national conventions and down-to-the-wire election nights. ESPN's Kevin Merida, a former colleague, said The Post even assembled a book in 2011 of Balz's election-night deadline writing - "Campaign Crescendos" - that the paper's management had an up-and-coming political reporter, Phil Rucker, fly to Michigan and hand-deliver to a vacationing Balz in hopes of persuading him to turn down a competing offer from Reuters. Though Balz stayed at the paper, Merida recalled that the idea of a "Post institution walking out the door made for some restless nights."

- There was a this-is-your-life quality to the award luncheon, with POLITICO's Roger Simon telling stories of the pair's college newspaper days in Illinois, and former Post national political editor Maralee Schwartz recalling how Balz, known for his seemingly unflappable demeanor, continued bringing up an edit she made to a Clinton impeachment story more than a decade after it ran. "I thought, hmm, maybe he is like the rest of us," she said, "except, of course, he's better." Journalism luminaries, like Tom Brokaw, were in attendance, as well as Post stars of the past (Len Downie, Steve Coll, and Liz Spayd) and present (Marty Baron, Steven Ginsberg, Bob Costa, and Rucker).

- "You'd think that during the current administration, you'd finally see Dan ruffled by the disruptor in chief," said Baron, the paper's executive editor. "And maybe I did see that, because once or twice I saw Dan gently shake his head. That's about it. Lose his temper? I never saw it. Use some profanity? He must have, but I didn't hear it." These days, Baron said, Balz's voice is the type "we most need, a voice rooted in constant reporting and rooted in an amazing even temperament."

Good morning and welcome to Morning Media. Please send tips to mcalderone@politico.com and @mlcalderone. Jason Schwartz (@JasonSchwartz) and Daniel Lippman (@dlippman) contributed to the newsletter. Archives. Subscribe.

STEVE BANNON SAYS MEDIA 'USED' MICHELLE FIELDS INCIDENT: In a new book, the Breitbart chief accused the news media of having a "meltdown" after then-Trump campaign manager Corey Lewandowski manhandled Fields, a former Breitbart reporter. "This was all about getting Corey out as campaign manager because they wanted to destroy Trump,"

Bannon said.

- My recollection is different. Though the March 2016 episode certainly got media coverage at the time, including Fields appearing on Megyn Kelly's old primetime Fox News show, TV news hosts didn't appear to be trying to "destroy" Trump over Lewandowski - in fact, they didn't even bring it up in interviews. As I wrote at the time, Trump did more than a dozen TV interviews shortly after Fields filed a police report alleging assault, appearing for more than two and a half hours across ABC, CBS, NBC, FOX, Fox News, MSNBC and CNN, and no interviewer asked about his campaign manager's behavior.

27 LEAK INVESTIGATIONS: Attorney General Jeff Sessions announced at Tuesday's House oversight hearing that the Justice Department has over two dozen ongoing investigations. Sessions' tough talk on leaks in recent months, and unwillingness to commit to not jailing journalists in the course of such investigations, has raised concerns among press advocates. The Obama administration aggressively investigated leaks, though stopped short of prosecuting journalists. POLITICO's Josh Gerstein wrote in August that Sessions' "broad attack on leaks aimed at an audience of one: Trump."

IMPERSONATING THE POST: The Washington Post has already been attacked for its meticulously reported Friday piece on Roy Moore, with the Republican Senate candidate dismissing it as "fake news," sympathetic, right-wing sites like Breitbart and Gateway Pundit trying to discredit the story, and a bogus conspiracy theory spread on the internet that the paper offered to pay for accusations against Moore. On Tuesday, WKRG reported that someone, presumably trying to tarnish the paper's reporting in the eyes of Alabama residents, is making robocalls using a Jewish-sounding name and claiming to be a Post reporter willing to pay for "damaging remarks" about Moore.

- "The Post has just learned that at least one person in Alabama has received a call from someone falsely claiming to be from The Washington Post," executive editor Marty Baron said in a statement. "The call's description of our reporting methods bears no relationship to reality. We are shocked and appalled that anyone would stoop to this level to discredit real journalism."

BANNON'S 'SECOND THOUGHTS' ON MOORE? Steve Bannon has been one of Roy Moore's most vocal supporters for months, and his site has continued to go to bat for the Senate hopeful even as accusations mount regarding inappropriate behavior with teenage girls while he was in his 30s. But The Daily Beast's Lachlan Markay and Asawin Suebsaeng report that "Bannon has begun privately taking the temperature of those in his inner circle to see what they think of the Moore allegations and to get their sense of how to proceed." Some of Bannon's allies, they report, have "warned that the time is rapidly approaching when he would have to disavow Moore before it appeared as though he was simply caving to political pressure."

MICHAEL WOLFF IN THE WHITE HOUSE: The longtime media chronicler appears to have received unprecedented access to the president and his inner circle for "Fire and Fury: Inside the Trump White House," which will be published on Jan. 9 by Henry Holt. "Based on more than 200 interviews with the president, most members of his senior staff and many of the people they in turn spoke to, Wolff shows how Trump and his team careened from one crisis to

the next during the administration's first nine months," Holt said in a release.

- "The United States is in the midst of the most intense political storm since Watergate, and my aim in reporting and writing this book was to see life inside White House through the eyes of the people who are closest to the center of this hurricane," Wolff said. "Perhaps not since the Tudors has palace intrigue been so corrosive and lethal, nor the king so volatile and so in need of instant gratification."

MUST-READ: Sexual harassment on Capitol Hill. CNN's MJ Lee, Sunlen Serfaty, Sara Ganim and Juana Summers "spoke with more than 50 lawmakers, current and former Hill aides and political veterans who have worked in Congress, the majority of whom spoke anonymously to be candid and avoid potential repercussions," they report. "With few exceptions, every person said they have personally experienced sexual harassment on the Hill or know of others who have." There's even an informal "creep list" of male offenders that's shared among women by word of mouth.

NET NEUTRALITY 101: The long-running fight over net neutrality, which pits telecom giants against tech companies, is heating up at the Federal Communications Commission. To understand what the fight is all about and where it's headed, check out POLITICO's latest explainer video featuring technology reporter Margaret McGill and the artwork of Pulitzer Prize-winning cartoonist Matt Wuerker. Click HERE to watch.

TINA BROWN SUGGESTS RIPPING UP VANITY FAIR: In a Time interview, the former editor offered some advice to incoming editor Radhika Jones: "Oh, completely rip it up, and start again if you want. I'm a huge believer in reinvention. And we put out amazing DNA that lasted for, good lord from '84 to where we are now. It's time for it to be rethought. I don't think you want to stay in template left by your predecessor."

NEIL CAVUTO WANTS OFF TRUMP INTERVIEW LIST: As president, Trump has given his TV interviews almost exclusively to Fox News and Fox Business Network - it's almost a better question who hasn't interviewed him there than who has. Well, Neil Cavuto won't be anytime soon. He finished his Fox Business show Tuesday with a monologue on why he had no interest in having the president on. "I see little to be gained getting him for the customary 10 minutes now or adding my name to the long and impressive list of people who've already interviewed the 'resident, including a lot of great people here," the anchor said.

- POLITICO recently looked at how Fox, especially in mornings and primetime, has aligned itself even more closely to Trump. During the segment, Cavuto played clips in which he both criticized and praised Trump, to suggest he's been more independent. The host said he didn't want to talk to Trump, "again, not because I don't cover the president, maybe because I can just as effectively do that without interviewing the president."

WATCH: Fox News anchor Shep Smith debunked the "Uranium One" pseudo-scandal being pushed by pro-Trump hosts on the network. (via Mediaite)

REMEMBERING EDWARD HERMAN: The professor and media critic, best known for co-

authoring "Manufacturing Consent" with Noam Chomsky, died this week at age 92. Rolling Stone's Matt Taibbi recalls that classic work: "'Manufacturing Consent' was a kind of bible of media criticism for a generation of dissident thinkers. The book described with great clarity how the system of private commercial media in America cooperates with state power to generate propaganda."

REVOLVING DOOR

Erica Werner, The Associated Press's chief congressional correspondent, is joining The Washington Post as congressional economic policy correspondent. The Post's announcement described the hire as part of an "expanding commitment to covering the most important economic policy stories unfolding in Washington and the ways they affect voters and companies"

Kevin Sieff, The Post's African bureau chief, is heading to Mexico to cover Latin America. "It's a real privilege to work for a newspaper that continues to invest in foreign coverage," he tweeted.

EXTRAS

- Axios co-founder (and previously POLITICO co-founder) Jim VandeHei looks at "how American politics went batshit crazy."

- ESPN chief John Skipper gets a contract extension through 2021.

- Peter Beinart reflects on how white, Ivy-educated men thrived at The New Republic.

- NBC fired veteran booker Matt Zimmerman over allegations of inappropriate conduct with women.

- Reporters covering sexual harassment allegations talk to Nieman Reports about the challenges.

-Forbes has a new "30 under 30" media list (but don't feel bad if you're not on it).

To view online:
http://www.politico.com/media/newsletters/morning-media/2017/11/15/posties-praise-dan-balz-dojs-dozens-of-leak-investigations-bannons-second-thoughts-on-moore-tina-browns-advice-001380

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Subject: [SPAM] May 26 -- Energy and Climate Report - Afternoon Briefing

Energy and Climate Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

Trump `Leaning' to Understand Europe View on Climate, Cohn Says

Posted May 26, 2017, 8:37 A.M. ET

By Margaret Talev

Donald Trump is working to understand the European view on climate change, his chief economic adviser said, suggesting the U.S. president is sensitive to the diplomatic backlash he'd face in scrapping the Paris Agreement on global warming.

"I think he's leaning to understand the European position," Gary Cohn, director of the National Economic Council, said on the sidelines of a Group of Seven summit in Sicily, Italy.

Climate is one of the most contentious issues facing leaders at the two-day G-7 meeting in the resort town of Taormina, where Angela Merkel of Germany and France's Emmanuel Macron are among those advocating a commitment to the landmark Paris accord. Trump has derided climate change as a hoax, and members of his administration are deadlocked about whether the U.S. should uphold the pact, brokered by nearly 200 nations in 2015.

"Look as you know from the U.S., there's very strong views on both sides," said Cohn. "Both sides are running ads. So he knows that in the U.S. there's very strong opinions on both sides but he also knows that Paris has important meaning to many of the European leaders. And he wants to clearly hear what the European leaders have to say."

--With assistance from Reed Landberg.

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Shell Sees Solution to Energy-System Gaps in `Hydrogen Grid'

Posted May 26, 2017, 8:57 A.M. ET

By Anna Hirtenstein and Rakteem Katakey

Royal Dutch Shell Plc is looking to build a hydrogen empire in a bid to fix the biggest problem the energy transition faces: the question of how to store power in the long term.

"Hydrogen can sit there as a storage medium, similar to batteries," said John Abbott, downstream director at Shell. "I can see a world where there's even a hydrogen grid. You use it for your car, you heat your home, your electricity, through that network."

Shell has begun to use the lightest element at its retail stations, starting with Germany and the U.K. It entered a joint venture with partners such as Daimler AG to dispense hydrogen from its filling stations in Germany, aiming to roll this out at 400 locations by the early 2020s. The first station in the U.K. was introduced in February on the outskirts of London. Shell is aiming to add another 10 before the end of the year.

Hydrogen can be derived from natural gas or from water by splitting the molecules, a process which uses energy. The supply chain has been criticized for being overly energy-intensive. However, if the energy that is used to make the gas is renewable, it can be seen as a form of green power storage. Technically, it can be stored almost indefinitely.

"Hydrogen has the potential to be a form of long-term seasonal energy storage. It can store power from days to months at a time, compared to batteries which are typically limited to a few hours," said Logan Goldie-Scot, energy-storage analyst at Bloomberg New Energy Finance. "Globally, current markets neither incentivize the use of hydrogen nor highly value the long-duration flexibility that it offers."

Long-term Storage

Storage of different lengths will be needed to wean the energy system off fossil fuels. Plugging the short-term gaps between wind and solar generation may be able to be covered by batteries, but the peaks between seasons requires huge amounts of energy to be stored for months at a time.

Shell has previously said that it sees hydrogen as a solution for shipping, aviation and trucks -- heavier machinery that's unlikely to be powered by batteries, which still face questions on energy density. Now Abbott expands the vision to include heating houses, providing electricity to the grid and storing power.

Shell's views contrast with those of BP Plc. The British oil major doesn't believe that the gas will play a major role for fueling passenger vehicles or trucks, according to chief economist Spencer Dale. The company expects that natural gas in the form of LNG will instead be used for long-distance trucking and shipping instead of diesel and bunker fuel.

It's adding charging points for electric vehicles at some of its retail units. It has sold some hydrogen at a station outside London, but volumes are not high.

"It's a question of the chicken and egg, what's coming first," said Istvan Kapitany, executive vice president of Shell Retail. "Right now the number of fuel-cell cars is very low, but we need to be putting down the facilities to have a chance for the customers buy a fuel cell car, so when they buy it they can drive it properly."

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Six to One Against Trump on Climate in 'Honest' Exchange at G-7

Posted May 26, 2017, 03:58 P.M. ET

By Arne Delfs and Margaret Talev

German Chancellor Angela Merkel said Donald Trump was isolated on climate change at the Group of Seven, as the president said he's in no rush to decide whether to scrap U.S. involvement in the Paris Agreement.

A closed-door session on the first day of the G-7 summit in Sicily found unity on stepping up efforts to combat terrorism, but entered stormier waters on trade and on climate, Merkel said. At that stage it was six against one as leaders pressed Trump to hold to U.S. agreements made under the landmark Paris climate accord.

"We made it clear that we want the U.S. to stick to its commitments," Merkel told reporters after the meeting on May 26. "There were very different arguments from us all urging the president to hold to the climate accord." She said the discussion was conducted in a very "honest" atmosphere, leading to a "very intense exchange."

After deriding climate change as a hoax and pledging to pull out of the Paris deal during his election campaign, Trump has sidestepped the issue and passed up a number of opportunities to outline his international stance toward global warming. Members of his administration are deadlocked about whether the U.S. should uphold the pact.

Merkel said that the U.S. side made clear that it hasn't yet taken a decision on whether to scrap Paris "and won't make a decision here" at the G-7.

Taking Time

In the meeting, G-7 leaders asked Trump his timeframe for making a decision, according to a briefing by his top economic adviser, Gary Cohn. Trump said, "I'd rather take my time" and get to the right decision, Cohn told reporters traveling with Trump in Sicily.

Trump also expressed concerns that other countries that had tried to dial back their climate emissions like China and India had seen job growth suffer—and made clear he was not prepared to live with that trade-off, Cohn said.

Trump told the leaders, "he didn't want to be in second place," Cohn said, especially because he ran on a platform of job creation and improving working-and middle-class opportunities and is committed to keeping that promise, Cohn said.

Italian Prime Minister Paolo Gentiloni, the summit's host, said separately that there was "no agreement" on the Paris accord.

"President Trump will take time to reflect on it, and the other countries are taking note of that," Gentiloni said.

"His views are evolving," Cohn said, but Trump's decision will be based on what's best for the United States. The president "is thinking about what his options are." Trump "feels much more knowledgeable on the topic now," said Cohn.

—With assistance from Flavia Krause-Jackson.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Tue 5/23/2017 4:45:34 PM
Subject: BREAKING NEWS: MacArthur resigns as co-chairman of Tuesday Group

Rep. Tom MacArthur resigned Tuesday as co-chairman of the caucus of GOP moderates known as the Tuesday Group in the wake of deep divisions among its members over the House Obamacare replacement bill he helped craft.

"You can't lead people where they don't want to go," MacArthur said in an interview with POLITICO New Jersey. "I think some people in the group just have a different view of what governing is."

Read more: http://politi.co/2rPHn4m

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Subject: The Morning Headlines from InsideEPA.com -- June 19, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

June 19, 2017

Latest News

Top Oregon Official Urges Pruitt To Stay Course On Portland Cleanup Site

Oregon's top environmental official is pressing EPA Administrator Scott Pruitt to stay committed to the $1 billion cleanup decision reached by his predecessor earlier this year at the high-profile Portland Harbor Superfund site, signaling concern that Pruitt may seek to revise the plan as part of his effort to streamline remedy design and selection at contaminated sediment sites.

EPA Seeks Seven-Year Deadline To Complete Overdue Air Toxics Reviews

EPA is asking a federal district court to set a seven-year deadline for completing overdue air toxics rule reviews for nine industrial sectors, conceding that it has missed Clean Air Act deadlines for the reviews but arguing that separate court-imposed deadlines for reviewing other rules are limiting resources and justify the seven-year target.

OMB Questions Need For EPA CWA Rule Over State Regulation Of Waters

White House officials in recent meetings with supporters of the Obama EPA's Clean Water Act (CWA) jurisdiction rule questioned the attendees about why the agency needs to be regulating waters and whether states could adequately oversee them, suggesting a possible justification for the Trump EPA's pending plan to repeal the rule.

Industries Call On Trump EPA To Pursue 'Clean' Repeal Of 2015 CWA Rule

Groups representing the mining, agriculture, energy and other sectors are calling on the Trump EPA to pursue a "clean" rule repealing the Obama administration's Clean Water Act (CWA) jurisdiction regulation and swiftly reinstate CWA policies established in 2008, rather than trying to use the repeal rule to also fix flaws in the 2008 policies.

EPA Toxics Director Seeks 'New Chemicals' Program Fixes Beyond Backlog

EPA toxics managers are working on a series of fixes to the agency's new chemicals

program, which are intended to address the backlog of applications to commence production, prevent a similar backlog, and address related issues.

Environmentalists, Water Utilities Seek Changes In TSCA Framework Rules

Environmental groups and water utility officials are looking for changes in the framework rules due for finalization June 22 that will implement the reforms to the Toxic Substances Control Act (TSCA) as signed into law last summer, with environmentalists fearing industry influence and utilities looking for EPA to describe an approach to prioritization.

Environmentalists Seek Scaled-Back RFS Due To Land, Species Concerns

Environmentalists in a meeting with EPA and the White House Office of Management & Budget (OMB) over the pending 2018 renewable fuel standard (RFS) targets called for scaling back the program's fuel production goals due to concerns about its alleged negative impacts on land use and potential harm to various species.

Daily Feed

Environmentalists challenge EPA's RMP rule delay

Environmentalists say the 20-month delay violates a Clean Air Act requirement that EPA implement rules “as expeditiously as possible.”

Key California Republican presses Pruitt to defend vehicle waiver

A top GOP appropriator cautioned that the state has been receiving Clean Air Act vehicle waivers “for over 50 years.”

EPA commits to weighing new glyphosate data

Administrator Scott Pruitt told lawmakers the agency will consider federal health data showing that exposure to the widely used pesticide does not cause cancer in its registration review.

Former ADEQ head joining EPA as assistant deputy chief

Arizona's top environmental regulator, an advocate of flexible compliance with EPA rules, will be the agency's next assistant deputy administrator.

House appropriators blast Trump's FY18 EPA budget plan

After ticking off administration plans to slash funding for diesel engine emissions, targeted airsheds and Superfund cleanups, Rep. Ken Calvert (R-CA), EPA's top Republican appropriator, told Administrator Scott Pruitt: “These are all proposals that we are unlikely to entertain.”

Pruitt faces more questions over email accounts

From today's Ewire: New emails create more problems for Pruitt. Plus, EPA's methane rule rollback, GHG endangerment finding and more.

Farmworkers detail suit to stop delay of EPA applicators rule

Farmworker advocates say the delay of EPA's applicator rule failed to follow proper procedure and put applicators at risk.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: InsideEPA.com
Sent: Thur 11/16/2017 11:49:59 AM
Subject: The Morning Headlines from InsideEPA.com -- November 16, 2017

TRUMP'S EPA: Agency at a crossroads -- Complete coverage

November 16, 2017

Latest News

States Fault EPA's 'Optimistic' Ozone Data, Seek New Air Transport Policy

Northeastern and Mid-Atlantic states in the Ozone Transport Commission (OTC) area are faulting what they see as EPA's overly optimistic projections that no areas outside California are likely to exceed the 2008 ozone air standard in 2023, calling on the agency to instead pursue a "full remedy" policy to curb interstate ozone transport.

Dourson's EPA Nomination In Doubt With Two GOP Senators' Opposition

Michael Dourson's controversial nomination to head EPA's toxics office appears in doubt after GOP North Carolina Sens. Richard Burr and Thom Tillis announced late Nov. 15 that they would oppose him, because along with Sen. Susan Collins (R-ME) as a likely no vote, Democrats can kill the nomination if they all vote against Dourson.

CSB Backs Parts Of Obama EPA RMP Rule To Address Facility Flood Risks

The U.S. Chemical Safety Board (CSB) is backing parts of the Obama EPA's facility safety prevention rule to help facilities better prepare for worsening risks from flooding, saying companies should reassess their emergency planning and coordination with first responders and communities to ensure adequate planning for extreme weather.

Manufacturers Push NSR Reform To Promote Lower-Emitting Technology

Manufacturers are calling for an overhaul to ease EPA's Clean Air Act new source review (NSR) permitting program to help promote technologies that can improve facilities' efficiency and reduce emissions of greenhouse gases and conventional pollutants, arguing that NSR discourages installation of such technology.

EPA Outlines Options To Prioritize Chemicals For TSCA Risk Analyses

EPA is proposing for public comment multiple approaches to prioritize existing chemicals to enter the pipeline for high- or low-priority designation and potential risk evaluation as part of its new responsibilities under the revised Toxic Substances Control Act (TSCA), with some of the proposals reflecting ideas that have enjoyed

industry support in the past.

EPA Brownfields Grants To States Face Cuts Despite Increased Demand

An EPA brownfields official is warning state officials of expected cuts to the grants the agency gives states annually to support brownfields programs -- even if Congress restores some of the funding the Trump administration proposed to eliminate -- noting the likely reductions come as demand among states and tribes for the grants continues to rise.

Senate Democrats Float EPA Asbestos Ban Bill Due To Fears Over Dourson

Eight Senate Democrats have introduced a bill seeking to ban asbestos -- even as EPA is working on a precedential risk evaluation of the substance under new responsibilities in the reformed Toxic Substances Control Act (TSCA) -- in part because of concerns that President Donald Trump's nominee to lead the agency's toxics office wouldn't ban its use.

Daily Feed

House brownfields bill cleared for floor consideration

A House brownfields bill has moved closer to a floor vote, but it appears highly unlikely lawmakers will attach a “good Samaritan” measure suggested by a Trump EPA official.

Final defense authorization bill requires national PFAS study

The House and Senate have agreed to require a national study on the health effects of perfluorinated substances, focusing on at least eight military facilities.

EPA working to tighten contracting policies after IG report

EPA is crafting an array of new internal guidances for release in early 2018 designed to cut back on contracts that do not guarantee a fixed price for the services the agency receives.

Quote-Unquote: For and against EPA's new advisory policy

Plus key quotes on Superfund reform, international climate talks, and former EPA officials on the Trump administration's rollback agenda.

Ewire: At climate talks, Trump officials not undermining Paris deal

In today's news roundup: United States negotiators at the international climate talks aren't undermining implementation of the Paris Agreement, to the relief of some who worried about President Donald Trump.

EPA, industry groups defend 'exceptional events' air rule

EPA and industry groups are defending the agency's Obama-era rule on “exceptional events,” saying the agency's definition of “natural event” is reasonable and due deference by courts.

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 5/31/2017 8:18:19 PM
Subject: May 31 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night. The Bloomberg BNA Daily Environment Report is brought to you by EPA Libraries. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please contact Josue Rivera-Olds at rivera-olds.josue@epa.gov, 202-566-1558.

EPA Methane Regulations Officially on Hold

Posted May 31, 2017, 03:11 P.M. ET

By David Schultz

An Obama-era EPA rule designed to limit methane leaks from oil and gas wells is officially on hold, as the agency's new leadership begins the formal process of weighing whether to repeal it altogether.

The Environmental Protection Agency is reconsidering the methane rule because it says the final version of the rule, which came out last summer, diverged too far from a draft version, preventing the public from fully weighing in, according to a notice scheduled to be published in an issue of the Federal Register. The Obama administration had included this rule as a part of its Climate Action Plan because methane is a potent greenhouse gas.

In addition to beginning the reconsideration process, the EPA is pushing back some of the rule's upcoming compliance deadlines by 90 days. Had the agency not done this, oil and gas drillers would have had to start complying on June 3 with these parts of the rule, which deal with gas leak monitoring and pneumatic pump standards.

Within hours after the EPA announced its move, both the Natural Resources Defense Council and the Environmental Defense Fund said they would file lawsuits against the agency to try to stop it from rolling back the methane rule.

Exelon: Still Time for Pennsylvania to Help Three Mile Island

Posted May 31, 2017, 03:00 P.M. ET

By Rebecca Kern

Pennsylvania's Legislature still has time to help keep Exelon Corp.'s financially struggling Three Mile Island nuclear plant operating, Exelon's Joseph Dominguez told Bloomberg BNA.

"We're continuing the discussion with policymakers that we really began six or seven months ago: Talking about the value proposition of nuclear, both from an environmental standpoint, as well as from fuel diversity and grid resilience standpoint," Dominguez, Exelon's vice president of governmental and regulatory affairs and public policy, told Bloomberg BNA May 31.

"We'll see if there's interest among policymakers to do the things that Illinois and New York were able to do," he said. "We still have some time to have this discussion, but there is a sense of urgency in terms of starting to introduce policymakers to the subject."

Exelon announced May 30 that it plans to prematurely close Three Mile Island, located about 90 miles west of Philadelphia, by Sept. 30, 2019, due to financial losses at the plant. It was the scene of the worst nuclear accident in U.S. history in 1979.

Last year, the Illinois Legislature approved a $235 million-a-year lifeline for Exelon's Quad Cities and Clinton reactors after the company announced they would close. Also, New York's Public Service Commission's Clean Energy Standard—passed last summer—will issue credits for zero-emitting resources, such as nuclear plants, starting this June.

'Hundreds of Millions' in Losses

Dominguez told Bloomberg BNA that the plant has lost "hundreds of millions of dollars" over the past six years.

Dominguez said even though the company has announced the closure of the plant, "it's not too late" for the plant to be saved by legislation or action from the Pennsylvania Public Utility Commission. "Generally speaking, about a year before the shutdown date is a critical date," he said.

The plant has not cleared the regional grid operator PJM Interconnection LLC's annual capacity market for the past three years. PJM's capacity auctions are held annually ensure enough power generation resources are available to meet demand in the region covering 13 states and the District of Columbia.

In New York and Illinois, both of the Exelon-related policies triggered lawsuits, as well as complaints to Federal Energy Regulatory Commission, but FERC has been hamstrung in addressing them because of its lack of a quorum since February.

"It's a sad reality that policymakers really need to see the potential loss of these facilities, given their otherwise busy agenda, to really take note sand start figuring out solutions," he said.

Dominguez said that Exelon would like to see the Legislature introduce a bill to amend Pennsylvania's Alternative Energy Portfolio Standard to include nuclear energy as a carbon-free energy resource. The standard was signed into law in 2004 and provides credits on tiered level for "alternative energy" sources, including solar, wind, hydropower, geothermal, biomass, biologically derived methane gas coal-mine methane and fuel cell resources.

Currently, there is no legislation introduced in the Pennsylvania Legislature. However, Dominguez said a bicameral Nuclear Energy Caucus, with nearly 80 members, was formed in May by state Sens. Ryan Aument (R) and John Yudichak (D) and Reps. Becky Corbin (R) and Rob Matzie (D).

Governor: Let's Talk

Pennsylvania Gov. Tom Wolf (D) said through spokesman J.J. Abbott that he is willing to talk with lawmakers about the issue.

"Pennsylvania is a major supplier of energy and we need a diverse energy sector," Abbott said, according to PennLive.com. "Governor Wolf is concerned about potential layoffs and empathizes with these employees.

"As we move forward, we expect a robust conversation about the state's energy sector. Governor Wolf is open to these conversations and looks forward to engaging with the General Assembly about what direction Pennsylvania will go in regards to its energy sector, including the future of nuclear power."

EPA Failed to Justify Nanosilver Pesticide Approval, Court Says

Posted May 31, 2017, 9:05 A.M. ET

By Pat Rizzuto

The EPA failed to prove its registration of a nanosilver antibacterial additive would be in the public interest, a federal appeals court ruled May 30. The court vacated the fast-tracked or "conditional," registration, meaning the antibacterial product made by Nanosilva LLC may not be added to trash cans, mops, toilet seats and other products where it was intended to suppress the growth of bacteria, algae, fungus, mold and mildew.

The EPA could have, but failed, to prove the fast-tracked process it used to allow the pesticide's use in 2015 was in the public's interest as required by the Federal Insecticide, Fungicide, and Rodenticide Act, the U.S. Court of Appeals for the Ninth Circuit said in the case, Natural Res. Def. Council v. Envtl. Prot. Ag., No. 15-72308.

The court said it was unaware of any previous court ruling based on the public-interest requirement FIFRA provides for fast tracked or "conditional" pesticide registrations.

Occidental Didn't Report Asbestos Imports, Groups to Claim in Suit

Posted May 31, 2017, 8:02 A.M. ET

By Pat Rizzuto

Three public health organizations are threatening to sue the Occidental Chemical Corp. for allegedly failing to report to the Environmental Protection Agency its importation and use of nearly 900,000 pounds of asbestos.

The company, a subsidiary of Occidental Petroleum Corp., failed to report its importation and use of asbestos in 2013, 2014 and 2015 as required by the EPA's Chemical Data Reporting rule, the coalition said in May 30 letters to the chemical corporation and to EPA. The letters were sent by the Asbestos Disease Awareness Organization; Safer Chemicals, Healthy Families; and the Environmental Health Strategy Center.

Occidental denied any wrongdoing.

"The claim has no merit. OxyChem complied with environmental regulations that allow reporting exemptions for some naturally occurring chemical substances ("NOCS")," Occidental said in a statement emailed to Bloomberg BNA. The Chemical Data Reporting rule includes an exemption for naturally occurring chemical substances, it said.

The primary commercial chemicals law in the U.S., the Toxic Substances Control Act (TSCA), authorizes citizens to file civil actions aimed at compelling a company, organization or the EPA to comply with the statute. Section 20 of TSCA requires citizens to give the parties they intend to sue and the agency 60 days notice of their intent to litigate, Robert Sussman, an attorney working for the coalition, told Blomberg BNA. The coalition's letters constitute that 60-day notice, he said.

An EPA spokesman declined to comment, citing the agency's longstanding policy of not discussing ongoing or potential litigation with the media.

Making Chlorine, Other Chemicals

Occidental Chemical Corp., or OxyChem, manufactures chloralkali products such as chlorine and caustic soda, commodity chemicals used for water treatment, paper production, and other purposes. The chloralkali industry uses a wet process to transform the dry asbestos shipments it receives into a diaphragm. That diaphragm is designed to prevent dangerous chemical reactions during the chlorine and caustic soda manufacturing process.

The U.S. Geological Survey estimated U.S. usage of asbestos in 2016 to be about 340 tons. The chloralkali industry's use "likely accounted" for 100 percent of that total asbestos imported, USGS said in its 2017 Mineral Commodity Summaries.

Occidental's alleged failure to report its asbestos use to the EPA deprived the agency of information it needs as it prepares to assess the risks of asbestos, the coalition wrote in a press release announcing its threatened lawsuits. Asbestos is among the first 10 chemicals the EPA is evaluating under the 2016 overhaul of TSCA.

Two other companies—Axiall Corp. and Olin Corp.—reported their imports of asbestos to the EPA during its 2016 Chemical Data Reporting submission period, the EPA said in a Preliminary Information on Manufacturing, Processing, Distribution, Use, and Disposal report issued in February.

"The imported amounts cannot be disclosed due to company claims of Confidential Business Information (CBI)," EPA said.

EPA will combine Chemical Data Reporting rule and data from many other sources in a risk assessment of asbestos it has undertaken. The 2016 TSCA amendments direct the agency to publish the scope of that risk assessment, and those for nine other chemicals it is assessing by June 19.

Trump Said to Still Be Mulling Whether to Leave Paris Accord

Posted May 31, 2017, 12:50 P.M. ET

By Jennifer A. Dlouhy, Jennifer Jacobs and Margaret Talev

President Donald Trump hasn't yet decided whether to keep the U.S. in the landmark Paris agreement on climate change but is leaning toward exiting the accord, according to two people

familiar with the matter.

The administration is preparing for several different outcomes and is lining up experts to speak to the media when an announcement is made, according to another person familiar with the discussions who, like the others, requested anonymity ahead of a decision.

Top administration officials are divided on what to do, with some, including Ivanka Trump and Secretary of State Rex Tillerson, urging Trump to stay in the deal. Others, including Environmental Protection Agency Administrator Scott Pruitt and White House Chief Strategist Steve Bannon, lead a faction that wants a U.S. exit.

There is consensus in the administration that the terms of the Paris deal must change, and it's exploring whether that requires a full exit or a scaled-back U.S. commitment to cut emissions, according to one of the people. Trump is scheduled to meet with Tillerson at the White House on May 31, and the president said he'd declare an outcome soon.

"I will be announcing my decision on the Paris Accord over the next few days," Trump tweeted on May 31.

Highly Anticipated Decision

Trump's decision is highly anticipated, and leaders of the six other nations in the Group of Seven heavily lobbied him at a summit in Sicily last week to keep the U.S. in the pact. But Trump has called climate change a "hoax" and criticized the deal as "one-sided" against the U.S. White House legal advisers have warned that staying in the accord could undercut Trump's efforts to rescind rules on power-plant emissions and methane leaks.

Axios reported earlier May 31 that the president would exit the Paris deal, and the New York Times followed with a report that he is likely to pull the U.S. out of the accord. Several administration officials contacted by Bloomberg said that a decision hadn't yet been made, and Trump has a record of shifting course on major decisions up until the last moment.

The move to leave would have significant environmental and diplomatic consequences. As the richest nation and the second-largest emitter of carbon dioxide, the U.S. is central to efforts to address global warming. The Vatican and companies as diverse as Exxon Mobil Corp. and Apple Inc. had urged the president to remain in the pact.

The Paris accord is broader than any previous climate agreement. It calls for reducing carbon dioxide emissions in hopes of limiting global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above temperatures at the outset of the Industrial Revolution. That's the upper limit scientists have set to keep climate change from hitting an irreversible tipping point, unleashing catastrophic floods, droughts and storms.

With an exit, Trump would make a clean break from his predecessor, Barack Obama, who made the Paris accord a top priority of his second term and pledged the U.S. would slash carbon dioxide emissions 26 percent by 2025. Withdrawal would put the U.S. in league with just two other nations -- Syria and Nicaragua -- that aren't participating in the agreement.

Trump has already moved to dismantle programs to fight global warming. He ordered a review of fuel-economy standards for cars and light trucks, which along with other vehicles are the U.S.'s largest source of greenhouse gases. And he set in motion a process to scrap the Clean Power Plan, which would have required utilities to slash their carbon dioxide emissions. EPA is also moving to rescind rules to prevent methane leaks.

Post-Leave Options

If he decides to leave, Trump has two options for jettisoning U.S. involvement.

The first—withdrawing from the Paris agreement—can't happen immediately. Under the deal's terms, he must wait until November 2019 to formally submit his bid to quit. It would take another year after that before the U.S. is actually out, under this process.

The other option—exiting the United Nations Framework Convention on Climate Change—goes beyond simply walking away from the Paris accord. The treaty, unanimously adopted by the U.S. Senate and signed by President George H.W. Bush, has been the foundation of 25 years of global climate talks. Scrapping the 1990s-era treaty would be a clear signal that this administration has no interest in cooperating with other nations on efforts to address global warming.

U.S. climate efforts won't completely cease if Trump walks away from Paris.

States including California, New York and Massachusetts continue to move forward with aggressive policies to cut carbon emissions. Anheuser-Busch InBev NV, Apple, Amazon.com Inc., Alphabet Inc.'s Google and other companies continue their push to power their facilities with wind and solar energy. Low-carbon wind, solar and natural gas are so cheap that the Department of Energy is studying what it can do to help ailing, older coal and nuclear plants.

—With assistance from Nick Wadhams.

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EU, China to Reaffirm Paris Agreement Commitment, as U.S. Wavers

Posted May 31, 2017, 01:14 P.M. ET

By Stephen Gardner

The European Union and China will reaffirm their commitment to the United Nations Paris Agreement on climate change during a June 1–2 summit in Brussels, despite uncertainty about continued U.S. participation in the deal.

An EU official who asked not to be named told Bloomberg BNA May 31 that one of the main conclusions of the summit will be a statement setting out the intention of the two major economic powers to implement their pledges under the Paris Agreement, which was agreed at the end of 2015 and is intended to keep global warming to no more than 2 degrees Celsius (3.6 degrees Fahrenheit) above pre-industrial levels.

"This agreement stands whether another major emitter pulls out or not," the official said. The EU-China summit will emphasize the "global responsibility" of the two powers in the context of the lack of clarify about the US's intentions, the official added.

China and the EU both have ratified the Paris Agreement and pledged to tackle greenhouse gas emissions in line with nationally determined contributions, or promises submitted to the U.N. The EU said it will reduce emissions by 40 percent by 2030 compared to 1990, while China said its emissions will peak by 2030 at the latest, and has made pledges on renewable energy and afforestation.

There is "much stronger expectation" from countries around the world that "Europe should assume

leadership" in the effort to tackle global warming, and the EU was ready to lead, said Maros Sefcovic, European Commission vice president for Energy Union. The commission is the EU's executive arm.

Detail on Cooperation

The EU official said the summit statement will give "considerable detail" on how the EU and China will work together to fulfill their Paris pledges, for example by cooperating on renewable energy. It also will emphasize implementing existing pledges, rather than offering new pledges to deepen emissions cuts, according to the official.

"One of the new qualities of our relationship is that we don't just comment together, but we act together," the official said, adding that clean energy for Chinese cities would be "a key area of cooperation between us."

President Donald Trump has caused consternation in the EU about possible U.S. withdrawal from the Paris Agreement. EU leaders at a Group of Seven summit in Italy May 26–27 pushed Trump to respect the Paris deal on climate change, but concluded the U.S. was "not in a position to join in the consensus" on the implementation of the global deal.

During the June 1–2 summit, the EU will be represented by Donald Tusk, president of the European Council, and by Jean-Claude Juncker, president of European Commission. State Council Premier Li Keqiang will head the Chinese delegation.

Solar Stocks Fall on Reports That U.S. May Exit Paris Agreement

Posted May 31, 2017, 03:04 P.M. ET

By Brian Eckhouse

Solar manufacturers fell sharply on reports May 31 that President Donald Trump is leaning toward withdrawing the U.S. from the landmark 2015 Paris climate accord.

JinkoSolar Holding Co., the biggest solar manufacturer, dropped 3.2 percent to $18.23 at 11:01 a.m. in New York, after sliding as much as 8 percent. Canadian Solar Inc., the largest North American panel producer, slid as much as 6.5 percent, while First Solar Inc., the top U.S. company, fell as much as 4.4 percent and rival SunPower Corp. was down as much as 4.2 percent.

Trump said in a tweet May 31 that he will announce "over the next few days" whether he will pull the U.S out of the global climate pact, and according to reports from publications including Axios, he's already decided to do so.

"The stocks are reacting to headlines, and the U.S. potentially pulling out of Paris is a big headline," Gordon Johnson, a New York-based analyst at Axiom Capital Management, said in an interview May 31. "With Trump in office, the pressure for utilities and others to do solar is going to decline. That will negatively affect demand."

It's not just solar manufacturers that were affected. Sunrun Inc., the biggest independent U.S. rooftop solar company, was down as much as 3 percent. NRG Energy Inc., the largest U.S. independent power producer and the owner of almost 5 gigawatts of renewable energy, fell as much as 1.5 percent.

While solar isn't driven primarily by a carbon price, "it does suggest that the U.S. may subsidize coal, which would be bad for U.S. manufacturers like First Solar and SunPower," said Jenny Chase,

a Zurich-based solar analyst at Bloomberg New Energy Finance.

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Environmentalists Revive Lawsuit Against Federal Coal Leasing Program

Posted May 31, 2017, 03:55 P.M. ET

By Tripp Baltz

One of the litigants in an on-hold lawsuit over the Interior Department's coal leasing program said it's necessary to restart the case in light of the department's decision to begin processing coal lease applications again.

The focus of the unopposed motion is to challenge Interior Secretary Ryan Zinke's March 29 revocation of an order by his predecessor, Sally Jewell, to pause the issuance of new federal thermal coal leases until an environmental analysis could be done on the environmental impact—including the climate change effects—of coal mining, Bob LaResche, a rancher in Clearmont, Wyo., told Bloomberg BNA May 31 (W. Org. of Res. Councils v. Zinke, D.C. Cir. App., No. 15-5294, motion filed 5/26/17).

Jewell in January 2016 said the halt in coal leases would continue at least until the Bureau of Land Management had prepared and issued a Programmatic Environmental Impact Statement analyzing the effects of coal mining on the climate.

"Now that Zinke has cancelled the PEIS, it's time to reactivate our litigation to force it to be done," said LaResche, chair of the Powder River Basin Resource Council, one of the eight organizations in the Western Organization of Resource Councils that sued the Interior Department in October 2015.

An Interior Department spokeswoman referred Bloomberg BNA's request for comment to the Justice Department, which declined to comment. Travis Deti, executive director of the Wyoming Mining Association, a defendant-intervenor in the case, did not immediately respond to Bloomberg BNA's request for comment.

NEPA Violation Alleged

The environmental groups alleged the department's failure to conduct an analysis of the environmental effects of coal mining violated the National Environmental Policy Act. When Jewell ordered the PEIS to be done, the groups said they had essentially received "all the relief" they were seeking. They joined with the defendants in seeking an abeyance in the case pending the completion of the analysis.

Zinke's issuing an immediate halt to the analysis "makes it necessary for us to restart the case again" to address "numerous and varied concerns," LaResche said.

"The coal leasing program has evolved from what it once was to being run by industry," he said. "Bids are generally non-competitive; most leases don't have more than one bidder. There's not enough transparency there."

LaResche said the groups are concerned that coal mining companies "continue to lease millions and billions of tons of coal when they shouldn't be leasing any." Companies have 20 years worth of projects already leased, he said.

In addition to the reality of climate change, LaResche said, the coal companies are facing shrinking

markets, and scientific evidence has emerged that coal threatens public health and safety. "For a federal agency to ignore the huge new body of knowledge acquired since 1979 is just whistling past the graveyard," he said in a statement emailed to Bloomberg BNA. "This is not how a responsible nation operates."

Friends of the Earth also is a plaintiff in the litigation.

EU Proposes Truck Monitoring as Preparation for Emissions Standard

Posted May 31, 2017, 02:38 P.M. ET

By Stephen Gardner

Manufacturers of trucks and other heavy-duty vehicles sold in the European Union would be required to monitor and report their vehicles' carbon dioxide emissions and fuel economy performance, under a long-delayed proposal published by the European Commission May 31.

The commission, the EU's executive arm, announced in May 2014 that it would propose the measure in 2015, but then said "further analysis" was needed. The lack of a harmonized measure for truck carbon dioxide emissions puts the EU at odds with the U.S., which has had an emissions standard for heavy-duty vehicles since 2011.

Commission vice president for Energy Union, Maros Sefcovic, conceded that the EU was "the last major economy" that does not "have this very important sector covered."

Road freight was "developing in such a way that it is one of the main contributors of greenhouse gas emissions and air pollution in Europe," and collecting data about truck emissions would give the commission the evidence it needed to propose the emissions standard, Sefcovic said.

The requirement for manufacturers to monitor and report their trucks' emissions will be followed up in 2018 with a proposal for a carbon emissions standard for trucks, Sefcovic said.

The proposal on truck emissions was put forward as part of a package of transportation-related measures that the commission issued May 31.

Road-Use Charging Plan

According to the proposal, truck manufacturers would be required from Jan. 1, 2019, to use a common methodology to calculate the emissions of vehicles above 7.5 metric tons. The data would be made public from 2020.

The plan moved "in the right direction, but the real test of the EU's intentions will be the ambition of the CO2 standards" when they are proposed in 2018, the nongovernmental organization Transport & Environment said.

The EU already has fuel economy and carbon standards for passenger cars and light vans. The commission said it would make proposals within 12 months to update these standards for the post-2020 period.

In a related move May 31, the commission proposed amending a 1999 directive to update rules EU countries must follow when levying road use charges on heavy vehicles. Currently, 24 of the EU's 28 member nations impose charges on trucks crossing their territory.

It would require countries with road charges for trucks to introduce differentiated pricing based on

trucks' carbon emissions. This would "incentivize the use of the cleanest and most efficient" heavy vehicles, the commission said.

Both the proposed requirement on the monitoring of truck emissions and the road-charging directive require the approval of the European Parliament and the Council of the EU, which represents the governments of EU countries.

U.S. Colleges, With $500 Billion to Invest, Seek Green Deals

Posted May 31, 2017, 8:52 A.M. ET

By Janet Lorin

If you guessed that the University of California system would champion "sustainable" investing, you'd be correct. The catch is, the shelves in the sustainable investing aisle aren't especially well-stocked with opportunities.

U.S. college endowments altogether hold more than $500 -billion in assets, a growing part of which they've allocated to sustainable or "impact" investing. Yet they also face something of a paradox: Where, exactly, does one invest that money? The easy answer, and one popular among smaller endowments, is to buy funds of stocks deemed green.

Another option is real assets, says Jagdeep Bachher, who oversees the University of California's $100 billion portfolio, which includes retirement funds for one of the country's largest public university systems in addition to the school's $10 billion endowment, the 12th largest in the U.S.

"Institutions are lazy at some level," he says. "We wait for pitch books to show up." But that isn't satisfactory for the Regents of the University of California. The reason: Staving off the worst effects of global warming will require much more investment than is being deployed—trillions of dollars more in coming years, according to estimates from the International Energy Agency. That's why the system has become prominent in a group of institutional investors deploying money to green projects.

The group has committed to putting more than $1 billion into clean energy- and water-related projects that the Obama White House promoted two years ago. In addition, the investors helped create an advisory group called Aligned Intermediary Inc., which functions like a co-op for them, sourcing investments.

The deals Aligned Intermediary identifies are big: They range from $50 million to $500 million, according to co-founder and Chief Executive Officer Peter Davidson. Its members, which also include the Ontario Public Service Employees Union Trust and the New Zealand Superannuation Fund, seek real returns from direct investments in infrastructure—renewable energy, water, even garbage—as well as from loans to projects that help reduce greenhouse gas emissions. "The economic returns are there," Davidson says. "The responsible investing idea is there. It's a market imperfection that we need to solve."

The University of California has committed $500 million to these types of projects. While the group's first transaction, an investment of about $50 million involving water infrastructure in the Western U.S., is on the books, details haven't been disclosed.

For endowments, these types of direct investments have advantages. They skirt private equity and hedge funds' controversial 2-and-20 fees, and the projects' timetables run into the decades, substantially longer than a typical fund life of up to 10 years.

Endowments such as Yale's helped start the trend toward illiquid, alternative investments three decades ago, with a move into private equity and hedge funds. Yale and Harvard—the wealthiest college funds, with more than $60 billion collectively—were also pioneers in buying real assets, particularly timberland. Yale has even invested directly in a 22-turbine wind farm in Maine. The school's endowment in a 2009 report extolled four green investments that have partly turned out to be duds. One solar company, for example, went bankrupt. Meanwhile, green funds that bet on clean energy and technology, launched in the past decade, have underperformed.

While there's demand for investments that help address global climate challenges, opportunities aren't especially easy to find—and most endowments, especially private schools, operate in opacity, so it's difficult to identify case studies. Williams—the richest U.S. liberal arts college, with a $2.3 billion endowment—provides an interesting glimpse into the difficulties.

In September 2015, the Massachusetts school said it wouldn't divest from fossil fuel holdings, despite pressure from students. (Protests calling for endowments to divest from fossil fuels have been a campus constant in recent years.) Instead the college said it would seek investments with the condition that they can be measured to show an impact in reducing greenhouse gas emissions. A year later, Williams officials recommended an alternative energy fund to its investment committee, which approved the proposal, according to the alumni magazine.

"We are working hard to look for these types of investments, but they are not easy to find," says Collette Chilton, the chief investment officer. "We're not giving up, because this is important to the Williams community."

It's also been laborious for the University of California to find the right deal—even with the staff of Aligned Intermediary on the case. Aligned was structured as a benefit corporation, and its operational funding was provided by philanthropic groups, led by the Planet Heritage, William and Flora Hewlett, and John D. and Catherine T. MacArthur foundations. The organization provides expertise to find deals, perform due diligence, and, if necessary, help oversee the managers running projects. The University of California sifted through 90 proposals before finding the water deal that closed late last year. "You need flexibility and you need patience—and we have these things," Bachher says. The university will act only when it sees an opportunity that meets all of its requirements, he says.

In addition to the deal the University of California inked, others are in the pipeline, Davidson says. They include an investment in a solar power developer in North America, expected to close in June, and a mezzanine loan to a large-scale private wind, solar, and biomass company that operates globally.

The Ontario pension plan, a partner, has experience with these sorts of investments. It's put money in Ararat, a 75-turbine wind farm that opened earlier this year, becoming one of Australia's largest, and in Toronto-based Firelight Infrastructure Partners LP, which focuses on wind, hydroelectric, and solar projects. Both are expected to generate double-digit returns, says Hugh O'Reilly, president and CEO of the Ontario-based pension fund, which has C$19 billion ($14 billion) under management. "We do this to make money," he says. "We have an expertise in energy and renewable energy."

Caisse de Dépôt et Placement du Québec—which, with C$271 billion under management, is Canada's second-largest public pension fund manager—found a triple whammy with its investment in an electric train project in Montreal: a real asset that's long term and will reduce emissions by taking cars off the road. "We're a long-term investor," Michael Sabia, president and CEO, said at a Bloomberg New Energy Finance conference in April. "It's not the next quarter, it's the next quarter

century."

Laurence Siegel, director of research at the CFA Institute Research Foundation, is bullish on clean water and air and alternative energy. The horizon for the return on investment is unclear, though. "In the very long run we're not going to use that much oil," says Siegel, who worked for 15 years at the Ford Foundation in an investment capacity. "These other alternative sources of energy are going to have a larger and larger market share, so you want to be invested. Is it 20 years? Is it 100 years? If it's 100 years, the rate of return isn't competitive. If it's 20 years, it's probably fabulous.''

Endowments have historically invested in energy through their outside managers, who buy public and private oil and gas companies. "The endowments have done a remarkably good job in picking managers," says Ashby Monk, executive director of Stanford's Global Projects Center and chairman and co-founder of Aligned Intermediary. "That will inevitably shoehorn them into the types of strategies where that access point is the most efficient. To invest in these kinds of innovative assets, you have to be innovative in your investment organization."

That appears to be the case for the University of California. In fact, Bachher says he feels like he's in a "lonely spot" with his endowment colleagues. He's optimistic, nonetheless. "With time, we will see more endowments involved," he says. "It takes time for people to see the risk-adjusted returns."

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Exxon Investors to Company: Make Climate Curb Fallout Public

Posted May 31, 2017, 03:31 P.M. ET

By Joe Carroll

Exxon Mobil Corp. investors, in a split with the company, urged the explorer to publish a detailed analysis next year on how carbon curbs could affect the value of its oil fields, refineries and pipelines.

The non-binding measure, backed by investors including the California Public Employees' Retirement System and the Church of England investment fund, comes amid reports President Donald Trump may soon abandon the 2015 Paris Climate Accord. More than 60 percent of voters approved the resolution during Exxon's annual general meeting in Dallas.

While Exxon's management opposed the measure, Chief Executive Officer Darren Woods said he remains committed to the Paris pact's goals and methods. Even with that agreement in place, he said, oil demand will grow in the coming decades, particularly in underdeveloped regions of the world.

"Energy needs are a function of population and living standards," Woods said in his first annual meeting since becoming chief executive officer on Jan. 1. "When it comes to policy, the goal should be to reduce emissions at the lowest cost to society."

Population growth and a desire for higher living standards will increase usage of petroleum-derived fuels, especially for transportation, because there are few widely-available alternatives, according to Woods. There's a huge untapped energy market among the 1 billion people who currently have no access to electricity and the 3 billion who don't use modern cooking fuels, he said.

Exxon shares fell 0.6 percent to $80.61 at 2:15 p.m. in New York trading.

"It's going to take a global solution" to limit greenhouse gas emissions that contribute to climate change, Woods said.

The remarks come amid news reports that Trump is on the verge of pulling the U.S. out of the Paris agreement. On May 31, Trump tweeted he would announce his decision within days.

Woods said his forecast assumes governments adhere to the strictures of the Paris pact, which calls for limiting emissions to prevent global temperatures from exceeding pre-industrial levels by 2 degrees Celsius.

Woods has been a staunch advocate for keeping the U.S. in the Paris group, as was his predecessor Rex Tillerson, who is now Trump's secretary of state. In his first blog post after becoming CEO, Woods advocated low-emission fuels, carbon capture and biofuels as tools for meeting the goals of the Paris agreement.

In May 2016, the proposal received a 38 percent "yes" vote after the company said it already disclosed ample data about emissions and risk management. As a result of this year's 62 percent "yes" vote, the board will reconsider its opposition.

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Firms Must Provide Financial Info for Utah Site Cleanup, EPA Says

Posted May 31, 2017, 03:24 P.M. ET

By Lars-Eric Hedberg

Mining and financial services companies failed to respond to the EPA's request for information regarding their ability to pay for or perform a cleanup at a contaminated Utah site, the Justice Department alleged.

United Park City Mines and Talisker Finance LLC's failure to respond violates Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, the U.S. wrote in its May 30 complaint filed in the U.S. District Court for the District of Utah (United States v. United Park City Mines, D. Utah, No. 2:17-cv-00482, 5/30/17).

United and others conducted mining operations at the Richardson Flat Superfund Site near Park City until 1969, according to the Environmental Protection Agency. Talisker, a real estate and recreation business, now owns United.

Heavy metals such as arsenic, cadmium, copper, lead, mercury, silver, and zinc are among the hazardous substances found at the site, according to the EPA. Mine tailings containing these substances are sinking into Silver Creek and a nearby diversion.

United, the EPA, and other federal and state agencies have entered into administrative orders on consent for engineering, cost analysis, removal, and wetlands restoration, with the most recent agreement finalized in March 2014. This assessment work was meant to determine cleanup costs and requirements for the site, such as excavation of contaminated soil and tailings, as well as the removal of Silver Creek sediments, according to the agency.

The U.S. asked the court for an order directing the companies to respond to the Sep. 12, 2016, information request and enter civil penalties not to exceed $54,789 per day of noncompliance with the request.

Firm Offering 'Peer-To-Peer' Power Network in New York Rollout

Posted May 31, 2017, 9:08 A.M. ET

By Mark Chediak

A Seattle-based energy startup is offering consumers and businesses a way to power their homes with energy from their neighbors' rooftop solar systems, nearby wind farms and other sources of clean electricity.

Drift Marketplace Inc. is rolling out the service now in New York and plans to expand to other markets this year, according to Chief Executive Officer Greg Robinson.

The company charges customers a flat fee, and then uses artificial intelligence and machine learning to predict how much energy customers will need. It gets the power a day ahead from nearby solar plants, wind farms and other resources, and if demand exceeds supply, will use a high-frequency wholesale power-trading system to cover any shortages. Robinson said customers will typically save money compared to their regular utility bills.

Robinson said he wanted to build a service that lets people gain control over their energy supply, in the same way that big corporations like Amazon.com Inc. and Microsoft Corp. are already doing.

"We thought if they can see the value, we can build a software platform that helps everyone have that same value," he said.

Drift calls itself a peer-to-peer energy company, and has raised $2.1 million in funding from investors including First Round Capital, Lerer Hippeau Ventures, SV Angel, Liquid 2 Ventures, Third Kind Venture Capital and Acequia Capital.

The retail electricity market can be brutally competitive as companies work with thin margins and jostle to add customers. In the U.S., 17 states and the District of Columbia offer retail choice programs the let consumers buy power from competitive retail suppliers, according to the U.S. Department of Energy. Falling prices for solar and wind are making those offerings more attractive.

Drift said its software lets it reduce administrative and billing costs that typically flow through to utility customers. Customers pay weekly and have an option to get all of their power from emission-free sources.

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Is Three Mile Island the Canary in Nuclear's Coal Mine?

Posted May 31, 2017, 8:43 A.M. ET

By Peter Coy

In 1979, Three Mile Island managed to survive the worst nuclear accident in U.S. history. Almost four decades later, the Pennsylvania power plant can't seem to withstand cheap natural gas. And the Nuclear Energy Institute, which represents commercial nuclear operators in the U.S., is warning that lots of other U.S. reactors are equally imperiled.

"There are 10 to 15 plants still at risk of premature closure," in addition to Three Mile Island and several others whose owners have recently announced tentative closure plans, institute spokesman

John Keeley said in an interview on May 30.

Nuclear plants generate about two-thirds of America's carbon-free electricity, Bloomberg's Paul Barrett reported in December. The NEI argues that government should do more to help these plants because they produce electricity without byproducts such as greenhouse gases or other air pollutants. Keeley points to New York and Illinois as two states that have begun to help plant operators keep their heads above water by issuing them zero emission credits.

"Policymakers there do not want to lose them [the plants] because of their environmental and economic advantages," says Keeley. Lawmakers in Pennsylvania, Connecticut, Ohio, and New Jersey are "beginning to talk" about doing something similar, he says.

"When they surrender that license, it's final. The gate gets locked. You can't just turn a key and restart a nuclear reactor."

Opponents of nuclear power, meanwhile, say the zero emission credits amount to corporate welfare.

"Nuclear power has failed dismally in the marketplace, and that's what will doom Three Mile Island," Eric Epstein, chairman of Three Mile Island Alert, a Harrisburg, Pennsylvania, group, told Barrett.

As reported by Bloomberg, Exelon Corp., which owns Three Mile Island, submitted a filing on May 30 that it would shut the plant down in 2019 in the absence of state aid. Pennsylvania "has an opportunity to take a leadership role by implementing a policy solution to preserve its nuclear energy facilities," Exelon Chief Executive Christopher Crane said in a statement.

Shahriar Pourreza, a New York-based analyst for Guggenheim Securities, told Bloomberg that Exelon's announcement smacks of "posturing." But the NEI's Keeley says this was no trial balloon. "They have to give advance notice" because it takes grid operators time to plan for the withdrawal of generating capacity, he says.

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Sun-Blessed Chile May Target 100% Renewable as Prices Slump

Posted May 31, 2017, 9:22 A.M. ET

By Brian Parkin, Laura Millan Lombrana and Vanessa Dezem

Chile may speed up its switch to clean power amid falling prices and expected improvements in storage, helping to squeeze out fossil-fuel generation more quickly than forecast, according to the country's National Energy Commission.

Discussion is likely over the next few years on whether Chile should bump up its mid-century target for renewables in the power mix to as much as 100 percent from 70 percent, said NEC Executive Secretary Andres Romero Celedon in Berlin. Chile's President Michelle Bachelet approved the current target in 2015, a year before an auction in which solar power undercut coal and gas-fired plants.

"Over the next four years we'll probably ask ourselves why 70 percent?" Celedon said in an interview

Chile has tremendous potential to develop clean power. Rainwater pours off the Andes mountains

for hydro-electric plants, the Atacama desert has some of the highest solar radiation rates in the world, and the 4,000 kilometers (2,486 miles) of coast has plentiful wind. As a result, Chile has an eye on reducing dependence on conventional fuel imports like coal and liquid natural gas faster as the price of clean technology undercuts conventional power.

The nation may reach its 2025 renewable power target of 20 percent, excluding hydro power, five years early, Celedon said.

Still, the government is cautious on predicting the trajectory of falling solar and wind prices, while becoming increasingly confident on the scope of storage technology to accommodate solar and wind power growth, said Celedon.

Falling Prices

Solarpack Corp. won the right to build 120 megawatts of solar capacity in last August's auction of 12.43 gigawatts of capacity after the Spanish developer bid $29.1 a megawatt-hour, at the time the cheapest in the world. The average price at the tender was $47.59 a megawatt-hour.

"Prices will drop steadily from auction averages, but it's not safe to wager beyond that," Celedon said.

"For us, it's very expensive to import fuel," said Rodrigo Castillo, Executive Director of Chile's Empresas Electricas AG power utilities federation, who was also in Berlin. "It makes sense to assess alternatives."

In 2016, renewables represented 12 percent of energy generated in Chile, according to Bloomberg New Energy Finance. Biomass led the way, representing 4 percent of the total generation. Solar and wind contributed 3 percent each, and small hydro supplied 2 percent. Coal represented 44 percent followed by large hydro at 24 percent, gas at 17 percent and oil at 3 percent. From the 22 gigawatts of the total capacity added by 2016, wind and solar plants combined to contribute 9 percent.

Chile received the most new clean energy investment in South America in 2016, according to BNEF. Of the $1.8 billion, deployed in the region, 40 percent went to Chile. Estimates for 2017, however, show a drop in investment. Bottlenecks in Chile's transmission system continue to plague the country's power market and the situation is not expected to be resolved any sooner than a year from now.

"Chile will add less capacity of renewables from now to 2021," said Ana Verena Lima, a Bloomberg New Energy Finance analyst in Sao Paulo. "Chile still lacks infrastructure and the country's demand for electricity is slowing down in the next couple of years."

BNEF estimates that Chile's addition of capacity will resume growing by 2021, when more transmission lines will be added to the system and declining prices of clean power technology will improve the competitiveness of projects.

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Swiss Pickles Set to Benefit from First Carbon Capture Plant

Posted May 31, 2017, 8:51 A.M. ET

By Brian Parkin

Climeworks AG, the Swiss company that captures carbon from the air, opened its first commercial facility at a farm outside of Zurich.

Carbon dioxide extracted by Climeworks' direct air capture plant will be pumped into greenhouses owned by Gebrueder Meier Primanatura AG in Hinwil, according to a statement from the company. The greenhouse gas will be used as a fertilizer to boost the growth of tomatoes and cucumbers -- the fruits used to make pickles.

"It's our ambition to capture one percent of global CO2 emissions in 2025," Climeworks co-Chief Executive Officer and founder Jan Wurzbacher, said in a video. Climeworks, which employs about 45 workers, is counting on the "one-step" simplicity and scalability of its carbon capture technology to win customers, co-CEO Christoph Gebald said by phone.

Enhancing the growth of tomatoes and cucumbers is a first step to a far more formidable plan for Climeworks that will require the support of industries and governments to capture carbon dioxide as part of their commitments under the Paris climate accord. The Climeworks plant produces 900 tons of carbon dioxide a year -- equivalent to the annual volume of greenhouse gases emitted by 190 passenger vehicles.

Climeworks is targeting carbon capture and storage as its main business model, supplemented by carbon offset deals with companies and applications such as the greenhouse and clean fuel partnerships. It forged a partnership with German carmaker Audi AG in 2013 to use the Swiss company's technology to produce synthetic fuels, Gebald said.

The company has won financial support from the Swiss government, Zurich Cantonal Bank and European Union. Climeworks can currently make 150 air capture units a year.

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Vietnam Steps into the Sun With Policy Fixing Solar Power Price

Posted May 31, 2017, 7:01 A.M. ET

By Lien Hoang

People in Vietnam will soon have the power to convert sun rays into not just electricity—but also cash—with the arrival of solar policies that are being welcomed by big energy users such as Intel and Coca-Cola.

Starting June 1, producers will be able to sell solar energy for 9.35 U.S. cents per kWh to the state utility, which is sprinting to keep pace with the country's economic growth of 6 percent. Government Decision 11 also rewards household use of solar power and sets quality standards for panels, but will omit an item high on industry's wish list: the right to buy power from one another, rather than the state.

"Certainly, the price is the key," Do Duc Tuong, clean energy adviser at the U.S. Agency for International Development, told Bloomberg BNA by phone from Hanoi. "I think it's vital, not just for investors, but also others, banks, finance, even the developer itself."

World Solar Map

While the feed-in tariff of 9.35 cents could attract solar farms and other major generators, they also worry about the wide discretion left to Electricity Vietnam (EVN), the country's largest power company. The utility is not required to buy electricity when it's doing repairs, upgrades or

inspections, or when a problem occurs in the grid, according to Decision 11.

"They can say, 'OK, we have to do maintenance,' and shut down the power grid for hours, even days," Andy Nguyen, founder of renewable energy firm Vietnam Eco-Solutions, told Bloomberg BNA. "Then that is money lost."

Nguyen said regulations should limit how much time EVN can spend offline.

A World Bank map shows solar potential of more than 2,000 kWh per square meter annually along Vietnam's south-central coast, near Cam Ranh Bay. That's less solar power than what is usually seen in Africa or South America, but more than in Europe or Japan.

Coal, Nuclear, Hydropower

Vietnam's issues with pricing and financing have kept renewables from getting off the ground. At the same time, the Southeast Asian nation of 92 million is seeking alternatives, as environmental complaints have slowed projects to secure power from more coal and nuclear sources. They have also tapped out most locations for its traditional energy source: hydropower dams.

Large manufacturers in Vietnam are gradually tacking solar panels onto their factory roofs, including Samsung, Intel, Coca-Cola, and Nike. Nike, for example, aims to source 100 percent of electricity at its own facilities from renewables, while Coke is working to bring Vietnam to the same level as neighboring Cambodia, where it has a factory powered entirely by solar.

Decision 11 allows for net-metering, so that when panel owners generate more electricity from sunlight than they consume, they'll get a credit from EVN. The state-owned enterprise applies credits toward future billing, or adds them up by year-end for a lump-sum payout at the 9.35-cent rate.

But some of these private companies, especially in industrial parks, say they can't hit their renewables targets without "direct power purchase agreements." Under these contracts, they could buy energy straight from a solar farm, rather than through EVN—currently the single buyer recognized by the law.

Tuong does expect that to change, saying it's a matter less of political will, and more of the legal legwork needed to dilute the EVN monopoly.

"I think it will be very challenging," he said. "That's why we have been working very closely and intensely with regulators."

Two-Year Period

Hanoi will reassess the landscape for renewables by the time Decision 11's two-year trial period expires June 30, 2019. By that time, investors hope the government will clear up some of the murky accounting they say plagues many state-owned firms and makes it risky to do business with EVN.

Vietnam does not give "any form of government guarantee, assurance or support to enhance the creditworthiness of EVN," partners at Vietnam offices of Baker McKenzie, a multinational law firm, said in a client alert this month.

The law firm also noted Decision 11 does not tackle "how to balance cheaper land rental and use costs in relatively unpopulated areas, against the greater costs of running transmission lines over longer distances."

'Obsolete Technology'

But the decision does specify that, to qualify for the feed-in tariff, solar cells must have an efficiency greater than 16 percent, and modules greater than 15 percent. This refers to the portion of energy the equipment can convert into useful electricity.

Nguyen disagreed with those who saw this as a move to avert the flood of cheap panels across the border with China.

"That is a technical requirement of the system to make sure people don't use obsolete technology," he said.

The ink is barely dry on Decision 11 but Vietnam already has supporting legislation in the pipeline. A draft circular out now shows companies what kind of power purchase agreement they need to sell solar energy to EVN, and describes how to resolve disputes.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO
Sent: Thur 9/14/2017 1:57:10 AM
Subject: Trump ethics watchdog moves to allow anonymous gifts to legal defense funds

The U.S. Office of Government Ethics has quietly reversed its own internal policy prohibiting anonymous donations from lobbyists to White House staffers who have legal defense funds.

The little-noticed change could help President Donald Trump's aides raise the money they need to pay attorneys as the Russia probe expands - but raises the potential for hidden conflicts of interest or other ethics trouble.

See http://www.politico.com/story/2017/09/13/trump-ethics-watchdog-legal-defense-242690 for the full story.

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07/10/2017 05:42 AM EDT

By ANTHONY ADRAGNA (aadragna@politico.com; @AnthonyAdragna)

With help from Annie Snider

FEEDBACK WELCOME! EPA Administrator Scott Pruitt's proposal to delay key methane leak detection and repair requirements for new oil and gas wells for two years is the subject of hours of public comment today. A list of speakers scheduled to show up at agency headquarters shows a bevvy of appearances on behalf of green groups with the Sierra Club and Moms Clean Air Force especially well-represented. "Most of the land where our children live, learn, and play is leased to the natural gas industry," Patrice Tomcik, a mother of two from Butler County, Pa., plans to say at the hearing. "The prospect of future operations unleashing harmful air pollution in proximity to children — among the most vulnerable to the impacts of air pollution — is a totally unacceptable risk for any family." ME is also curious to hear from the creatively-named Patriots From The Oil & Gas Shales.

Look for oil and gas representatives to tout their successes at reducing methane emissions even as production has surged over the past decade, while voicing strong support for Pruitt's two-year pause as the agency reconsiders the regulation. "We're doing our part and these trends are indicative of what our industry, when given the freedom to innovate, can achieve to improve the environment while protecting our nation's energy security," Howard Feldman, the American Petroleum Institute's senior director for regulatory and scientific affairs, says in his prepared remarks. "And progress will continue." Companies would, of course, not have to comply with the rule's requirements if Pruitt moves forward with the two-year pause on implementation.

The public hearing comes after a federal court rebuked Pruitt for trying to immediately pause the rule without taking public comment. As Pro's Ben Lefebvre reports, EPA on Friday asked the D.C. Circuit Court of Appeals to delay its decision from earlier in the week requiring the agency immediately resume enforcing the methane rule. The filing argues that immediate mandate deprived the EPA sufficient time to consider a rehearing.

LAST CALL FOR MONUMENT COMMENTS! Today's the last day to weigh in on the Trump administration's review of nearly two dozen monuments designated since 1996 under the Antiquities Act. As ME went to bed, more than 1.2 million comments have already poured in for Interior Secretary Ryan Zinke to mull over. It'll be a tight

turnaround: He's due to deliver his final recommendations to Trump on Aug. 24. Comments on a separate, but related, review of national marine monuments are still being accepted until July 26 by NOAA.

WELCOME TO MONDAY! I'm your host Anthony Adragna, and we're unveiling a new, cleaner version of our ME selves here. What do ya think? Bracewell's Frank Maisano was first on Friday to name the four state capitals with city in their names (Salt Lake City, Carson City, Jefferson City and Oklahoma City). For today: What was the first college to go co-ed in the U.S.? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy , and @POLITICOPro.

President Donald Trump talks with German Chancellor Angela Merkel during the G-20 in Hamburg | AP Photo

ONE IS THE LONELIEST NUMBER: It was 19 versus an increasingly isolated U.S. at the end of the G-20 summit in Germany Saturday as world leaders took "note" in the final declaration of Trump's decision to leave the Paris climate agreement but declared the 2015 landmark accord to be "irreversible" and vowed to continue "moving swiftly towards its full implementation." As POLITICO's Andrew Restuccia reports, last-minute negotiations arose after several countries, including France, objected to U.S. insistence on mentioning fossil fuels in the final document, though the final version maintained the reference while pairing it with a call to use renewable energy. As POLITICO Europe's Matthew Karnitschnig reports , German Chancellor Angela Merkel acknowledged Europe's frustration with the U.S. withdrawal ran deep. "Everyone was against the United States of America," on climate policy, Merkel said at her closing press conference. "The dissent wasn't plastered over, but made clear."

Look no further than French President Emmanuel Macron for visible signs of the frustration with the Trump administration's climate posture. He announced plans to hold a climate summit this December on the two-year anniversary of the Paris accord and tweeted Saturday his country and China were united on climate action, provocatively adding in English the hashtag #MakeOurPlanetGreatAgain. British Prime Minister Theresa May added during a press conference Saturday she was "dismayed" by the U.S. decision and personally urged Trump to rejoin the agreement, while pronouncing her own country's commitment to climate action "as strong as ever." (Also worth watching: Turkish President Recep Tayyip Erdoğan warned the U.S. withdrawal made his country less likely to ratify the climate deal, Reuters reports.)

Trump officials tried to downplay differences with Trump chief economic adviser Gary Cohn telling reporters on the flight back that the declaration "came together pretty reasonably" given the various perspectives present. "We do go out of our way to say in there that that doesn't mean that we don't support environment, and we're still working for the environment," he said. "It was not a situation where there was contentious discussion going on."

GETTING REAL ON RUSSIA NUCLEAR THREAT: With government officials confirming to The Washington Post over the weekend that Russian hackers got into the business systems of U.S. nuclear power and other energy companies, the calls for Congress and the White House to bolster cyber defenses for the energy sector and the electric grid are bound to get louder still. Sens. Maria Cantwell and Angus King sounded the alarm Friday, based on earlier reports that pegged Russia as the top suspect. As POLITICO's Eric Geller, Darius Dixon and Martin Matishak report, a hard connection to Russia to the hacks would mark the latest evidence of Moscow's wide-ranging digital aggression and highlight the broad threats the Kremlin-backed digital army pose to the U.S.

Utility industry officials argued the power grid is ready for such threats and said their most sensitive systems are selectively disconnected from the internet. "This is not viewed as an escalation," said Marty Coyne, a spokesman for the North American Electric Reliability Corp. "Power utilities are routinely targeted by these types of actors." But past Obama cyber officials warn the threat is only likely to intensify. "It is probably the single greatest national security threat to the United States right now," one former official said. **Eric's tweetstorm here is worth your time.** And former Energy Secretary Ernest Moniz offers his own here.

Speaking of Russia, House Republicans are mulling whether to change a Senate-passed sanctions bill to give U.S. energy companies a greater chance to stay in oil and gas projects involving Russian companies, Pro's Ben Lefebvre reports. Energy interests have warned the the bill could force them out of projects around the world where Rosneft, Lukoil or other Russian oil companies may have as little as a 5 percent stake.

TAKING STOCK OF ZINKE'S SAGE GROUSE TEAM: Among the four Interior political appointees tasked with potentially revamping the sage grouse land-use management plans put in place in 2015 is Kathleen Benedetto, a former House staffer who worked to increase access for minerals production on federal lands and pressed to give local communities more control over endangered species, Pro's Esther Whieldon reports. Other political appointees on the team include: Casey Hammond, also a former House Natural Resources Committee staffer, who was on the Trump administration's landing team at BLM; Timothy Williams of the Interior Department's Office of External Affairs and Vincent DeVito, a political ally of Zinke's who is now counselor to the secretary for energy policy. Zinke has asked for recommendations on the plans by Aug. 6, including how to encourage energy development on public lands.

ON THE HILL

CALIFORNIA DROUGHT LEGISLATION, ROUND 2: The historic drought in California is officially over, but the state's water woes aren't — and neither is House Republicans' bid to push some of their more controversial ideas, including many that got dropped from last year's compromise legislation. Rep. David Valadao's H.R. 23 is slated to come

to the floor this week with a hearing Tuesday evening before the House Rules Committee. The measure would grease the skids for permitting new dams across the West, attempt to rebalance water rights within the Golden State and block the federal permits from touching on issues related to water rights.

LET THERE BE MARKUPS! House appropriators are marking up their $37.56 billion fiscal 2018 energy and water spending bill Wednesday at 10:30 a.m. ME readers likely remember the package zeroes out the late-stage research Advanced Research Projects Agency-Energy and prevents DOE from issuing new loan-guarantees, while also cutting spending on energy efficiency and renewables almost in half. Look to see if efforts to restore funding for those programs, some of which enjoy significant bipartisan support, are successful. Later that afternoon, an Appropriations subpanel takes up the as-yet unreleased Interior spending bill.

THIRD TIME'S THE CHARM? After two previous attempts were shelved, the Senate Environment and Public Works Committee on Wednesday at 9:45 a.m. intends to vote on the nominations of Annie Caputo and David Wright to the NRC as well as the selection to Susan Bodine to be EPA's top enforcement official. Lawmakers also intend to vote on legislation reauthorizing popular Brownfields and diesel engine retrofitting programs. Details here.

Secretary of State Rex Tillerson accepts an award at the World Petroleum Congress in Istanbul | AP Photo

PETROLEUM GROUP GIVES TILLERSON AWARD: Secretary of State Rex Tillerson dropped by Istanbul Sunday where he accepted the World Petroleum Council's Dewhurst Award for what the group described as "outstanding contribution to the oil and gas industry" through his decade-long run running Exxon Mobil Corp. "I have to share [the award] with the men and women of ExxonMobil, because I'm here because of what they did, not because of what I did," Tillerson said. "I miss you as colleagues, I miss you as partners, I miss you as competitors. I miss the healthy debates, the collaboration, the breakthroughs that were achieved that I witnessed during that 41 and a half years that have continued to deliver energy on a massive scale and a reliable way."

The award was announced before Trump picked Tillerson for his current position, though it is still raising eyebrows: "Secretary Tillerson's warped notion that it's appropriate to attend and accept an award at an oil industry conference proves yet again that he has no idea how to be the United States' chief diplomat," Greenpeace's Naomi Ages said in a statement. Tillerson is just the 10th person — past recipients have included heads of Shell and Chevron — to receive the "distinguished lifetime achievement award," according to the World Petroleum Council.

MAILBAG

ME FIRST — GROUPS RALLY AGAINST SENATE ENERGY BILL: More than 350 groups, including Food & Water Watch, League of Women Voters, Our Revolution and the Center for Biological Diversity, are sending a letter to Senate leadership urging them to oppose the Senate's energy bill (S. 1460). The bill largely resembles legislation that virtually all Democrats backed last year despite objections from environmentalists over issues like liquefied natural gas exports. "No energy legislation is better than bad energy legislation that serves to increase our dependence on dirty fossil fuel production instead of building on successful policies to expand clean energy sources," they write. "We find it astounding that any energy bill could contain a 'Renewables' subtitle but not include provisions on solar and wind energy."

HERE'S... A NEW ONE: Two senior House Science Republicans — Chairman Lamar Smith and Rep. Randy Weber — released a letter Friday in which they asked Treasury Secretary Steven Mnuchin to investigate whether Russia has been funneling money to U.S. environmental groups in an effort to influence the domestic market. The lawmakers argue Russian interests may be trying to stymie domestic fracking as a way to bolster their energy sector. "If the above allegations are true, Russian entities have funneled money through shell corporations to U.S. environmental activist organizations to influence U.S. energy policy," they wrote.

WEIRD FOURSOME! Vice President Mike Pence, Zinke, Sen. Roy Blunt and Medicaid chief Seema Verma walk into a park. On horseback. On Friday. Here's the pic.

QUICK HITS

— Gov. Doug Ducey asks EPA for power to regulate Arizona streams. Arizona Daily Star.

— Rooftop Solar Dims Under Pressure From Utility Lobbyists. New York Times.

— Tillerson launches personal diplomacy in Persian Gulf dispute. Washington Post.

— Greenpeace activists charged with scaling Trump Tower with banner. Chicago Sun-Times.

— Gross Dam on its way to becoming the tallest dam in the state. Denver Post.

HAPPENING THIS WEEK

MONDAY

2:00 p.m. — "Religion and Climate Diplomacy in Small Island Developing States,"

Wilson Center, 1300 Pennsylvania Ave. NW

TUESDAY

9:30 a.m. — " 20th Annual Congressional Renewable Energy and Energy Efficiency EXPO and Policy Forum," Environmental and Energy Study Institute, Rayburn Foyer and Rayburn Gold Room

2:30 p.m. — "The State of Ukraine's Energy Sector," Atlantic Council, 1030 15th Street NW

5:00 p.m. — Meeting for H.R. 2810 and H.R. 23, House Rules Committee, H-313

WEDNESDAY

9:45 a.m. — Meeting to consider various nominees and legislation, Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — "U.S. Fire Administration and Fire Grant Programs Reauthorization: Examining Effectiveness and Priorities ," House Science Research and Technology Subcommittee, 2318 Rayburn

10:00 a.m. — "Evaluating federal offshore oil and gas development on the outer continental shelf," House Natural Resources Subcommittee on Energy and Mineral Resources, Longworth 1324

10:00 a.m. — Alliance for Innovation and Infrastructure electric grid discussion, Participant Dial-In: 877-888-4312

10:30 a.m. — House Appropriations Committee markup of Energy and Water Development legislation, 2359 Rayburn

11:00 a.m. — A delegation of Gwich'in from Alaska and from Canada hold a press availability on drilling in the Arctic National Wildlife Refuge, Alaska Wilderness League's offices, 122 C Street NW, Suite 240

2:00 p.m. — "The Uncertain Transition Away From Coal—Stories from China and the United States," Wilson Center, 1300 Pennsylvania Ave. NW

3:00 p.m. — Markup of the FY18 Interior Appropriations Bill, House Appropriations Subcommittee on Interior, Environment, and Related Agencies, 2007 Rayburn

THURSDAY

10:00 a.m. — " Comparing the 21st Century Trust Land Acquisition with the Intent of the 73rd Congress in Section 5 of the Indian Reorganization Act," House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs, 1324 Longworth

FRIDAY

9:00 a.m. — Legislative hearing on four bills, House Natural Resources Subcomittee on Federal Lands, 1324 Longworth

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Daily Environment Report

November 15, 2017 - Number 219

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Leading the News

Chemicals
Defense Bill Backs Health Study of Chemicals in Drinking Water
The House on Nov. 14 approved a defense spending blueprint that would support a $7 million national study of people exposed to a group of chemicals widely used to make many consumer and military products.

EPA
Tested EPA Air Chief to Advance Trump Rollbacks
EPA Administrator Scott Pruitt may have just received the most important tool to implement his rollback agenda: the EPA's new air chief Bill Wehrum.

International Climate
Halting Weak Climate Rules for Poorer Nations Top U.S. Priority
Resisting efforts by China and other developing nations to carve out separate, less stringent rules for reporting and verifying their greenhouse gas emissions under the 2015 Paris Agreement is the priority for the U.S. at the Bonn climate talks, a White House official said Nov. 14.

International Climate
Upheaval in Bonn as U.S. Reshuffles Climate Diplomats
State Department diplomat Tom Shannon, long slated to take the helm of the U.S. delegation at the United Nations climate summit in Bonn, won't be coming due to a family emergency, the State Department said Nov. 14, adding a new complication to talks intended to begin implementing the Paris climate pact.

News

Agriculture

Saudi Arabia Plans Region's Largest Farm Waste Processing Plant

A plant that will transform 500,000 tons of date palm and agricultural waste into 300,000 tons of organically-based petrochemical products like biofuels annually is part of Saudi Arabia's plan to diversify its economy and modernize its farms.

Chemicals

Amazon Plays Catch-Up in Push to Police Chemicals in Products

Amazon.com Inc. is developing a plan to regulate the chemicals used by suppliers, but it still lags Wal-Mart Stores Inc., Target Corp. and other retailers in the push for greener products.

Chemicals

China's Long-Range Plans Start to Shake Out in Chemicals Industry

China's efforts to consolidate nearly 300,000 small chemical producers and assume more environmental, health, and safety oversight of their chemical operations and enforcement could take five to 10 years to play out, a top official said.

Climate Change

Add to Job Demands List: Paid Vacation for Extreme Weather

Even the workplace has to adapt to the warming world. As climate change creates more intense storms, companies have started preparing for work disruptions due to extreme weather.

Climate Policy

Microsoft Sets New Carbon Target to Help Meet Paris Climate Deal

Microsoft Corp. joined a growing number of companies pledging to curb their emissions in line with the international efforts to keep global warming to no more than 2 degrees Celsius.

EPA

EPA Grant Recipients Ban Unlikely to Catch Courts' Eye

Challenges to EPA Administrator Scott Pruitt's decision to ban grant recipients from advisory boards may get little traction in courts wary of defining the advice federal agencies seek.

Emissions Trading

China's Looming Carbon Market Still Largely a Mystery

China says it is on the cusp of launching what would in time become the world's largest carbon-emissions trading system, but it has yet to share much information about exactly how the system would work.

Energy

Disaster Recovery Law Should Build Stronger Grids: Murkowski

The hurricane devastation in Puerto Rico and the Virgin Islands should force updates to the nation's disaster recovery law to ensure the islands' power grids are more resilient to future storms, lawmakers said.

Energy

Puerto Rico to Boost Wind, Solar to Bolster Grid, Rossello Says

Puerto Rico should boost its use of wind and solar electricity to provide for as much as 25 percent of the island's electricity, its governor said Nov. 14.

Energy

Puerto Rico Utility Admits Mistakes in No-Bid Energy Contracts

Puerto Rico's utility acknowledged that it made some missteps in issuing contracts to help it rebuild its grid, even as it defended its choice of two untested companies to lead the effort.

Energy

Puerto Rico's Other No-Bid Contractor Says Its No Whitefish

Even though it's best known for fracking and only been in the business of restoring downed power lines for a few months, Mammoth Energy Services Inc. got a no-bid, $187 million contract to restore electricity to hurricane-ravaged Puerto Rico.

Forests

U.K., Germany to Provide $153 Million to Protect Brazil Forests

The U.K. and Germany will provide about 130 million euros ($153 million) to help Brazil reduce deforestation and protect the health of forests.

Insurance

House-Passed Flood Insurance Bill Faces Senate Hurdles

A House-passed bill reauthorizing the National Flood Insurance Program is considered likely to encounter headwinds in the Senate on both sides of the aisle, a Senate committee chairman said.

Mining

Brazil's BHP-Vale Mine Could Get Key Vote This Month

BHP Billiton Ltd. and Vale SA's Brazilian iron-ore venture just had its biggest breakthrough on the licensing front since being shut down in the wake of a deadly dam spill two years ago.

Mining

Utilities Pour Salt on Miners' Wounds as Uranium Supplies Swell

Power producers across the world have stockpiled enough uranium to fuel their reactors for more than four years, adding to pain faced by miners who are cutting output amid weak prices.

Motor Vehicles

Coal to Cow Pies: BMW Pledges 100 Percent Renewable Power

BMW AG 's plan to switch exclusively to green electricity finds it tapping some unusual power sources—including a South African biomass plant that runs on cow dung and chicken droppings.

Motor Vehicles

Taiwan Extends Tax Waiver to Boost Electric Vehicle Purchases

Taiwan hopes to put more electric vehicles on its roads by extending through 2021 tax incentives set to expire next year.

Natural Resources

$16 Billion Fine Sought for Fugitive Fish in Puget Sound

A $16 billion fine for escaped salmon might be "astronomical," but that's the penalty one conservation group is seeking for 305,000 nonnative species that escaped from a fish farm into Puget Sound.

Oil & Gas

Safety Board Drops Interior Department From Oil Rig Oversight Push

An Interior Department unit that regulates offshore oil platforms is the wrong entity to put in place new regulations for whistleblower protections and corporate governance, the Chemical Safety Board said Nov. 14.

Oil & Gas

With Arctic Drilling Under Attack, Norway Oil Minister Hits Back

The man overseeing western Europe's biggest crude spigot is fighting back against the oil doubters.

Pesticides

Two Extra Years Sought to Assess Pesticides' Effect on Species

The Trump administration asked a federal court to extend by two years a deadline to complete final assessments on the effects of three pesticides on endangered or threatened species.

Renewable Energy

Cheap Battery Forecasts Kill India's Long-Term Power Deals

India's power distributors are balking at traditional 25-year thermal-power purchase contracts, avoiding lengthy entanglements so they can benefit as costs for batteries and renewable energy slide. Now in vogue: agreements that last 10 years or even less.

Renewable Energy

China Plans Renewable-Energy Quota System to Ease Idle Capacity

China is introducing a clean-energy quota system to enforce provincial targets and ease its idle-capacity problem.

Vehicle Fuels

China Could Consider Resuming New Electric Car Permits

China's government is considering a resumption of new permits to make electric vehicles as early as the first half of 2018, a move that would clear the way for Ford Motor Co. and Tesla Inc. as well as a string of local manufacturers to start production, people with knowledge of the matter said.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
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Subject: [SPAM] May 26 -- Daily Environment Report - Afternoon Briefing

Daily Environment Report

Afternoon Briefing - Your Preview of Today's News

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EPA to Clear Backlog of New Chemical Approvals by July

Posted May 26, 2017, 12:19 P.M. ET

By Pat Rizzuto

The backlog of new chemicals being reviewed by the Environmental Protection Agency is expected to be cleared by July due to staffing, policy and procedural changes the agency has made.

Jeffery Morris, director of EPA's Office of Pollution Prevention and Toxics (OPPT), spoke with Bloomberg BNA about adjustments the agency has made that have cut the backlog of manufacturers' new chemicals requests. The backlog is of pre-manufacture notices (PMNs) the agency is reviewing that currently exceeds its normal volume of about 300 pending requests.

The backlog peaked at about 600 PMNs at the end of 2016 following the overhaul Congress made to the 1976 Toxic Substances Control Act (TSCA) last June, Morris said. The backlog is now less than 150, EPA said.

Getting new chemicals to market helps industry and consumers because the new molecules typically enhance the performance of the products the chemicals make, Morris said in his first interview about the agency's efforts to speed its new chemical reviews. New chemicals often have a better environmental footprint by cutting energy consumption, hazardous waste, water pollution or other environmental benefits when compared to the chemicals they replace, he said.

Critical Change

The biggest change that the EPA's new chemicals office had to adjust to, Morris said, was the amended law's requirement that the agency make a specific conclusion about the risk each new chemical could pose.

Original TSCA did not require the agency to make specific conclusions about a new chemical's risks. If the agency did nothing during the 90 days the statute gives it to complete new chemical reviews, the molecule could be made or imported for any TSCA-regulated use under the 1976

statute. The amended law retains the 90-day review period, but requires the agency to make "affirmative findings" for each chemical.

The new requirement improved the law, because it enhances public confidence in the government's chemical oversight, Morris said.

The new procedures and policies the agency is implementing also should improve regulatory certainty, he said. An agency website lists possible conclusions the EPA can make including that a new chemical:

• Is "not likely to present an unreasonable risk" to the environment or people—including vulnerable or highly exposed populations;

• May pose an unreasonable risk that would be controlled before the chemical could be made or imported; or

• Has insufficient information to allow the agency to make "a reasoned evaluation" of its health and environmental effects.

Morris described the first six months after amended TSCA as a "real learning curve" as staff figured out how to make those determinations and explain them in ways diverse audiences could understand.

"It was a heavy lift," he said. But, "I'm very happy to say we're confident that by the end of July we will have eliminated the backlog."

Industry Describes Problem

In early April, Cal Dooley, chief executive officer for the American Chemistry Council, described in an Insights article for Bloomberg BNA the problems the agency's initial new chemical delays were causing. New chemical evaluations had "become mired in inefficiencies, causing significant delay for manufacturers," Dooley, whose trade association represents companies including the BASF Corp., the Dow Chemical Co., and Honeywell, wrote.

Arkema Inc., which produces acrylic monomers, additives, hydrogen peroxide, coating compounds and other chemicals, is among the manufacturers that discussed its concerns about the new chemicals program as it met with Congressional lawmakers during the first quarter of 2017.

Arkema urged lawmakers to give the EPA sufficient resources for timely implementation of the amended TSCA's changes, including the new chemical provisions, the company said in a statement provided to Bloomberg BNA.

Giving sufficient EPA resources "can help the agency to evaluate and process the approval of pre-manufacture notices, to allow companies like Arkema to innovate and bring to market new materials that better meet the needs of users and consumers, or that deliver benefits such as enhanced sustainability," the company said.

EPA's Staffing Solutions

The chemicals office tripled the amount of time its scientists focused on new chemicals, Morris said. About 70 scientists work in the program's Risk Assessment Division, he said.

"At any given time about half of those people are involved in some way or other in new chemicals," Morris said. The rest of the time the risk assessors focus on existing chemicals and questions arising in the agency that call for their particular expertise.

The chemical's office could boost risk assessors time on new chemicals, because it hadn't fully ramped up to begin the risk analyses amended TSCA requires it to undertake for chemicals on the U.S. market, he said.

Having reduced the new chemicals backlog, those same scientists are now focused on developing the scope of risk assessments the agency will conduct for 10 existing chemicals, including solvents. flame retardants and one dye. The scoping documents will describe what health and environmental concerns, exposures and other issues the agency's risk analyses will examine. Amended TSCA requires EPA to complete those scoping documents by June 19.

The agency also temporarily transferred to the new chemicals program about 15 individuals who manage each chemical's review, Morris said. Those individuals work with the agency's scientists, manufacturers and importers who've submitted new chemical requests. The managerial staff will shift back to other duties once the new chemicals backlog is cleared in July, Morris said.

First Major Policy Change

"We've made policy changes that not only reduce the backlog, but make sure a backlog doesn't occur again," he said.

A critical change the agency has made is to approve a new chemical for a particular use or uses its manufacturer or importer intended, along with reasonably foreseeable uses, he said.

If the agency has concerns because the new chemical could be made, used or released into the environment in ways other than what its original manufacturer intended, it will restrict those uses through significant new uses rules, called SNURs, Morris said.

Chemical manufacturers have urged the agency to use this mechanism, commonly called a "non-5(e) SNUR," as it implements amended TSCA just as it had under the original law. That specific provision refers to the section of TSCA that gives EPA oversight of new chemicals and a type of regulation it can issue. The term also refers to the EPA's conclusion that intended or reasonably foreseen uses of a new chemical would not likely present an unreasonable risk, but that other manufacturing methods or uses might, leaving the door open in case other firms employ them.

Initially, the EPA needed time to make sure it could make a legally supportable argument that the amended law allowed it to continue making such findings, Morris said.

"We determined it's legally supportable," provided needed restrictions would be in place before the new chemical was made or imported and that those restrictions protect human health and the environment, Morris said.

Being able to issue non-5(e) SNURs will allow a significant number of new chemicals that had been part of the backlog to get to market, he said.

Two Agency Actions Must Align

Before a new chemical could be made or imported, however, the EPA must align two coupled

activities.

First, the agency must work with each manufacturer or importer to determine the manufacturing methods for, environmental releases of, and uses of, the new chemical that would not be likely to pose an unreasonable risk. A consent order negotiated between the agency and the original manufacturer or importer then binds that specific company to the agreed upon manufacturing and use conditions.

Second, the conditions that the EPA concludes would result in the chemical being unlikely to pose an unreasonable risk must be applied to any subsequent manufacturer or importer that could make the chemicals, Morris said. The agency does that through SNURs.

The chemicals office is developing a strategy to align the two related actions: approving the original manufacturer's request to make a new chemical and issuing a rule that would require subsequent manufacturers to meet any restrictions the original company agreed to, he said.

The goal, Morris said, is to allow the original manufacturer to get a "not likely to pose an unreasonable risk" finding, while making sure restrictions are in place to prevent risks that might occur if other companies made or used the chemical in different ways.

Polymers

Similarly, the EPA is allowing certain polymers to get to market quicker than it did in the initial months after TSCA was amended when they are unlikely to cause health or environmental concerns due to their large size and other characteristics.

Under the original and amended TSCA, EPA has allowed such polymers to be made under what was called a "polymer exemption." That means the company could make the new polymer without filing a new chemicals notice provided the chemical met specified criteria. The EPA's rationale is that that the polymer exemption encourages the manufacture of safer polymers by reducing industry's reporting burden for these types of chemicals. The reduced burden allows the EPA to concentrate its new chemical resources on substances that could pose higher risk, an EPA website explains.

Yet sometimes polymer manufacturers choose to submit new chemical notices. Or perhaps the molecule's characteristics show it could raise concerns if it were made in ways that produced smaller chemicals, called monomers, which could enter and interact with biological systems

The EPA has determined it can allow polymers, which could qualify for the exemption, into commerce with a proviso, Morris said. When the new polymer is added to the TSCA inventory—which lists chemicals that are or have been in U.S. commerce—it will have a flag saying the chemical must be made in ways so that it couldn't be biologically available, Morris said. The EPA announced its first such conditional approval on May 12.

Useful Data For EPA to Get

Another change Morris described has been requested by many chemical makers and the attorneys and trade associations that represent them.

The agency will publicize information manufacturers could submit with their pre-manufacture notices to speed the agency's reviews, he said.

Neither original nor amended TSCA requires manufacturers to submit specific toxicity, exposure or other data when they ask the agency to allow them to make a new chemical.

Faced with a lack of information about use conditions—such as the amount of a chemical that would be released to water, whether workers would be shielded from exposure because the new chemical would be made in a closed system, or whether workers would be required to wear protective gear—the agency makes assumptions. Those "default assumptions" are contained in software the agency uses, for example, to model how much of a chemical may be released in the workplace or what could happen to fish and the bugs they eat if the chemical got into water. To be protective, the agency assumes a new chemical would be released in greater quantities or that exposure is higher than it may be.

The consequence, Morris said, is that the EPA, manufacturers and importers spend time going back and forth working out more realistic use conditions. Depending on how confident a manufacturer is about its potential market for a new chemical, it may chose to pay to generate exposure or other data to prove to the agency that a chemical is less toxic or that exposure to it would be less than the agency assumes. Agency concerns and the cost of generating new data may also prompt a manufacturer to withdraw its new chemical notice rather than face potential controls.

Alerting firms about data needs means "we'll have a much greater chance of receiving information that will allow us to run scientific analyses one time and get companies on the road to commercialization," Morris said.

The EPA also is encouraging chemical makers to meet with agency staff before they submit a pre-manufacture notice, to spotlight data the agency needs before a new chemical's review begins, Morris said.

EPA Seeks Input on Postponing Utility Wastewater Limits

Posted May 26, 2017, 9:52 A.M. ET

By Amena H. Saiyid

The EPA is moving ahead with its proposal to postpone compliance deadlines for a regulation governing wastewater discharges from steam-generating power plants, giving the power sector and the public 30 days to comment on the plan.

The Environmental Protection Agency said it wants to postpone the compliance date of Nov. 1, 2018, while it reconsiders parts of the rule in response to petitions filed by several power sector and business groups, including subsidiaries of Ameren Corp. and American Electric Power. The power industry said the EPA underestimated the time, cost and equipment needed to treat wastewater.

The move to delay the wastewater effluent rule has drawn the wrath of some environmental groups, which sued the agency May 3 for indefinitely postponing the compliance dates.

"The mere fact that EPA is now seeking comment on the illegal stay doesn't make it any less illegal. Scott Pruitt lacks the authority to arbitrary roll back public health protections with the stroke of a pen," Earthjustice attorney Thomas Cmar told Bloomberg BNA in an email. Cmar is representing Clean Water Action, the Sierra Club and Waterkeeper Alliance in the lawsuit against the EPA.

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder of Bloomberg L.P. Bloomberg BNA is an affiliate of Bloomberg L.P.

The 2015 effluent rule, which is currently stayed until Aug 12, would require about 1,080 power plants—more than half of which are fueled by coal—to use the best available technology that is economically achievable to regulate waste streams that are generated by the use of air pollution controls and coal gasification techniques. The EPA is proposing to postpone deadlines for fly ash transport water, bottom ash transport water, flue gas desulfurization wastewater, flue gas mercury control wastewater, and gasification wastewater.

The 30-day clock would start ticking once the Federal Register publishes the notice, which the EPA administrator signed May 25.

Week Ahead: Lawmakers May Get Earful on Energy, Environment

Posted May 26, 2017, 04:11 P.M. ET

By Chuck McCutcheon

Members of Congress holding town hall meetings in their home districts during the week of May 29 are expected to hear about energy and environment concerns as part of the public's reaction to President Donald Trump's new budget proposal.

Severe cuts proposed in the Trump administration's budget blueprint for fiscal year 2018, released May 23, has led lawmakers of both parties to predict money will be restored to at least some programs, including those suggested for the Environmental Protection Agency and Department of Energy. The blueprint fleshed out earlier details on Trump's call to slash EPA's funding by 31 percent as well as a variety of Energy Department programs dealing with energy efficiency and renewable energy.

The Indivisible Project, a citizens' group formed to oppose Trump administration policies, urged its supporters to confront lawmakers about the budget at town hall meetings during the Memorial Day recess.

Indivisible spokeswoman Sarah Dohl said Trump's overall budget is one of the group's four main focuses at upcoming town halls, but not specifically its energy/environment components.

"That said, it's a critical issue that is raised at almost every town hall in questions from constituents (usually a climate change angle)," Dohl told Bloomberg BNA in an email.

The Trump administration has defended proposed cutbacks at EPA and other agencies, saying it seeks to spare taxpayers from footing the bill for programs that the administration deems unnecessary or wasteful.

As Bloomberg BNA's Rachel Leven has reported, Republican members of Congress were booed during the April recess within and outside of district town hall meetings for questioning whether the climate is changing, for supporting the proposed EPA cuts, and for other related issues.

One new issue that could surface at town halls is the Trump budget proposal's call for boosting government revenues by allowing oil drilling in a portion of Alaska's Arctic National Wildlife Refuge.

The debate over drilling in ANWR has divided lawmakers and pitted environmental advocates against oil companies and Alaska officials for several decades.

Other groups also plan to discuss the budget proposal during the Memorial Day recess. The Waterways Council, which advocates for upgrading inland waterways infrastructure, will hold a June 1 media briefing in Washington covering the budget blueprint, the U.S. Army Corps of Engineers' work plan for fiscal year 2017 and other issues. Alan Kovski will cover.

Also coming up the week of May 29:

Pruitt Goes Home: EPA Administrator Scott Pruitt—who grew up in Lexington, Ky., before becoming Oklahoma's attorney general—is scheduled to return to his hometown to speak May 31 at the Kentucky Association of Manufacturers' 2017 Conference and Trade Show.

Zinke Goes North: Interior Secretary Ryan Zinke is taking a weeklong trip around the Arctic Circle, joining Senate Energy and Natural Resources Committee Chairman Lisa Murkowski (R-Alaska) and other members of Congress for a trip to Norway, Greenland, and Alaska.

New Requirements for Nanoscale Materials under TSCA: Jim Alwood, a new chemicals program manager with EPA, will discuss during a June 1 webinar new Toxic Substances Control Act (TSCA) reporting and record-keeping requirements for nanoscale materials. Manufacturers, processors, and end-users of substances, chemicals, formulations, and mixtures that the rule defines as nanoscale materials by EPA are affected by the regulation, which is effective Aug. 17. SEMI, a trade association serving the micro- and nano-electronics industries manufacturing supply chain, hosts the free webinar. Pat Rizzuto will cover.

Air Pollution: An EPA advisory committee that examines air pollution from cars and other vehicles meets May 31. The committee will be discussing how new gasoline additives as well as new car-sharing options are affecting air pollution levels. David Schultz will monitor.

—With assistance from Rachel Leven, Alan Kovski, Pat Rizzuto and David Schultz.

Permit Should Cover Stormwater Pollutants, Not Flow, Builders Say

Posted May 26, 2017, 04:04 P.M. ET

By Amena H. Saiyid

A new EPA permit for storm runoff in New Hampshire goes too far and actually regulates stormwater flow as opposed to the pollutants found in it, homebuilders' groups say in a lawsuit.

The National Association of Home Builders and the New Hampshire Home Builders Association sued the Environmental Protection Agency May 25 in the U.S. Court of Appeals for the District of Columbia Circuit over a Clean Water Act permit for small municipal separate storm sewers, or MS4s (Nat'l. Ass'n of Home Builders v. EPA, D.C. Cir., No. 17-1138, 5/25/17).

A year ago, the homebuilders filed a similar suit over an identical National Pollutant Discharge Elimination System permit issued for stormwater systems in Massachusetts, Jeffrey Longsworth, a Barnes & Thornburg LLP attorney who is representing the association, told Bloomberg BNA May 26.

The groups say the EPA is trying to regulate impervious surface and mandate stormwater retention

standards based on volume and flow. Neither are considered pollutants under the Clean Water Act, Longsworth added.

Unpublished Permit

The agency's regional office in Boston issued a revised general permit for New Hampshire's municipal separate storm sewer systems on Jan. 18, but it was never published because of the hold that the incoming Trump administration placed on all notices for publication pending a review. The permit takes effect July 1, 2018, but became available for legal challenges on Feb. 1.

The revised permit establishes notice of intent requirements for the small municipal systems that include prohibitions and more stringent management practices for stormwater discharges, according to Longsworth.

Aside from the homebuilders, the Center for Regulatory Reasonableness filed its own challenge against the New Hampshire permit in the D.C. Circuit, while the Conservation Law Foundation sued in the First Circuit Conservation Law Found. v. EPA, 1st Cir., No. 17-1130, 2/2/17; Ctr. for Regulatory Reasonableness v. EPA, D.C. Cir., No. 17-01060, 2/22/17).

The EPA asked the First Circuit in March to transfer the foundation's challenge to the D.C. Circuit and consolidate it with the one filed by the center.

The D.C. Circuit already is hearing the challenges to the Massachusetts permit, and has stayed the proceedings until the First Circuit decides to approve or reject EPA's motion to transfer and consolidate the New Hampshire permit lawsuits that revolve around the same issues.

Six to One Against Trump on Climate in 'Honest' Exchange at G-7

Posted May 26, 2017, 03:58 P.M. ET

By Arne Delfs and Margaret Talev

German Chancellor Angela Merkel said Donald Trump was isolated on climate change at the Group of Seven, as the president said he's in no rush to decide whether to scrap U.S. involvement in the Paris Agreement.

A closed-door session on the first day of the G-7 summit in Sicily found unity on stepping up efforts to combat terrorism, but entered stormier waters on trade and on climate, Merkel said. At that stage it was six against one as leaders pressed Trump to hold to U.S. agreements made under the landmark Paris climate accord.

"We made it clear that we want the U.S. to stick to its commitments," Merkel told reporters after the meeting on May 26. "There were very different arguments from us all urging the president to hold to the climate accord." She said the discussion was conducted in a very "honest" atmosphere, leading to a "very intense exchange."

After deriding climate change as a hoax and pledging to pull out of the Paris deal during his election campaign, Trump has sidestepped the issue and passed up a number of opportunities to outline his international stance toward global warming. Members of his administration are deadlocked about whether the U.S. should uphold the pact.

Merkel said that the U.S. side made clear that it hasn't yet taken a decision on whether to scrap Paris "and won't make a decision here" at the G-7.

Taking Time

In the meeting, G-7 leaders asked Trump his timeframe for making a decision, according to a briefing by his top economic adviser, Gary Cohn. Trump said, "I'd rather take my time" and get to the right decision, Cohn told reporters traveling with Trump in Sicily.

Trump also expressed concerns that other countries that had tried to dial back their climate emissions like China and India had seen job growth suffer—and made clear he was not prepared to live with that trade-off, Cohn said.

Trump told the leaders, "he didn't want to be in second place," Cohn said, especially because he ran on a platform of job creation and improving working-and middle-class opportunities and is committed to keeping that promise, Cohn said.

Italian Prime Minister Paolo Gentiloni, the summit's host, said separately that there was "no agreement" on the Paris accord.

"President Trump will take time to reflect on it, and the other countries are taking note of that," Gentiloni said.

"His views are evolving," Cohn said, but Trump's decision will be based on what's best for the United States. The president "is thinking about what his options are." Trump "feels much more knowledgeable on the topic now," said Cohn.

—With assistance from Flavia Krause-Jackson.

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Shell Sees Solution to Energy-System Gaps in `Hydrogen Grid'

Posted May 26, 2017, 8:57 A.M. ET

By Anna Hirtenstein and Rakteem Katakey

Royal Dutch Shell Plc is looking to build a hydrogen empire in a bid to fix the biggest problem the energy transition faces: the question of how to store power in the long term.

"Hydrogen can sit there as a storage medium, similar to batteries,'' said John Abbott, downstream director at Shell. "I can see a world where there's even a hydrogen grid. You use it for your car, you heat your home, your electricity, through that network.''

Shell has begun to use the lightest element at its retail stations, starting with Germany and the U.K. It entered a joint venture with partners such as Daimler AG to dispense hydrogen from its filling stations in Germany, aiming to roll this out at 400 locations by the early 2020s. The first station in the U.K. was introduced in February on the outskirts of London. Shell is aiming to add another 10 before the end of the year.

Hydrogen can be derived from natural gas or from water by splitting the molecules, a process which

uses energy. The supply chain has been criticized for being overly energy-intensive. However, if the energy that is used to make the gas is renewable, it can be seen as a form of green power storage. Technically, it can be stored almost indefinitely.

"Hydrogen has the potential to be a form of long-term seasonal energy storage. It can store power from days to months at a time, compared to batteries which are typically limited to a few hours," said Logan Goldie-Scot, energy-storage analyst at Bloomberg New Energy Finance. "Globally, current markets neither incentivize the use of hydrogen nor highly value the long-duration flexibility that it offers."

Long-term Storage

Storage of different lengths will be needed to wean the energy system off fossil fuels. Plugging the short-term gaps between wind and solar generation may be able to be covered by batteries, but the peaks between seasons requires huge amounts of energy to be stored for months at a time.

Shell has previously said that it sees hydrogen as a solution for shipping, aviation and trucks -- heavier machinery that's unlikely to be powered by batteries, which still face questions on energy density. Now Abbott expands the vision to include heating houses, providing electricity to the grid and storing power.

Shell's views contrast with those of BP Plc. The British oil major doesn't believe that the gas will play a major role for fueling passenger vehicles or trucks, according to chief economist Spencer Dale. The company expects that natural gas in the form of LNG will instead be used for long-distance trucking and shipping instead of diesel and bunker fuel.

It's adding charging points for electric vehicles at some of its retail units. It has sold some hydrogen at a station outside London, but volumes are not high.

"It's a question of the chicken and egg, what's coming first," said Istvan Kapitany, executive vice president of Shell Retail. "Right now the number of fuel-cell cars is very low, but we need to be putting down the facilities to have a chance for the customers buy a fuel cell car, so when they buy it they can drive it properly."

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Trump `Leaning' to Understand Europe View on Climate, Cohn Says

Posted May 26, 2017, 8:37 A.M. ET

By Margaret Talev

Donald Trump is working to understand the European view on climate change, his chief economic adviser said, suggesting the U.S. president is sensitive to the diplomatic backlash he'd face in scrapping the Paris Agreement on global warming.

"I think he's leaning to understand the European position," Gary Cohn, director of the National Economic Council, said on the sidelines of a Group of Seven summit in Sicily, Italy.

Climate is one of the most contentious issues facing leaders at the two-day G-7 meeting in the resort town of Taormina, where Angela Merkel of Germany and France's Emmanuel Macron are

among those advocating a commitment to the landmark Paris accord. Trump has derided climate change as a hoax, and members of his administration are deadlocked about whether the U.S. should uphold the pact, brokered by nearly 200 nations in 2015.

"Look as you know from the U.S., there's very strong views on both sides," said Cohn. "Both sides are running ads. So he knows that in the U.S. there's very strong opinions on both sides but he also knows that Paris has important meaning to many of the European leaders. And he wants to clearly hear what the European leaders have to say."

--With assistance from Reed Landberg.

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Bosch Tied to Diesel-Cheating Claims Against Fourth Carmaker

Posted May 26, 2017, 8:28 A.M. ET

By Ryan Beene and Kartikay Mehrotra

Robert Bosch GmbH, the world's largest auto-parts supplier, was linked to emissions-cheating allegations against a fourth automaker on May 25, raising questions about the German company's role in the scandal gripping the car industry.

Bosch and General Motors Co. are co-defendants in a lawsuit filed May 25 by owners of diesel-powered pickups who accused the automaker of using illegal software, known as a defeat device, to pass U.S. emissions tests. Bosch "participated not just in the development of the defeat device, but in the scheme to prevent U.S. regulators from uncovering the device's true functionality," according to the lawsuit filed in Detroit federal court.

"We believe Bosch was the enabler," said attorney Steve Berman, a managing partner at Hagens Berman who's represented vehicle owners in lawsuits against all four carmakers and Bosch over diesel cheating. "They provided the software in a format where manufacturers and Bosch could work together to calibrate their engines to cheat emissions tests."

The technology was so sophisticated that it could recognize when a car was being tested in a lab or smog station to feign clean emissions and compliance with pollution standards, according to U.S. regulators.

"Bosch takes the allegations of manipulation of the diesel software very seriously," the Stuttgart-based parts supplier said in an emailed statement. "Bosch is cooperating with the continuing investigations in various jurisdictions, and is defending its interests in the litigation.

It's the fourth time in less than two years that automakers using Bosch's diesel engine software have been accused in court by regulators or vehicle owners of cheating on emissions tests. On May 23, the U.S. Justice Department accused Fiat Chrysler Automobiles NV -- which also uses Bosch engine software -- of rigging its cars to pass emissions tests.

GM spokesman Pat Morrissey said the May 25th suit is "baseless" and its vehicles comply with environmental standards. Fiat Chrysler said on May 23 that it "intends to defend itself" in the Justice Department lawsuit and denied any willful wrongdoing.

Another Bosch user, Volkswagen AG, admitted in 2015 to flouting pollution rules and has committed to spending more than $24.5 billion paying fines and penalties, including buybacks, across North America. Car owners also alleged in a 2016 lawsuit that Daimler AG's Mercedes-Benz used defeat devices. That lawsuit was thrown out but then amended and re-filed in December, adding Bosch as a defendant.

Mercedes-Benz has denied any wrongdoing, but earlier this year suspended seeking certification for 2017 diesel vehicles citing the "significant increase in effort" needed to win approval from the U.S. Environmental Protection Agency.

In each case, the vehicles used Bosch's EDC-17 control unit, a computer used to regulate the diesel engine's operation and control emissions, according to the GM lawsuit. That chip is "a good enabler for manufacturers to employ defeat devices as it enables the software to detect conditions when emissions controls can be detected," according to the lawsuit.

"Although this case is not about Volkswagen, Bosch's history with Volkswagen provides background and support for its participation" in the racketeering "of which Bosch and GM were participants," the GM truck owners claimed.

In the VW case, vehicle owners accused Bosch of being "an active participant in a massive, decade-long conspiracy with VW," according to court filings. Bosch didn't admit wrongdoing but agreed to pay $327.5 million to end the class-action in February.

"After diligently balancing all aspects, we decided to settle in this case," Bosch Chief Executive Volkmar Denner said at the time in a statement. "Bosch is in the middle of the biggest transformation of the company's history. We want to devote all our attention and resources to that change."

Bosch faces an investigation by the U.S. Justice Department into possible criminal charges, people familiar with the matter said in September. German prosecutors are looking into whether Bosch employees helped VW rig software. Stuttgart prosecutors said May 26 that they're also investigating Bosch in relation to a probe of Daimler, which was the subject of police raids across Germany earlier this week, and a spokesman at the supplier said the company is cooperating.

In the Fiat Chrysler lawsuit, now before a San Francisco federal court, Bosch and the carmaker are alleged to have installed software to manipulate the emissions control systems when the car was in testing.

"Rather than finding a way to improve performance while maintaining the emissions control system," the companies conspired to hide the actual level of pollutants, according to one of the 20 pending complaints against Fiat Chrysler, many of which also name Bosch as a defendent.

Fiat Chrysler has proposed a software update to the EPA which attorneys say is capable of resolving the dispute "in a matter of weeks." It would minimize or eliminate any need for payment of monetary damages to plaintiffs, the company said. Bosch has yet to issue a written reply to the claims, but supported the carmaker's efforts to produce a fix.

--With assistance from Tom Schoenberg, Gabrielle Coppola, David Welch, Dalia Fahmy and Christoph Rauwald.

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Energy-Generating Kites Backed by Shell Set for Test in Scotland

Posted May 26, 2017, 01:13 P.M. ET

By Anna Hirtenstein

Power-generating kites backed by Royal Dutch Shell Plc, Schlumberger Ltd. and EON SE will start tests in the U.K. this summer, with the aim of developing a technology that could eventually replace offshore wind turbines.

Kite Power Systems, known as KPS, is working on a 17-meter device that flies on air currents high above the ground and generates power by pulling at a cable. It raised 5 million pounds ($6.4 million) from the three energy giants last December.

"The reason we are interested in something like this is that it has potential to reduce the cost of offshore wind in the future," said Geert van de Wouw, managing director of Shell Technology Ventures BV. "Fundamentally, looking at the science, flying the kite at high altitudes so there's lots of wind, and the cost of materials is quite a lot lower than a normal offshore wind turbine."

Alternatives to traditional wind turbines are in the works at multiple start-ups, some backed by corporations in energy and tech such as Alphabet Inc. German utility EON has also invested in a test site in Ireland for drones that are designed to fly at high altitudes and generate energy.

The kites work by sending aloft a wing to fly in a circular looping path much like the tip of a wind turbine blade. The machines harness aerodynamic lift from the wind exerted against the tether linked to the ground. Tension in that tether causes the line to rapidly spool out from a drum, which is connected to a generator.

Kite Power Systems will start testing its machines in July or August at a site in Scotland. Offshore wind farms could someday be re-powered with the technology, according to David Ainsworth, interim chief executive officer.

"There's 3 gigawatts of offshore wind coming to the end of life in the 2020s," Ainsworth said. "It'll have to be decommissioned, but you'll still have the infrastructure there, the grid. There's an opportunity to re-power with kites."

Kite Power Systems believes that its system could generate electricity between 55 and 58 percent of the time, a capacity factor that's higher than a conventional wind farm. It has made a 500-kilowatt kite and is working on a 3-megawatt version. Ainsworth expects that the company's technology could eventually reach as much as 6 megawatts from each machine.

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Tue 5/23/2017 4:16:29 PM
Subject: Mulvaney: No more 'crazy' climate spending

By Alex Guillén

05/23/2017 11:54 AM EDT

Office of Management and Budget Director Mick Mulvaney said the White House's 2018 budget proposal reduces spending on climate change science to correct for too much "crazy stuff" under the Obama administration.

"What I think you saw happen during the previous administration is the pendulum went too far to one side, where we were spending too much of your money on climate change and not very efficiently," Mulvaney told reporters at a budget briefing.

Asked about climate science spending, Mulvaney specifically pointed to a controversial 2010 National Science Foundation grant of $700,000 for a climate change musical.

"Do you think that's a waste of your money?" he asked.

Mulvaney went on to say the budget doesn't completely toss all climate science activities.

"Do we target it? Sure. Do a lot of the EPA reductions aim at reducing the focus on climate science? Yes. Does it mean that we are anti-science? Absolutely not," he said. "We're simply trying to get things back in order to where we can look at the folks who pay taxes and say, 'Look, we want to do some climate science, but we're not going to do the crazy stuff the previous administration did.'"

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/mulvaney-no-more-crazy-climate-spending-088145

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Joe Pompeo - POLITICO Media
Sent: Mon 6/19/2017 10:13:46 AM
Subject: Morning Media, presented by American Optometric Association: 'High marks' for Megyn Kelly — The ink-stained friendship of Baron and Baquet — The 'billionaire bromance' of Murdoch and Trump

By Joe Pompeo | 06/19/2017 06:10 AM EDT

With Alex Weprin

SO WHAT'D YOU THINK OF MEGYN KELLY'S ALEX JONES FEATURE LAST NIGHT? Putting aside the fiery debate about whether Kelly and NBC News were right to give such primo airtime to a man who has spread dangerous conspiracy theories like Pizzagate and the Sandy Hook hoax nonsense, the question for many journalists ahead of last night's highly-anticipated "Sunday Night with Megyn Kelly" segment was all about how tough Kelly would prove to be in grilling her controversial subject -- just three weeks into her new program, at that. Given how high the stakes were as a result of last week's public outcry, one assumes the editors at NBC News were working overtime to make sure the piece was as tough as possible. And given the favorable reviews, one assumes the network is happy with the end result.

A few moments worth mentioning....

-- **The Infowars boss downplayed his relationship with President Trump:** "I think my influence on Trump is way way lower than what MSM has said." Kelly: "Well what kind of access do you have?" Jones: "He's just called sometimes and, you know, talked about politics or thanked me, stuff like that. That's it."

-- **Ridiculous statement:** "The media never covers all the evil wars it's promoted." Kelly responded, "That doesn't excuse what you said about Newtown, and you know it." But really, she coulda/shoulda nailed him on the "media doesn't cover wars" part.

-- **This is more like it:** "You misstated facts about Chobani and its owner which, you could've found out if you just had a reporter do a little shoe-leather reporting -- pick up the phone, check out the facts. You never would have had to retract that or apologize."

-- **"Do you think of yourself as a journalist?"** Jones: "I have some journalists that work for me and I do journalistic work and I've broken a lot of big stories and I understand the basics of it."

If you missed it last night, you can watch the full clip here.

Veteran CNN TV critic Brian Lowry: "[T]he piece that aired Sunday credibly justified covering the Infowars phenomenon, which was the bar that "Sunday Night With Megyn Kelly" ultimately had to clear. ... Moving into a prosecutorial mode that was frequently her strength on Fox, Kelly did press him, enlisting a Newtown parent and MSNBC contributor Charlie Sykes to help contextualize the 'toxic paranoia' that he spreads among his listeners. ... Kelly's handling of the interview should calm some nerves [at NBC News], even if it won't quiet all the dissenting voices."

Our own Jack Shafer: "[S]he took the mendacious Jones apart in such a textbook manner you had to wonder what all the shouting had been about. ... Short of waterboarding him, I don't know what more Kelly could have done to expose Jones' dark methods."

** **A message from the American Optometric Association:** More than 5,000 Doctors of Optometry and students from all 50 states are in DC to spotlight Optometry's expanding role in the health care system and key advancements in patient-centered care. For more information on the essential primary care being provided by optometrists -- America's family eye doctors - in communities across the country, visit www.aoa.org. **

TIPS AND COMMENTS: jpompeo@politico.com / @joepompeo. **Morning Media** is edited by **Alex Weprin** (@alexweprin / aweprin@politico.com) and produced with writing/reporting help from **Cristiano Lima** (clima@politico.com / @ludacristiano). **Archives**. **Subscribe.**

EXCERPT - From my feature this morning, "The Not-So-Bitter Rivalry of Dean Baquet and Marty Baron," over at POLITICO Magazine: "Baron and Baquet are the two most important newspaper editors in America right now, at a time when the media is tackling the most epic and consequential story of the past 40 years. ... Many news organizations have been moving the needle on the Trump story in different ways ... But when it comes to inside reports from intelligence and national security agencies, the Times and the Post, with their expanding rosters of veteran correspondents, have the greatest institutional advantages. In particular, the investigations into whether the Trump team colluded with Russia in the 2016 election have played to the historic strengths of both newspapers. ... The result has been a resurgence of ink-stained combat that makes NYT v. WaPo the most compelling journalistic rivalry since the days of Baquet and Baron's respective forefathers, Abe Rosenthal and Ben Bradlee. The other thing that makes the rivalry compelling is that unlike Rosenthal and Bradlee, who were cordial at most, Baron and Baquet are legit pals. ...

"And yet, looking back on their journeys to the ivory towers of American journalism , it's equally clear that Baron and Baquet have been formidable competitors, if collegial ones, over the course of their professional lives. Perhaps no two editors' careers have overlapped and shadowed one another so closely. In the past, they've each contended to be the top editor at The New York Times and to have all the power and influence that goes along with it. After decades of ups and downs for both men, Baquet eventually got that job, but at the same time, Baron got the glory and fame that only the most Herculanean journalistic achievements can confer. Now, their competition defines not only their careers but, to no small degree, the fate of the Trump administration. Every morning, each goes to work knowing that part of what he needs to do that day is to be better and faster than the other."

That's the nut graph, in a nutshell. You can read the rest here. (It's long, so I won't be offended if you bookmark and save for later.)

SIDENOTE: SOME POST NUMBERS THAT SURFACED IN MY REPORTING - "A person with knowledge of company finances said the Post now has more than 900,000 digital-only subscribers at three monthly access levels - $3.99, $9.99 and $14.99 - with the majority of

its customers registered at the higher two tiers. Based on those numbers, digital subscriptions could theoretically be in the ballpark of $100 million at this point. (In 2016, digital circulation at the Times was $232.8 million.) ... Digital advertising this year, according to the person with knowledge of company finances, is projected to be at least $120 million, up from roughly $100 million in 2016. (Digital ad revenue at the Times in 2016 was $208.8 million.) Since the Post, as opposed to the Times, is a private company and does not make its finances public, it wouldn't hurt to take these subscription and revenue numbers with a grain of salt."

SOUND BITES:

-- ".@megynkelly scored high marks with Alex Jones interview. Nailed the scumbug." [Tina Brown]

-- "Watching @megynkelly interview with Alex Jones, I'm even more convinced that her piece wasn't just ok to do, but important journalism." [Dan Abrams]

-- "Bottom line on NBC's Alex Jones piece: Strong editing gave it an edge & made him look like a kook. Still a win for him; boosts his profile." [Margaret Sullivan]

-- "If you're unfamiliar with Alex Jones, and are watching this Megyn Kelly report, hard to imagine you walk away believing anything he says. And fwiw, I think she's done about as good as anyone can do on TV taking him to task on many of his conspiracies." [Kyle Blaine]

-- "You could see the producers cutting and re-cutting it to meet various points of objection." [Jay Rosen]

BILL O'REILLY TEASES POSSIBLE 'NEW NETWORK' - via Newsday : "Making the first stop at his 'The Spin Stops Here' tour, O'Reilly ... made some news during the question-and-answer period ... Asked whether he planned to start his own network, he said 'there could be a new network' that will compete directly with Fox News. 'A bunch of people are looking to compete with Fox because there's a perception' of decline, he said. ... "But I am starting my own operation. We are going to do that ... where we will go into a studio and here it will look like 'The Factor.' . . . It's basically an experiment to see how many people are going to want this service. That's coming and will be here before September in a robust form. But I suspect there will be another network maybe merging with us. There will be a network that rises up because the numbers for Fox are going down."

DONALD TRUMP AND RUPERT MURDOCH, A HISTORY - From The Guardian over the weekend : "The alliance between Donald Trump and Rupert Murdoch has never been stronger. ... Now, with a reported criminal investigation in connection with sexual harassment allegations into Fox News, the stakes are higher than ever for the two friends. ... As Trump's 'inevitability' grew and it became clear he was going to win the Republican nomination, the two men grew closer still, uniting around what is perhaps the biggest thing they have in common: both men love to win, and suddenly they were in a position to use one another to do just that." Sid Blumenthal: "His entire empire's at stake - that's why Murdoch is talking to him every day. It's not because he enjoys the sparkling conversation of Donald Trump." More: "Donald Trump

and Rupert Murdoch: inside the billionaire bromance"

MUST READS:

-- "Memo Shows Watergate Prosecutors Had Evidence Nixon White House Plotted Violence" [NBC News]

-- "Before the Gunfire in Virginia, a Volatile Home Life in Illinois" [NYT]

-- David Remnick: "Who in the White House Will Turn Against Donald Trump" [The New Yorker]

-- "The Normalization of Conspiracy Culture" [The Atlantic]

ERIC BOLLING FOR SENATE? My colleague Hadas Gold reports this morning : "Fox News anchor Eric Bolling may have just signed a new multi-year contract, but he's also eyeing a possible career change: A future run for Senate. For now, Bolling is secure in his job as co-host of the new show 'The Fox News Specialists.' But In a recent telephone interview from Fox News headquarters in New York City, Bolling said that 'when the lights go down on the TV career' he wants to make a primary challenge against a sitting Republican senator in the South. 'A lot of Republicans run as conservatives only to be elected, and we find out they're not conservative at all.' ... Bolling ... declined to specify which state in the South he'd run, which senator he would challenge or even when it would happen."

BIG UNIVISION FEATURE FROM JIM RUTENBERG - In today's Times : "By now you've probably heard that this is a golden age for journalism -- how The New York Times and The Washington Post are warring for scoops in ways reminiscent of the Watergate era; how an information-hungry public is sending subscriptions and television news ratings soaring, reinvigorating journalists and reaffirming their mission ... But the story isn't complete if it doesn't include Univision News, one of the most striking examples I've seen all year of a news organization that is meeting the moment. It is the leading news source for Hispanics in the United States, citizen and noncitizen alike -- a core audience that has an almost existential stake in the Trump administration's policies." More: "A Newsroom and a Lifeline: Univision's Urgent Sense of Purpose"

REVOLVING DOOR: via Poynter: "Emma Carmichael, the editor in chief of Jezebel, announced on Friday that she's stepping down from that position next month. 'This has been the hardest decision of my professional life, but it's one I feel clear-headed about - I'm simply a little burnt out and ready to take a break from running a website,' she wrote in a memo to her staff. ... Carmichael becomes the third woman in a leadership position to leave Gizmodo Media Group in as many months. ... But the company has also made increasing gender diversity a priority."

SOUNDTRACK: The Ramones, "Commando"

EXTRAS:

-- Margaret Sullivan: "When student journalists need defending, these lawyers swoop in. For free." [WaPo]

-- Ken Doctor: "Will Tronc Get Squeezed Out of a Sun-Times Acquisition?" [The Street]

-- A profile of Task & Purpose, veterans-focused digital publication born out of a jobs board. [NiemanLab]

** **A message from the American Optometric Association:** Through the delivery of personalized care and comprehensive eye exams, doctors of optometry help ensure precise and healthy vision, identify and treat glaucoma and serious infections and provide early diagnosis of threats to overall health, including hypertension, stroke and diabetes, which may have no obvious symptoms. The doctor-patient relationship is at the heart of optometry practices serving thousands of communities across the country. With health care legislation a priority, AOA member doctors and students are asking Senators and House members to:
· Co-sponsor the AOA & ADA-backed bi-partisan Dental and Optometric Care Access Act (HR 1606).
· Vote to eliminate the health insurance industry's anti-trust exemption (bi-partisan HR 372, passed the House 416-7, March 22nd).
· Demand that Federal bureaucrats withdraw their scheme to impose costly mandates targeting eye doctors.
· Keep primary eye health and vision care a priority for the VA.
· Require patient health safeguards and quality care standards on remotely attempted care.

For more information, visit www.aoa.org. **

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Sent: Thur 11/16/2017 11:22:46 AM
Subject: POLITICO Playbook, presented by Chevron: HOUSE TAX VOTE TODAY … TRUMP to the Hill, where he'll see the GLORY of HC-5 -- RON JOHNSON comes out against GOP tax plan -- HANNITY: Let the people of Ala. decide on Moore -- CORNYN, MURPHY make gun database deal

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Today's POLITICO Playbook presented by Chevron

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

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Driving the Day

Good Thursday morning. BIG DAY -- HOUSE REPUBLICANS have their tax bill on the floor. **PRESIDENT DONALD TRUMP** heads to HC-5 -- their Capitol basement meeting room -- to hold a rally, of sorts, for the House tax bill. He's scheduled to talk around 11:30 a.m. **SPOILER ALERT:** the House will pass their bill quite easily. Democrats won't vote for it. The ease with which this is getting through has surprised some House Republicans. We don't expect Trump to appear publicly with any lawmakers at the Capitol, though. **OUR QUESTION:** Will Trump have Republicans to the White House to celebrate like he did with the health care bill before it exploded in the Senate? ... ***Rachael Bade and Heather Caygle with more on the state of play in the House*** http://politi.co/2juEqXW

-- FOR WHAT IT'S WORTH: This is a big internal victory for Speaker Paul Ryan, House Majority Leader Kevin McCarthy, House Majority Whip Steve Scalise, Rep. Patrick McHenry, the chief deputy whip, and Ways and Means Chairman Kevin Brady. But it's just the first step. Reconciling this bill with whatever comes out of the Senate will be another tricky test.

BUT ... IN THE SENATE

-- "Republican Sen. Ron Johnson Opposes GOP Senate Tax Package," by WSJ's Siobhan Hughes: "Sen. Ron Johnson (R., Wis.) said he opposes the Senate Republican tax package, becoming the first GOP voice of dissent that, if it gains momentum, could force significant changes or jeopardize the party's goal to pass the bill before the end of the year. 'If they can pass it without me, let them,' Mr. Johnson said in an interview Wednesday, adding that the plan unfairly benefits corporations more than other types of businesses. 'I'm not going to vote for this tax package.'" http://on.wsj.com/2zGwOlj

-- GOP SENATORS TO WATCH ... John McCain of Arizona, Lisa Murkowski of Alaska, Susan Collins of Maine, Bob Corker of Tennessee

THE BACKSTORY -- "How Cotton brought Obamacare repeal back from the dead," by Seung Min Kim and Jen Haberkorn: "Sen. Tom Cotton was about to enter the White House early this month to discuss immigration policy when he got an unexpected call from President Donald Trump to talk about a different topic. For days, the Arkansas senator had been working behind the scenes to persuade Republicans that reigniting a battle over repealing Obamacare in the tax fight wasn't as crazy as it seemed. But Trump, still smarting from GOP's failures to dismantle the law whom Cotton had first pitched on the idea four days prior, needed little persuading.

"'I am with you 1,000 percent on this,' Trump told Cotton over the phone. Trump tweeted twice that Republicans should repeal the mandate, putting pressure on the GOP to tuck it into tax reform despite widespread dismissiveness the idea was greeted by at the time. That Nov. 2 conversation illustrated how the GOP rank-and-file methodically coaxed their leadership to embark on what seemed - and could still become - a fool's errand to try again to take down Obamacare. In a surprise move, Senate Republicans said Tuesday that they would repeal Obamacare's individual mandate in their tax plan, using the savings to plow into more tax cuts." http://politi.co/2AJTeFq

THE BIG QUESTION... HOW LONG CAN THIS LAST? -- "Conservative outside groups hold fire on tax bill ahead of first vote," by Nancy Cook: "As Congress rushes to pass the biggest tax reform legislation in three decades, high-powered business and conservative groups are holding fire on provisions they don't like in order to avoid derailing the vote. The kumbaya attitude emanates in large part from a sense of desperation among Republicans who believe the party needs to show voters and donors a concrete victory ahead of the 2018 midterms or risk losing control of one or both chambers of Congress, say strategists and conservative activists. 'It is kind of unreal,' said one Republican lobbyist. 'People know this is a freight train coming, and they are doing everything they can to get their stuff on it rather than stand in front of it.'" http://politi.co/2jvctiO

IVANKA SPEAKS -- "Ivanka Trump says child tax credit 'not a pet project'," by AP's Catherine Lucey: "Trump says she and husband Jared Kushner, a fellow White House adviser, have no plans to return to their old New York City life any time soon. 'It's definitely not short-term,' Trump said." http://bit.ly/2A2qfR3

-- LOOKING TO 2018: "Tax reform may doom Trump infrastructure plan," by Colin Wilhelm: "The tax reform bill set to be voted on Thursday by the House of Representatives could kill any chance of the Trump administration's trillion-dollar infrastructure plan ever happening. At best, House support for the plan would signal lukewarm backing among Republicans for President Donald Trump's ambitions. At worst, the bill would effectively end the funding structure that the administration touts as

a way to reach its $1 trillion target and minimize the burden on taxpayers. The House bill ends tax breaks for private activity bonds, a key part of public-private partnerships in projects ranging from roads to low-income housing. The administration has said it wants to leverage those partnerships to reduce the direct cost of the president's building plan." ***For Pros*** http://politico.pro/2hwszo8

COMING ATTRACTIONS ... THE END OF THE YEAR FIGHT -- "Republicans stall budget talks for tax reform," by Rachael Bade and John Bresnahan: "Hill Republican leaders are slow-walking negotiations for a year-end budget deal with Democrats, adamant that tax reform must come first - even if the spending battle drags out until year's end. Top aides to the 'Big Four' - Speaker Paul Ryan, Senate Majority Leader Mitch McConnell, House Minority Leader Nancy Pelosi and Senate Minority Leader Chuck Schumer - have been engaged in tightly held discussions for weeks, but they remain unable to reach an agreement on a 'topline' number for government funding bills for the next year.

"Democrats insist on 'parity' in any spending deal; they won't agree to raise strict budget caps for defense spending without an equal boost to domestic funding. Republicans, so far, refuse to cave on the issue. Pelosi accused Republican leaders of dragging their heels on the matter, suggesting they were trying to push a $5 trillion-plus tax cut package through Congress before they reach a spending agreement, multiple sources said.

"Pelosi also told her colleagues on Wednesday that she won't sign off on any funding bill that doesn't increase both domestic and Pentagon funding by the same amount. The California Democrat said she and Schumer have both rejected the latest GOP positions during the leadership-only discussions." http://politi.co/2z758wR

****** **A message from Chevron:** Advanced technology is helping us find safer ways to deliver energy. We're piloting a program that uses drones to monitor tanks and pipelines. Watch the video: http://politi.co/2zydcU4 ******

QUOTE OF THE DAY -- CORRY BLISS, executive director of the Congressional Leadership Fund, to Elena Schneider: "There are certainly incumbent members out there who need to work harder and raise more money if they want to win. They're fundamentally not prepared for how they're about to be attacked." http://politi.co/2iZg7xb

2020 WATCH -- SPOTTED last night at the Fringetree restaurant at the Westin: Sen. Chris Coons (D-Del.), Martin O'Malley and Pete Buttigieg.

SIREN -- "Hope Hicks may hold the keys to Mueller's Russia puzzle," by Darren Samuelsohn: "Special counsel Robert Mueller's team is preparing to interview the woman who's seen it all: Hope Hicks. She's been part of Donald Trump's inner circle for years, first at Trump Tower and then as an omnipresent gatekeeper and fixer who could get emails or other communications directly to the boss during the 2016 campaign. As a senior White House adviser and now as communications director, she's been in the

room for moments critical to Mueller's probe, which has grown to include the president's response to the Russia investigation itself.

"Hicks' history with Trump makes her one of the more useful witnesses for Mueller as he looks for insights into the president's habits and moods. She also is one of the few people well positioned to recount the president's reactions at various moments as the Russia scandal has sidetracked his presidency - including the Mueller appointment itself. Mueller's decision to request an interview with Hicks - who hasn't been named in any criminal wrongdoing - also indicates he's reached a critical point in the overall investigation, according to former prosecutors and veterans of past White House investigations. Typically, conversations with such senior level aides are saved for near the end of a probe." http://politi.co/2mwKekL

TRUMP INC. -- "Taxpayers pay legal bill to protect Trump business profits," by USA Today's Nick Penzenstadler: "Taxpayers are footing the legal bill for at least 10 Justice Department lawyers and paralegals to work on lawsuits related to President Trump's private businesses. Neither the White House nor the Justice Department will say how much it is costing taxpayers, but federal payroll records show the salaries of the government lawyers assigned to the cases range from about $133,000 to $185,000. The government legal team is defending President Trump in four lawsuits stemming from his unusual decision not to divest himself from hundreds of his companies that are entangled with customers that include foreign governments and officials." https://usat.ly/2jv0TnG

S.O.S. ... THE LATEST ON MOORE -- "GOP leaders weigh drastic plan to save Alabama Senate seat," by Alex Isenstadt and Eliana Johnson: "Republican leaders are exploring a dramatic remedy to salvage the Alabama Senate seat as fresh polling shows Roy Moore's prospects fading fast. With less than four weeks until the special election and no sign that the party's besieged nominee will exit the race, Senate Majority Leader Mitch McConnell and his top advisers are discussing the legal feasibility of asking appointed Sen. Luther Strange to resign from his seat in order to trigger a new special election. McConnell aides express caution, saying they're uncertain whether such a move, one of several options being discussed, is even possible. ...

"New GOP polling obtained by POLITICO suggests that Moore is cratering. A survey conducted by the [NRSC] after allegations emerged that Moore had engaged in sexual misconduct with teenagers showed him trailing Democratic candidate Doug Jones by 12 points. Other recent polling has the race closer." http://politi.co/2iZeWxM

M.I.A. -- Republicans expected Trump to address the Moore situation Wednesday, hoping he would exert some pressure on the Alabama Republican to drop out of the race. So far, he's stayed mum.

-- IS HANNITY CHANNELING TRUMP'S THINKING? ... @seanhannity at 11:12 p.m.: "I lived in Alabama-love the people. THEY will sort through the issues before them and decide. Not DC, McConnell, or Commentators, THE PEOPLE!"

DOWN BALLOT IMPACT -- "Republican Governors Seek to Avoid 2018 Damage From Trump, Moore," by Bloomberg's John McCormick: "Republican governors and their donors -- still reeling from GOP losses last week in New Jersey and Virginia -- are trying to distance themselves from their party's problems and plot a 2018 strategy to protect their state-level dominance. At the annual Republican Governors Association meeting in Austin, Texas, party officeholders downplayed those defeats and dismissed the political fallout of President Donald Trump's historically low approval ratings and lack of legislative accomplishments. They brushed aside questions about the potential long-term consequences from growing sexual misconduct allegations that have engulfed Republican U.S. Senate nominee Roy Moore in Alabama. ...

"Thirty-six states will hold gubernatorial elections in 2018, with 26 of those now controlled by Republicans. In those races, which often have trickle-down effects on legislative and local elections, Republican candidates will have to decide just how closely to embrace Trump and distance themselves from an unpopular Washington." https://bloom.bg/2ATPv9i

DRIP DRIP -- "Two more women describe unwanted overtures by Roy Moore at Alabama mall," by WaPo's Stephanie McCrummen, Beth Reinhard and Alice Crites: "Gena Richardson says she was a high school senior working in the men's department of Sears at the Gadsden Mall when a man approached her and introduced himself as Roy Moore. ... His overtures caused one store manager to tell new hires to 'watch out for this guy,' another young woman to complain to her supervisor and Richardson to eventually hide from him when he came in Sears, the women say. Richardson says Moore - now a candidate for U.S. Senate - asked her where she went to school, and then for her phone number, which she says she declined to give ...

"A few days later, she says, she was in trigonometry class at Gadsden High when she was summoned to the principal's office over the intercom in her classroom. She had a phone call. 'I said "Hello?"' Richardson recalls. 'And the male on the other line said, "Gena, this is Roy Moore." I was like, "What?!" He said, "What are you doing?" I said, "I'm in trig class."'

"Richardson says Moore asked her out again on the call . A few days later, after he asked her out at Sears, she relented and agreed, feeling both nervous and flattered. They met that night at a movie theater in the mall after she got off work, a date that ended with Moore driving her to her car in a dark parking lot behind Sears and giving her what she called an unwanted, 'forceful' kiss that left her scared. ... Moore's campaign did not directly address the new allegations. In a statement, a campaign spokesman cast the growing number of allegations against Moore as politically motivated. 'If you are a liberal and hate Judge Moore, apparently he groped you,' the statement said. 'If you are a conservative and love Judge Moore, you know these allegations are a political farce.'" http://wapo.st/2jtXgyn

-- AND MORE .... "New Roy Moore accuser: 'He didn't pinch it; he grabbed it,'" by

Anna Claire Vollers in AL.com: "A Gadsden woman says Roy Moore groped her while she was in his law office on legal business with her mother in 1991. Moore was married at that time. ... According to [Tina] Johnson, he asked questions about her young daughters, including what color eyes they had and if they were as pretty as she was. She said that made her feel uncomfortable, too. Once [legal] papers were signed, she and her mother got up to leave. After her mother walked through the door first, she said, Moore came up behind her. It was at that point, she recalled, he grabbed her buttocks. 'He didn't pinch it; he grabbed it,' said Johnson. She was so surprised she didn't say anything. She didn't tell her mother. ...

"In 1982, Kelly Harrison Thorp was working as a hostess at the Red Lobster restaurant in Gadsden. She was 17 years old and a high school senior. One day Roy Moore came into t Fringetree Bar & Restaurant at the Westin he restaurant, and she recognized him. ... Thorp said Moore asked her if she'd go out with him sometime. 'I just kind of said, "Do you know how old I am?"' she recalled. 'And he said, "Yeah. I go out with girls your age all the time."' http://bit.ly/2AMW7oV

-- @MooreSenate: "An Open Letter to @seanhannity" http://bit.ly/2yL0sZ2 ...
@VaughnHillyard: "New--> The Alabama GOP is maintaining its support for Roy Moore. In its steering committee meeting tonight, the prospect of removing Moore as the party's candidate did not reach the point of a vote."

SHOT -- @MooreSenate: "Dear Mitch McConnell, Bring. It. On."

CHASER -- NRSC executive director Chris Hansen (@tankcat) replies: "Bring It On is a movie about high school cheerleaders".

DEPT. OF ODD BEDFELLOWS -- "Senators forge deal to improve gun background database," by Seung Min Kim: "A bipartisan group of senators has struck a deal to bolster a federal database used to check the backgrounds of gun buyers in the aftermath of several recent mass shootings. The new legislative push is led by Senate Majority Whip John Cornyn (R-Texas) and Sen. Chris Murphy (D-Conn.), two powerful figures in their respective parties when it comes to gun policy. Though their bill has not been formally released, it targets the National Instant Criminal Background Check System, which both senators have said is deeply flawed.

"Their plan is twofold, according to two sources familiar with it: One is to incentivize states to send more information about criminal histories to the system, known as NICS. States usually aren't required to do so, unless their own laws mandate it or they have to do so to receive federal funding. It would also make sure that federal agencies follow through on their own requirement that they send information to the database. The new plan would beef up the federal mandate and include punishments for agencies that don't comply, according to one of the sources." http://politi.co/2hyYJit

CLINTON WORLD -- "'What About Bill?' Sexual Misconduct Debate Revives Questions About Clinton," by NYT's Peter Baker: "The cultural conversation about

women, power and sexual misconduct that has consumed the United States in recent weeks has now raised a question that is eagerly promoted by those on the political right just as it discomfits those on the political left: What about Bill? While Fox News and other conservative outlets revive years-old charges against Mr. Clinton to accuse Mr. Moore's critics of hypocrisy, some liberals say it may be time to rethink their defense of the 42nd president. Matthew Yglesias ... wrote on Vox.com on Wednesday that 'I think we got it wrong' by defending Mr. Clinton in the 1990s and that he should have resigned. Chris Hayes, the liberal MSNBC host, said on Twitter that 'Democrats and the center left are overdue for a real reckoning with the allegations against him.'" http://nyti.ms/2hDQ2r5

-- "Clinton hits back at possibility of Uranium One special counsel," by Brent D. Griffiths: "Former Secretary of State Hillary Clinton has slammed President Donald Trump for suggesting that a special prosecutor investigate her role in the Uranium One deal, a current cause célèbre among conservative commentators and some House Republican lawmakers. 'Taking myself out of it, this is such an abuse of power and it goes right at the rule of law,' Clinton told Mother Jones in an interview posted Wednesday night. 'As secretary of state, I went around the world bragging about America's rule of law. ... If they send a signal that we are going to be like some dictatorship, some authoritarian regime where political opponents are going to be unfairly, fraudulently investigated, that rips at the fabric of the contract that we have that we can trust our justice system.'" http://politi.co/2ALzTnj

WHO MIGHT REPLACE CORDRAY -- per Lorraine Woellert, Zach Warmbrodt, and Daniel Strauss: "Republicans are floating a handful of agency critics as contenders for the post, including Cordray's biggest foe, House Financial Services Chairman Jeb Hensarling (R-Texas. ... Keith Noreika, the outgoing acting head of the Office of the Comptroller of the Currency, has also been mentioned, along with Todd Zywicki, a law professor at George Mason University. Both have fiercely opposed the bureau's approach to regulation and enforcement and would face long odds of being confirmed, but could serve as interim directors without Senate approval. Brian Brooks, an executive vice president and general counsel at Fannie Mae who worked with Mnuchin at OneWest Bank, and former Florida Attorney General Bill McCollum are also mentioned as candidates to lead the bureau." http://politi.co/2iZP7Or

CLICKER -- @WardDPatrick: "President Trump stops his speech to search for water cc: @marcorubio" http://bit.ly/2zOlrM8 ... **@marcorubio:** "Similar, but needs work on his form. Has to be done in one single motion & eyes should never leave the camera. But not bad for his 1st time".

SPORTS BLINK -- "NEW YORK (AP) - Max Scherzer of the Washington Nationals wins third Cy Young Award and second straight in National League."

Playbook Reads

PHOTO DU JOUR: Treasury Secretary Steven Mnuchin and his wife Louise Linton hold up a sheet of new $1 bills, the first currency notes bearing his and U.S. Treasurer Jovita Carranza's signatures, on Nov. 17 at the Bureau of Engraving and Printing in Washington D.C. | Jacquelyn Martin/AP Photo

MICHAEL GRUNWALD in POLITICO Magazine, **"The IRS Is Building a Safe to Hold Trump's Tax Returns:** Departed tax chief John Koskinen explains why even he can't see Trump's taxes-and why we should 'beware the collapse of the IRS'": "Koskinen doesn't share those concerns-not because of his faith in Trump, but because of his faith in the IRS staff and the strict rules governing the integrity of its audits and investigations. Koskinen basically believes the IRS and its professional culture are virtually impregnable to political agendas. He hasn't spoken to Trump or anyone in the White House in 2017, even though he's known the president since they negotiated the sale of the Commodore Hotel in New York City in 1975. He's never looked up Trump's tax returns-legally, he can't, and neither can any other IRS employee who isn't working on them-and says the agency not only keeps them in a locked cabinet in a locked room, but is replacing the cabinet with a safe." http://politi.co/2hDbk8h

SUSAN GLASSER in the New Yorker: **"Karl Rove Has Seen the Enemy and He Is Steve Bannon":** "Yet Bannon, clearly, has got under Rove's skin. Rove ticked off a list of candidates whom he said showed Bannon's amazing 'bad judgment' and constituted what, to his mind, amounts to a parade of horribles: Grimm, that 'convicted felon' from New York; the 'despicable' Tom Tancredo for governor in Colorado; the 'hapless' Danny Tarkanian, a five-time failed candidate running against Senator Dean Heller in Nevada. 'These are the people he's backing and thinks can both win and then govern?' ... The Republican war is on, and Rove is quite clear on just who is the enemy. 'Bannon is a side show,' Rove replied after one too many questions about the strategist trying to claim his mantle. 'Trump is the real issue.'" http://bit.ly/2zMAdTD

BUSINESS BURST -- Fortune has named Nvidia CEO Jensen Huang its 2017 Fortune Businessperson of the Year. Also on the list -- 2: JPMorgan Chase CEO Jamie Dimon ... 3. Salesforce CEO Marc Benioff ... 4. Amazon CEO Jeff Bezos ... 5. Ulta Beauty CEO Mary Dillon. http://for.tn/2hDiA3U

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DESSERT -- "Leonardo da Vinci Painting Sells for $450.3 Million, Shattering Auction Highs," by NYT's Robin Pogrebin and Scott Reyburn: "After 19 minutes of dueling, with four bidders on the telephone and one in the room, Leonardo da Vinci's 'Salvator Mundi' sold on Wednesday night for $450.3 million with fees, shattering the high for any work of art sold at auction. It far surpassed Picasso's 'Women of Algiers,' which fetched $179.4 million at Christie's in May 2015. The buyer was not immediately

disclosed. There were gasps throughout the sale, as the bids climbed by tens of millions up to $225 million, by fives up to $260 million, and then by twos." http://nyti.ms/2A2w1Cd

-- NYMag art critic Jerry Saltz: "I'm no art historian or any kind of expert in old masters. But I've looked at art for almost 50 years and one look at this painting tells me it's no Leonardo. The painting is absolutely dead. Its surface is inert, varnished, lurid, scrubbed over, and repainted so many times that it looks simultaneously new and old. ... Why else do I think this is a sham? Experts estimate that there are only 15 to 20 existing da Vinci paintings. Not a single one of them pictures a person straight on like this one." http://bit.ly/2zJFo8X

MEDIAWATCH -- "Koch Brothers Said to Back Time Inc. Deal Talks With Meredith," by NYT's Sydney Ember and Andrew Ross Sorkin: "Time Inc. is said to be in talks to sell itself to the Meredith Corporation, in a deal backed by Charles G. and David H. Koch, the billionaire brothers known for supporting conservative causes. Talks between Time Inc., the publisher of Time and People, and Meredith, the publisher of Family Circle and Better Homes and Gardens, fizzled this year. The new round of negotiations, motivated by the surprise entry of the Kochs, could lead to a quick deal, according to people involved in the discussions. The Kochs have tentatively agreed to back Meredith's offer with an equity injection of more than $500 million." http://nyti.ms/2hAXB1C

-- "Matt Drudge jabs Bannon over Roy Moore, prompting internal Breitbart fury," by CNN's Oliver Darcy: "In a tweet, Drudge linked to a Daily Beast story that said Bannon recently had second thoughts about supporting Moore. 'A lesson on leaving politics to the professionals,' Drudge wrote. ... [S]taffers at Breitbart ... were seemingly taken aback by Drudge's jab. 'Wow,' wrote Breitbart White House correspondent Charlie Spiering, linking to Drudge's tweet in an internal Slack message obtained by CNN. 'Is that accurate?' 'FACTUALLY INACCURATE,' replied Matthew Boyle, Breitbart's Washington editor. 'FAKE NEWS. MATT DRUDGE IS PEDDLING FAKE NEWS.' ... 'Not true. Bannon is not turning on judge moore. Bulls***.'" http://cnnmon.ie/2ildQx2

Playbookers

TRANSITIONS -- Adam Kincaid is launching a consulting firm called Cornerstone Solutions. He most recently was special projects director at the RNC and is an NRCC and RGA alum.

BIRTHDAY OF THE DAY: Republican Jewish Coalition executive director **Matt Brooks. How he's celebrating:** "Tonight I'll be having a quiet dinner at home with my wife and son. Definitely a great bottle of wine and cake are on the menu. Friday night my daughter comes home from college and since my wife's birthday was Tuesday we'll all celebrate both birthdays at Rasika. All of this though is merely a precursor to what

will be a GREAT birthday present, watching the NFL leading Philadelphia Eagles destroy the Dallas Cowboys on Sunday. FlyEaglesFly." **Read his Playbook Plus Q&A:** http://politi.co/2AKrmRA

BIRTHDAYS: Elizabeth Drew is 82 ... Jay Newton-Small, co-founder and CEO of MemoryWell and a Time and Bloomberg alum (hat tip: Ben Chang) ... Hannah Hankins, VP of Civic Advisors ... Meg Campbell ... Lisa Camooso Miller, partner at Reset Public Affairs ... USA Today reporter Fredreka Schouten ... Jillian Rogers of DOL ... Michael Levi, Obama and CFR alum ... Carly Coakley of Blue Engine Message & Media (h/t Matt Moon) ... Jim Boyle, partner at Boyle Public Affairs ... Kevin Herzik ... Michelle Nunn, CEO of CARE USA (h/t Jon Haber) ... Adrienne Schweer, SVP of Forbes-Tate Partners and an Ash Carter alum ... Caroline Emch ... Samir Paul ... Ashley Dejean of Mother Jones ... Heritage's Ken McIntyre ...

... Rep. Eric Swalwell (D-Calif.) is 37 ... Melissa Winter, Michelle Obama's first hire in 2007 who remains her chief of staff in the family office (h/t Katie McCormick Lelyveld, who was Michelle's second hire) ... Michael Smith, executive director at My Brother's Keeper Alliance ... James Joyner ... Ron Blackwell ... Patrick Ryan is 63 ... Dale Pfeifer ... Griffith Waller ... Shanti Shoji ... Jennifer Eileen Giglio ... DiAnne Owen Graham ... Raul Damas, partner at Brunswick Group ... Christopher Kilian Peace is 41 ... Paul Rodriguez ... Seth Obed ... Edelman's Mike Reuscher ... Rachel Cothran ... Melody Johnson ... Robbi Dickens ... Mike Reynard ... Marty Ryan ... Seth Obed ... Paul C. Barton ... AARP alum David Pepper ... Zerlina Maxwell ... Libby Gerds ... Jason Perkey (h/ts Teresa Vilmain)

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September 14, 2017 - Number 177

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Leading the News

Congress

House Votes to Bar Methane Rule, Carbon Cost in EPA Funding Bill

The EPA would be barred from enforcing limits on methane gas emitted by fossil fuel operations and from considering in its regulations the costs to society of carbon emissions under amendments the House passed Sept. 13.

Endangered Species

Expanded Gun Rights on Federal Land Approved by House Panel

Hunters and gun enthusiasts would face fewer restrictions on using their weapons on federal land under a broad legislative package the House Natural Resources Committee approved Sept. 13, despite unanimous Democratic opposition.

Water Pollution

Power Plants Get Two-Year Reprieve for Parts of Wastewater Rule

Power plants won't have to meet new limits until 2020 on toxic wastewater that comes from using air pollution control systems and transporting bottom furnace ash, the EPA announced Sept. 13.

News

Biotechnology

Dow Soybeans Opposed in EU; Monsanto Corn Wins in Italy

The European Union could stop importing Dow AgroSciences' genetically-modified soybean products because it encourages greater use of hazardous herbicides in non-EU countries, the European Parliament said Sept. 13.

Climate Change

Net Zero Plan for Carbon Sink Emissions Moves Ahead in EU

European Union governments and landowners would have to make sure that net greenhouse gas emissions from forests and other carbon sinks remain at or below zero through 2030, under a draft regulation European Parliament approved Sept. 13.

Climate Change

UN Says Hurricane Irma Shows Trump Needs to Re-Engage on Climate

President Donald Trump or his successor will likely re-engage with the global fight against climate change because of the weight of scientific evidence, the head of the United Nations Environment Program said.

Emissions Trading

Carbon Rally Hits Brick Wall as Lawmakers Wrestle Glut Fix

After the biggest jump this year, European carbon price gains are unlikely to stick.

Emissions Trading

Long Flights' Emissions Exemption Approved in European Parliament

The European Union's exemption on emissions trading for intercontinental flights to and from the EU should continue through to the end of 2020, according to a draft regulation European Parliament lawmakers approved Sept. 13.

Energy

Energy Laboratory Awards Provide $20 Million for Technology Transfer

Nearly $20 million awarded across 12 national energy laboratories aims to spur commercialization partnerships with businesses as part of an Energy Department technology transfer effort.

Enforcement

Encana Subsidiary Fined for Oil, Gas Spill on Colorado Game Ranch

An Encana Corp. subsidiary agreed to pay a $225,000 fine for spilling oil and gas waste on a game ranch in western Colorado.

Enforcement

Prison Sentence Upheld for 3,000 Containers of Paint in Yard

An Idaho man convicted of storing thousands of paint containers in his yard without a required hazardous waste permit won't get a new trial, a federal appeals court ruled Sept. 13 (United States v. Spatig, 9th Cir., No. 15-cv-30322, 9/13/17).

Insurance

Hurricanes Highlight Failure to Enforce Flood Insurance Rules

As the floodwaters of Hurricanes Harvey and Irma recede, they may reveal more than moldy drywall and fetid trash. They could lay bare the federal government's failure to police a basic tenet of its own disaster policy: that properties with -government-backed mortgages in risky areas carry flood insurance. The government has known for decades that homeowners in flood zones often don't have the insurance they should. Just two years ago, the Federal Emergency Management Agency ...

Renewable Energy

Ab Inbev Buys Enough Wind Power to Brew 20 Billion Beers

Anheuser-Busch InBev NV, the world's largest brewer, agreed to buy 152.5 megawatts from a wind farm Enel SpA is building in Oklahoma. That's enough power to make 20 billion 12-ounce (355-milliliter) bottles of beers a year.

Renewable Energy

China Plans to Expand Ethanol Use in Vehicles Nationwide by 2020

China plans to expand the use of ethanol gasoline for vehicles nationwide by 2020 from only 11 provinces now to improve the environment and accelerate reform in the agricultural sector.

Water Pollution

Cities Swimming in Raw Sewage as Hurricanes Overwhelm Systems

Hurricane Harvey took aim at one of the nation's most industrial regions, releasing a stream of toxic pollutants from chemical plants, refineries and Superfund sites in Texas. But when its bigger sister Irma slammed into Florida, environmental alarms rang over a different kind of discharge: raw sewage.

Practitioner Insights

Energy

Practitioner Insights: ACER and Cross-Border Harmonization

How do you realize the goal of a single EU-wide energy market work when the transmission networks within each member state and their interconnections are owned by dozens of operators that are regulated by 28 separate national regulatory authorities (NRAs)? And how do you accommodate new energy-generation patterns or cross-border power flows while dealing with the physical constraints that existing transmission infrastructure imposes?

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Daily Environment Report for EPA

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Energy
Sent: Wed 6/28/2017 2:07:48 PM
Subject: POLITICO's Morning Energy, presented by Exelon: Tribes gather at White House — House looks at DOE budget — Yucca and more on the move at E&C

By Ben Lefebvre | 06/28/2017 10:00 AM EDT

With help from Nick Juliano, Alex Guillen and Eric Wolff

TRIBAL ENERGY FRONT AND CENTER: The White House is inviting state officials and Native American tribal leaders to discuss local energy issues with Trump administration officials in today's chapter of Energy Week. ME expects part of the topic du jour will be promoting energy development on tribal land, something Interior Secretary Ryan Zinke has floated in budget hearing talks and actually worked on during his time in Congress.

At least one of the attendees - Navajo Nation Speaker Lorenzo Bates - could bring up a topic close to Trump's heart. The tribe is working to save a coal-fired power plant and associated mine that employ hundreds of its members. The Navajo Nation voted Tuesday to extend a lease for two more years on the 2.25-gigawatt Navajo Generating Station, one of the largest coal-fired plants in the country. The Navajo lease the station from Arizona utility Salt River Project, and Interior owns about a quarter of the plant.

Despite the lease renewal meaning the plant will continue burning coal through 2019, its long-term future is still in doubt. The plant's coal-fired electricity is too expensive compared to gas, no one wants to buy the site to update it, and it will need more than $100 million in maintenance done by the end of this decade. We'll see what comes out of today's meeting.

Guest list: Expected attendees include three Republican governors - Iowa's Kim Reynolds, Nebraska's Pete Ricketts, Maine's Paul LePage - and Alaska Gov. Bill Walker, an independent, among other state officials. Other tribes anticipated to send a representative include the Crow Nation Reservation in Montana, Chickasaw Nation in Oklahoma and Sault Ste. Marie Tribe of Chippewa in Michigan, among others.

Otherwise, we're halfway done with Energy Week. Things seem to be par for the course so far with the White House's theme-weeks. DOE Secretary Rick Perry tried bravely to keep on topic during a White House briefing while TV screens flashed the latest news on the Senate bill, which seems headed to the ER, POLITICO's Andrew Restuccia reports. "Perry's remarks made for a bizarre split-screen moment, underscoring the disconnect between the policy themes selected by the White House - this week's focus is energy - and the news cycle, which this week has been dominated by the health care bill," Andrew writes.

Welcome to Morning Energy! I'm your host Ben Lefebvre, filling in for Anthony Adragna. Anthony will be back tomorrow, newly married and relatively safe from a life of sin. Send your tips, confetti and uneaten wedding cake to aadragna@politico.com, or follow us on Twitter @bjlefebvre, @aadragna, @Morning_Energy and @POLITICOPro.

FIRST UP ON THE CHOPPING BLOCK: House Republicans are willing to go along with at least some of Trump's proposals to eliminate Energy Department programs designed to foster new clean energy technologies. And their energy and water spending bill begins its journey through the legislative process today with a House Appropriations subcommittee markup. The bill appropriators released Monday would eliminate the Advanced Research Projects Agency-Energy, prevent DOE from issuing new clean energy loan guarantees and cut nearly $1 billion from the Energy Efficiency and Renewable Energy Office, effectively halving its budget, Pro's Nick Juliano reports. What's not having such a hard time is the DOE's Office of Fossil Energy, which will get a mere $33 million trim for a total budget of about $635 million. Nuclear programs would see $969 million, a $48 million reduction.

If you go: The fun starts at 11 a.m. at Rayburn 2362-B.

More approps fun: Over on the other side of Capitol Hill, the Senate Appropriations energy and water subcommittee will hear from representatives of the Army Corps of Engineers and Bureau of Reclamation about their budget request. That hearing starts at 2:30 p.m. in Dirksen 138.

** **A message from Exelon:** Innovation always begins with the spirit of discovery-the search for new ideas and answers to our biggest questions. As America's largest clean energy provider, what happens when 34,000 Exelon engineers, analysts, and innovators put their heads together to tackle the energy industry's biggest challenges? Find out here: http://bit.ly/2szvZN4 **

OZONE, YUCCA, BROWNFIELDS AND MORE!: The Energy and Commerce Committee meets this morning to vote on eight bills, including nuclear waste legislation aimed at advancing Yucca Mountain, a reauthorization of EPA's brownfields program and a bill to delay tighter ozone standards. The markup also will include bills that would ease hydropower permitting, make it easier to build energy infrastructure across the border and promote new natural gas pipelines.

If you go: The markup begins at 10 a.m. in 2123 Rayburn. A full agenda is here.

DOJ ENVIRO NOMINEE IN HOT SEAT: Jeffrey Bossert Clark, the president's pick to run the Justice Department's Environment and Natural Resources Division, is scheduled to testify at a Senate Judiciary Committee hearing today, alongside several other nominees. Nominated earlier this month, Pros will recall that Clark has been an attorney at Kirkland & Ellis for years, and previously served as ENRD's deputy under George W. Bush. Clark is also connected to the Clean Power Plan lawsuits, where he represented a consumer group that filed a "friend of the court" brief urging the court to strike down the rule. That could require him to recuse himself from litigation over the rule. The Judiciary Committee hearing starts at 9:30 a.m. in Dirksen 226.

NOMINATIONS ON HOLD AT EPW: The Environment and Public Works Committee has postponed a vote that had been planned for this morning on Nuclear Regulatory Commission nominees Annie Caputo and David Wright and Susan Parker Bodine, who has been nominated as assistant administrator of the EPA's office of enforcement and compliance assurance. The committee has not said when it will reschedule the business meeting.

GROUP SUES FOR ICAHN, PRUITT DOCS: American Oversight, a liberal-leaning policy group said it is suing the EPA to turn over emails between Administrator Scott Pruitt and billionaire Carl Icahn, or representatives of the refinery he owns, Pro's Eric Wolff reports. The group says in its complaint that it has submitted two requests under the Freedom of Information Act, but it has not yet received any materials. The group wants Pruitt's calendars, phone logs and emails to examine whether he was in communication with Icahn or other officials. As Icahn runs CVR Energy, that could put him in conflict of interest depending on what comes up in Pruitt's records.

EPA STAFF FOUND IN MEMO: An internal EPA memo sent Tuesday listing political appointees at the agency includes at least eight previously unknown names, Pro's Alex Guillen reports. It also reveals one possible departure: Missing from the list is J.P. Freire, formerly the associate administrator for public affairs. That spot is filled in an acting capacity by Liz Bowman, formerly Freire's deputy, according to the memo. Neither Freire nor EPA immediately responded to questions about his apparent departure. Of the eight new names, the highest-ranking is Erik Baptist, the senior deputy general counsel. Baptist was an attorney with the American Petroleum Institute since 2011. Before that, he was an attorney for FERC for two years and an associate at the law firm McDermott Will & Emery, according to his LinkedIn profile.

MARK YOUR CALENDARS: The 10th Circuit has scheduled oral arguments over Interior's Obama-era fracking rule for July 27 in Denver. The appeal deals solely with whether Interior has the authority to regulate fracking on federal lands. A lower court judge previously struck down Interior's fracking rule as unconstitutional, saying it was a power delegated explicitly to the states. The Trump administration tried (apparently unsuccessfully) to pause the case while it rethinks and presumably repeals the rule. It's not clear what DOJ lawyers will do on July 27, but environmental groups have signed up to defend the rule at least. A loss for the Trump administration here could eventually lead to some type of federal control over fracking on public lands.

ZINKE A COLD ONE IN MONTANA: It turns out Zinke didn't have any big announcements for the Western Governors' Association annual meeting Tuesday in Montana, but an Interior source assures ME something is coming later this week. Zinke may have been upstaged by beverage makers, however. The official WGA account dedicated six Tweets to Zinke's presentation, compared to a whopping 14 Tweets dedicated to a round table on craft brewers that followed him.

YOU WOULDN'T LIKE HIM WHEN HE'S ANGRY: Newly elected Montana Rep. Greg Gianforte will join the House Natural Resources Committee, Chairman Rob Bishop announced Monday. He will sit on its subcommittees on federal lands and water, power and oceans. Gianforte won Zinke's old seat earlier this year, after he infamously assaulted a reporter just before the special election.

DEMS DEMAND DOE FIRING: Sens. Mazie Hirono and Maria Cantwell are calling on DOE to fire a Trump appointee over racially insensitive remarks on social media. William Bradford, who was recently appointed to lead the DOE's Office of Indian Energy, referred to President

Obama a "Kenyan creampuff," and called the internment of Japanese-Americans during World War II "necessary" in Twitter posts he has since deleted, according to press reports. In a letter to Perry the senators call it "disturbing" how someone with Bradford's history of offensive comments got through the administration's vetting process and ask DOE to explain what role it played in the hiring.

THE 47 PERCENT AT THE BLM: Oil and gas companies are not operating on nearly half of the onshore land they've leased from the federal government, The Wilderness Society points out via BLM data . How much the drilling should be done on public land is an argument almost as old as Spindle Top. But what's new is how low operating levels have fallen. Drills working on only 53 percent of leased land is the lowest level since BLM started keeping records in 1998, according to some ME napkin-math. Another sign of the times: Drillers only spudded 847 new wells last year, half of what they drilled the year before and a third of what they did in 2014, BLM data shows. "There is no reason oil, gas, and coal companies need more public land," The Wilderness Society said in a memo flagging the BLM data.

The API chalks up the decline to excessive regulations. "Federal acreage has been mired in excessive red tape for years, and this has effectively discouraged investment in oil and gas projects on BLM managed lands," spokeswoman Brooke Sammon tells ME via email, although did not mention of the steep decline in oil prices that occurred in the past several years.

PROPOSITIONAL POLITICS: Shareholders at public companies are currently offering more environment-related proposals than any other type, a Manhattan Institute-sponsored study finds. ExxonMobil shareholders pushing through a "2-degree scenario stress test" proposal earlier this year garnered most of the attention, but environmental proposals now beat out those touching upon lobbying disclosure, executive compensation and other issues, according to the study. And it found that support is rising among shareholders for the environmental proposals, which averaged 27 percent approval so far this year, up from 13 percent at the beginning of the decade.

MOVER/SHAKER: James M. Owendoff has been named DOE's Principal Deputy Assistant Secretary in the Office of Environmental Management. He had been senior adviser to the assistant secretary in the Office of Environmental Management since January 2010.

QUICK HITS:

- In disaster's wake, BP doubles down on deepwater despite surging shale, Reuters.

- Wanted In Saudi Arabia: An Extremely Careful Drive, Bloomberg.

- Kinder Morgan secures financial backing for Canadian pipeline, Fuel Fix.

- Saudi Aramco called on to improve data disclosure ahead of IPO, Financial Times.

- This Shipping Magnate Is Calling a Bottom in the Oil Rout, Wall Street Journal.

THAT'S ALL FOR ME! Anthony takes charge tomorrow.

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Subject: EPA science board chairwoman 'concerned' about lack of members

By Annie Snider

05/23/2017 11:24 AM EDT
Updated 05/23/2017 11:46 AM EDT

The chairwoman of the EPA scientific advisory board that has been targeted by the Trump administration said she is concerned about the board's ability to function with so few members.

Deborah Swackhamer, chair of EPA's Board of Scientific Counselors and a University of Minnesota professor, told the House Science Committee's environment panel that her board is down to just five members since EPA Administrator Scott Pruitt declined to renominate nine of the board's 18 members. Four members have rotated off after their second terms and two subcommittee members also resigned in protest.

"I'm obviously concerned. My committee is no longer populated. I'm anxious that it gets repopulated as quickly as possible," she said.

An EPA spokesman has said the agency is reopening the nomination process and indicated Pruitt is looking to increase industry voices on the panel.

Rep. Brian Babin (R-Texas) defended the move, arguing there was no reason to "rubber stamp" renominations when there is a pool of other interested scientists, and he questioned why "such an open and honest process" would be an issue.

But the panel's Democrats argued the move is part of a pattern of trying to undermine science, including by removing references to climate change from agency websites and deciding not to ban the pesticide chlorpyrifos despite the recommendation of EPA's scientists.

"I'm concerned that today the Trump administration is attempting to silence federal scientists and offer alternative facts rather than scientific evidence," said the panel's top Democrat, Rep. Eddie Bernice Johnson (D-Texas).

To view online:
https://www.politicopro.com/energy/whiteboard/2017/05/epa-science-board-chairwoman-concerned-about-lack-of-members-088134

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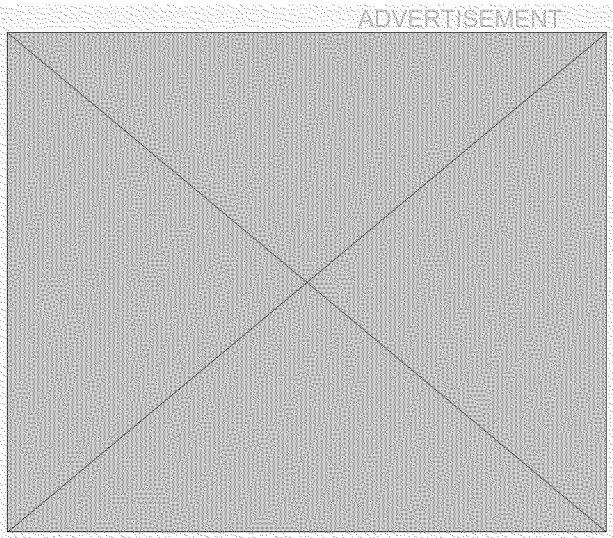


U.S. conducts new strikes on pro-Syrian-government forces threatening U.S. Special Operations base

The strike marks a second time in less than a month U.S. aircraft have targeted troops aligned with Syrian President Bashar al-Assad.

By Thomas Gibbons-Neff • Read more »

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For Qataris, a U.S. air base is best defense against Trump attacks

Despite the tough rhetoric, U.S. military officials said that planes continued to take off from Al Udeid in support of U.S. military operations in Iraq, Syria and Afghanistan.

By Greg Jaffe and Thomas Gibbons-Neff • Read more »

How D-Day code words ended up in British crossword puzzles

On the 73rd anniversary of the pivotal battle, a strange slice of history.

By Thomas Gibbons-Neff • Read more »

Russian fighter jet 'dispatched' to intercept U.S. heavy bomber over Baltic Sea

The aircraft was over international waters.

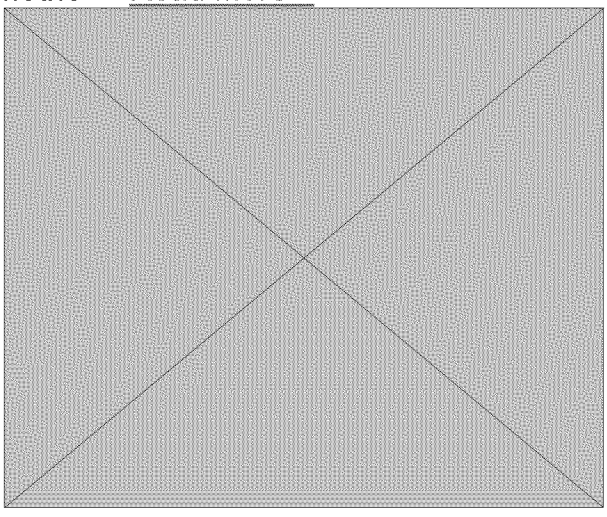
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In Australia, Mattis and Tillerson address growing concerns about American isolationism

The U.S. officials stressed the need to dialogue with America's allies to address "pockets of doubt."

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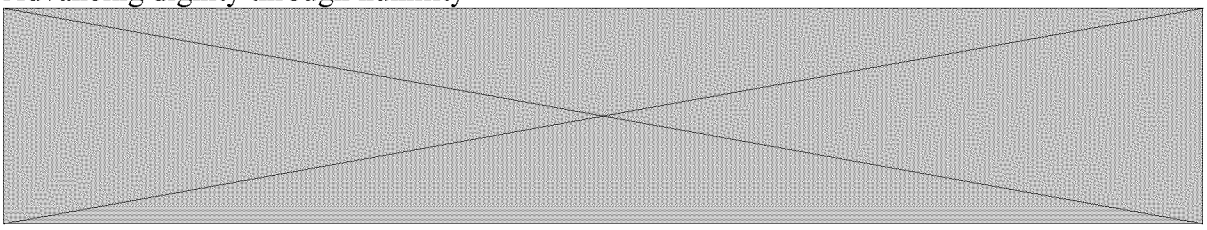
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Advancing dignity through humility



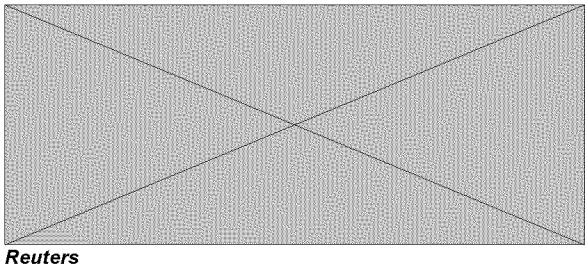
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Twenty20

Advancing dignity through humility

Andy Smarick | AEIdeas

How do we approach social issues, economic issues, and public policy issues so a deep respect for human dignity is our default setting? That is, instead of listing some laws and regulations that might be changed, how do we take a philosophical approach. It won't provide an answer to every question, and it will, actually, be quite lousy at addressing tactical issues — such as what the right tax is for this or that. But how can we create a framework for engaging with the big idea of governing with dignity?



Reuters

Why inflation needs to

rise in recessions

Ramesh Ponnuru | Bloomberg View

Those who favor a new monetary regime, in which the Fed would stop setting a target level for inflation and start targeting nominal spending instead, can rejoice at having apparently made an influential convert: Lawrence Summers. Summers — who was an architect of economic policy in the Clinton and Obama administrations — announced his shift in thinking in a recent op-ed, and says he will explain his reasoning in more detail soon. He makes a powerful case. But it's worth lingering over one argument in it.

Reuters

Amazon, Whole Foods, and the power of big tech

James Pethokoukis | AEIdeas

The business and consumer implications of the $14 billion Amazon–Whole Foods deal are myriad. But there is also a political implication that goes beyond politics. An alarmist outlook of big tech — including Facebook and Google — seems to be growing more common on the left, a view that the platform companies' huge concentrations of wealth and data mean that they have captured the economy.

Reuters

Uncertainty surrounds the future of special forces

Phillip Lohaus | US News & World Report

President Donald Trump has made much fanfare over reversing course on his predecessor's policies and priorities. From health care to climate change, the president has relished taking the inverse of former President Barack Obama's positions. But this has not proved to be the case with respect to national security. That trend is not good news for America's special operations forces.

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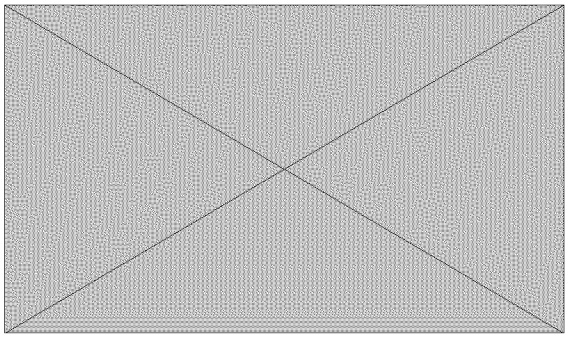
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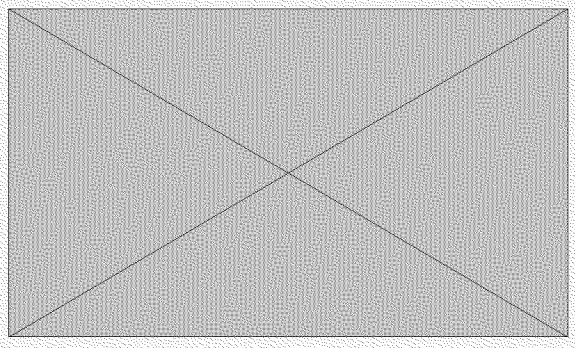
Reuters

A brutal, but reasonable, response to North Korea

Thomas Donnelly | Strategika

Applying the adjective "reasonable" to North Korea is, well, not reasonable. It's not that the Pyongyang regime is entirely irrational, but it is certainly differently rational in a way that is nearly impossible for consent-of-the-people democracies to comprehend. In imagining conventional military options to change the Kim regime or eliminate its offensive capabilities, effectiveness is a better measure. This is a case where

brutality looks reasonable.

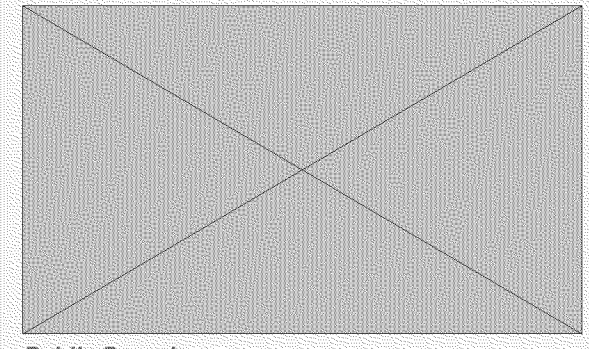


Reuters

A new energy milestone, thanks to natural gas

Mark J. Perry | Washington Examiner

The opening of a liquefied natural gas (LNG) export terminal in southern Maryland normally wouldn't draw much attention. But to politicians, the Cove Point LNG facility has one huge advantage that outweighs any potential problems: It was built on time and within budget. It sends a strong signal to our allies and trading partners that America is committed to its role as a global energy leader. There are few energy issues more important today than LNG.

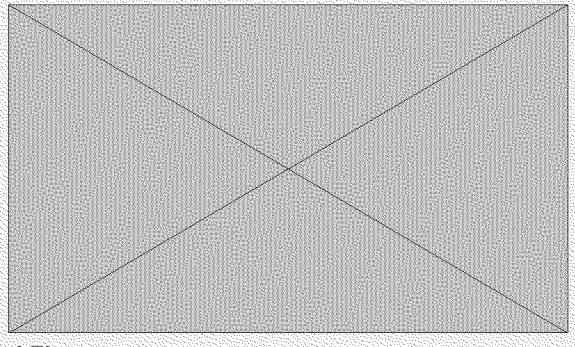


Public Domain

Make conservatism moderate again

Dalibor Rohac | The American Interest

In 1964, Barry Goldwater addressed the Republican National Convention with a famous speech that argued "extremism in defense of liberty [was] no vice" and "moderation in pursuit of justice [was] no virtue." Few understood him as predicting the future of right-wing politics across the English-speaking world. Yet that speech foreboded perfectly the revolutionary zeal that has since spread through conservatism on both sides of the Atlantic.



AEI

Watch: Reform to help career education

Nat Malkus and Andy Smarick | AEI

Amid growing concern about a skills gap, a changing economy, a host of social challenges, and a slow-to-change educational system, policymakers are searching for new ways to prepare students for the world of work. Career and technical education, despite a long-standing perception as an unviable option for students, has reemerged as a ready-made solution in education policy circles. But what needs to happen to make it a success?

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America's decision on North Korea hinges on President Trump's success in Asia
John R. Bolton | The Hill

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James Pethokoukis | AEIdeas

Watch live this morning: The American family in the age of Trump
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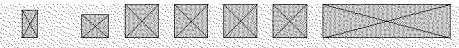
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Subject: Playbook Power Briefing: TRUMP claims states not sending data to voter fraud commission are hiding something -- SEAN SPICER speaks to CBN -- POTUS' last-ditch lunch to save Obamacare repeal

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By ANNA PALMER (anna@politico.com; @apalmerdc), JAKE SHERMAN (sherman@politico.com; @JakeSherman), DANIEL LIPPMAN (daniel@politico.com; @dlippman), ZACH MONTELLARO (zmontellaro@politico.com; @ZachMontellaro)

BULLETIN -- "WASHINGTON (AP) - Trump says senators shouldn't leave town for August recess without action on health care overhaul."

Good Wednesday afternoon. PRESIDENT TRUMP dropped in on the first meeting of the presidential advisory commission on election integrity. Trump slammed states that aren't sending data. The president addressing the commission: "If any state does not want to share this information, one has to wonder what they are worried about. And I ask the vice president, I ask the commission, what are they worried about? There's something. There always is."

-- @MatthewNussbaum: "The voter fraud commission will cost $500,000 -- $250K this year and next, per VP's office." ***Matt's story*** http://politi.co/2vCRETh

THE PRESIDENT, AND HIS POLICY -- **"Trump's wall: The inside story of how the president crafts immigration policy,"** by WaPo's Ashley Parker, David Nakamura and Phil Rucker: "Trump is torn over how to address the status of the younger immigrants who were brought to the country illegally by their parents, colloquially known as 'Dreamers,' who were protected by President Barack Obama's administration. Debate about the Deferred Action for Childhood Arrivals (DACA) policy aimed at this group has been among the most robust - and inconclusive -- in Trump's White House.

"By contrast, Trump is far more certain about the wall. The structure could change in design or function -- he vowed to build a much longer and higher wall during the campaign -- but his security argument for it has remained constant." http://wapo.st/2vjvMwR

DEPT. OF POLITICS -- "Criticize Trump at your peril, Republican candidates. Just ask Kim Guadagno," by the Star Ledger's Matt Arco and Claude Brodesser-Akner: "Already trailing badly in the polls, Republican gubernatorial candidate Kim Guadagno has been hit with another devastating 1-2 punch: She's lost the confidence of a pair of deep-pocketed GOP groups that spend big on governor's races, NJ Advance Media has learned.

"The Republican National Committee, which is controlled by President Donald Trump, views the lieutenant governor as someone who hasn't been loyal to the president and officials there see her race as a losing cause, according to two sources familiar with the RNC's plans. The sources requested anonymity because they were not authorized to speak publicly. The Republican Governors Association, a nationwide group formed with the sole purpose of electing GOP governors, has invested minimally in New Jersey and currently has no plans to change course, sources say.

"The other hit for Guadagno comes right here in New Jersey, where Gov. Chris Christie's top fundraisers privately say they are sitting out the race because, in part, she's been deemed disloyal to the governor after criticizing him on several issues, including his stay at the governor's beach house during the state shutdown." http://bit.ly/2tfDk2k

SNEAK PEEK -- FROM THE WHITE HOUSE -- @realDonaldTrump at 8:30 a.m.: "I will be having lunch at the White House today with Republican Senators concerning healthcare. They MUST keep their promise to America!" ... **at 8:46 a.m.:** "The Republicans never discuss how good their healthcare bill is, & it will get even better at lunchtime. The Dems scream death as OCare dies!"

-- FOR THE RECORD: Senate Republicans don't expect much to happen at this meeting.

HEAD SNAP -- TRUMP IS ALL OVER THE PLACE -- In the past few days, Trump has suggested several different tactics to deal with the health care law. He said to repeal it now, replace it later. After it failed, he said Republicans should let Obamacare fail and force Democrats to the negotiating table. Today he's signaling he will get with Republicans to make the bill better over lunch.

-- "Top Trump campaign aides met with Lee on health care," by Burgess Everett: "Former Trump campaign aides Corey Lewandowski and David Bossie met with Sen. Mike Lee to talk health care on Tuesday, a source familiar with the conversations confirmed. The two former top Trump campaign officials tried to convince the conservative Utah Republican to reverse course on his opposition to the latest Obamacare replacement bill written by Senate Majority Leader Mitch McConnell. Lee restated his opposition to the current draft of the bill and his support for his amendment, the Consumer Freedom Act, which was not included. But the conversation was productive, the source said." http://politi.co/2u9SVDg

DAVID BRODY'S NEW SHOW: CBN's "FAITH NATION" -- SEAN SPICER SPEAKS! -- BRODY: "Sean, I want to ask you about the press briefings. Do you want to set the record straight a little bit? You were must-see TV. You're like the Seinfeld of TV news, or TV politics. Give us the sense of how you decide there what's going to be on-camera and off-camera. What's the mechanism there?"

SPICER: "There's a lot of factors that go into it every day, David. Obviously, one of the

things that gets overblown as you know, you're here quite often, is that we brief every day. And the question is, I think for some individuals, they want everything on camera every day. As you know today the president is going to have several events on camera. He's going to have the pool involved. So on days he's going to be doing a big event and making major policy initiatives, it's obviously much more important to have the president's voice carry the day. So, we'll engage with reporters throughout the day. One of the things that sometimes people don't appreciate the way that they get it is we are here very early in the morning, we stay very late at night.

"We stay very engaged with the press all day long doing interviews like this, communicating with the press. And we do a briefing every single day. I think for a lot of folks, they're more interested in getting the clip to put on the internet, to put on their news and we're interested in making sure that we communicate with the American people, that we give the press an opportunity to get their questions answered but we're not here to make it a spectacle either. We want to make sure that we do things that are informative and helpful to get the president's message out, to answer the key questions. So on days that he's talking in particular we're going to make sure that we let his voice carry the day." ***Link*** http://bit.ly/2uJaUSP

THE CLUB FOR GROWTH announced that it will make the Senate's upcoming vote on advancing the 2015 repeal bill a key vote for its scorecard and launched a website with Tea Party Patriots slamming Republican senators not backing the bill as "Obamacare repeal traitors." http://bit.ly/2vCABAM

CONSEQUENCES? -- "GOP repeal foes face blowback," by Alex Isenstadt and Gabe Debenedetti: "Senior GOP officials spent much of Tuesday surveying the anger and frustration within their own party and taking calls from bitterly disappointed contributors, some of whom threatened to turn off the cash spigot. Senators who refused to support the bill, the party officials predicted, would see their fundraising take an immediate hit. Texas businessman Doug Deason, a Trump backer and the son of billionaire Darwin Deason, said he and other major GOP donors were warming to the idea of funding primary challenges to senators who had opposed the health care bill. There was growing frustration, he said, over the failure to advance the president's agenda.

"In a text message referring to three senators - Sens. Susan Collins, Jeff Flake and Shelley Moore Capito - who played a role in sinking the bill, Deason ripped 'the spineless Republican members from Maine, Arizona and West Virginia who seem to believe that Obamacare is actually succeeding.' He added: 'It will be disappointing to see these three lose their reelection campaigns to Democrats - unless we can find better candidates to run in the primary races against them.'" http://politi.co/2vCffDn

THIS IS UNUSUAL -- @ericawerner: "Sen Rubio currently has a three-member security detail. This is not normally the case."

ATTENTION TRAVELERS -- "Mexico says electronic device checks on U.S. flights start today," by CNN's Euan McKirdy and Daniel Silva Fernandez: "Passengers on

flights from Mexico to the United States can expect longer security checks starting Wednesday -- part of a larger U.S. push for extra scrutiny for inbound flights worldwide. Airlines in Mexico will now subject passengers on direct U.S.-bound flights to extra security checks for portable electronic devices larger than a phone, Mexico's civil aviation authority said. ... Devices that passengers take with them into the cabin will be subjected to safety checks and should be presented separately from the rest of the luggage, and without a cover or any other protection, the authority said." http://cnn.it/2vCfvm5

SWAMP CHECK -- "Trump's stark priorities in funding and cutting are keenly felt by federal workforce," by WaPo's Lisa Rein: "Where Trump is putting resources and priorities, many employees describe a sense of validation and optimism. Where he is dismissive of their mission and their value as public servants, they are anxious, discouraged and sometimes hostile. And in offices where the White House envisions severe budget cuts and has set in motion buyouts, early-retirement offers and possible layoffs, civil servants are ill at ease, their futures uncertain. Amid this upheaval, employees have kept the government humming. Social Security checks are still going out, and the Labor Department is still enforcing wage and hourly pay laws. But in some offices, employees say there is little direction from above and few initiatives underway.

"After just six months, it is too early to gauge the impact of the Trump administration's zeal to shrink the size and reach of government. Congress controls not only spending, but also in many cases whether the White House actually can eliminate agencies and programs. But this much seems clear: Across the far flung bureaucracy, employees are either on edge or waiting with high expectations for the change Trump promised, with few, it seems, weighing in at neutral." http://wapo.st/2vC6wRJ

POLITICO EUROPE -- "Moscow spooks return to Hungary, raising NATO hackles," by Lili Bayer: "[O]fficials from allied countries say Russia increasingly sees Hungary as an operational backdoor into Europe. 'There is tremendous concern that Russia is basically using Hungary as an intel forward operating base in NATO and the EU,' said a former official at the U.S. Embassy in Budapest, who spoke on condition of anonymity. Western officials say Russian intelligence agencies have boosted their presence over the past few years in Hungary, which is a member of Europe's border-free Schengen zone, to launch a variety of intelligence and sabotage operations in the EU. 'Back in 2014-2015 [the Russians] went from maybe 50-100 intelligence officers up to 300 plus' in Hungary, said the former embassy official." http://politi.co/2uHP6qA

TODAY'S BEYOND THE BELTWAY -- The most competitive California congressional races -- Rahm Emanuel is in Europe http://politi.co/2vCdfuR

OUT MAGAZINE has its Power 50 list out, highlighting "individuals who are working to make a positive impact on LGBTQ culture, beyond simply being at the pinnacle of their field/professions." Rachel Maddow, Anderson Cooper, ACLU director Anthony Romero, Sen. Tammy Baldwin (D-Wis.), Tim Cook, Deray Mckesson, Reps. Jared Polis (D-Colo.), David Cicilline (D-R.I.) and Mark Takano (D-Calif.), Glenn Greenwald, HRC

president Chad Griffin, Don Lemon and more all make the list http://bit.ly/2uCKpNK

NEW SCALIA BOOK -- Crown Forum announced that they're publishing a collection of the late Supreme Court Justice Antonin Scalia's speeches, edited by his youngest son, Christopher Scalia, and Edward Whelan, one of his former clerks. The book is scheduled to be released Oct. 3 and has a foreword from Justice Ruth Bader Ginsburg. ***The release*** http://politi.co/2uCMjxT ... ***The cover*** http://bit.ly/2uCqsXy

HISTORY LESSON -- CARLOS LOZADA in WaPo, "Samuel Huntington, a prophet for the Trump era": "Huntington, like Trump, wanted America to be great, and came to long for a restoration of values and identity that he believed made the country not just great but a nation apart. However, if that path involves closing ourselves off, demonizing newcomers and demanding cultural fealty, then how different are we, really, from anywhere else? The central agony of the Trump era is that rather than becoming great, America is becoming unexceptional. And that's not a clash of civilizations. It's a civilization crashing." http://wapo.st/2vBWJer

MEDIAWATCH -- Wendy Benjaminson has been named the national news editor for beats at the AP. She was most recently interim bureau chief for the AP in D.C.

DESSERT -- "2 new Harry Potter books set to be published in October," from the AP http://bit.ly/2uCBTyw

TRANSITIONS -- Kristina Baum, the comms director for the House Science, Space and Technology Committee, will be the new chief spokeswoman for Chevron Phillips Chemical.

WELCOME TO THE WORLD - **David Stewart**, staff director at House Ways and Means, and **Betsy Stewart** , VP at the Business Roundtable, email family and friends: "We're delighted to introduce you to our new daughter, Penelope (Poppy) Shea Stewart. She was born on [Tuesday] at 2:25 p.m. and weighs 7 pounds 7 ounces. Betsy and Poppy are both doing fantastic. And Big Sister Grace is excited and attentive to her baby sister already too." ***Pic*** http://bit.ly/2uzdAlm

SPOTTED at last night's home opener for the Washington Kastles, D.C.'s indoor tennis team: Mark and Sally Ein, Matt Dornic, Tammy Haddad, Evan Ryan, Tony Blinken, Phil Deutch, Steve Clemons, Margaret Carlson.

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Subject: Sep. 13 -- Energy and Climate Report

Energy and Climate Report

September 13, 2017 - Number 177

News

Climate Change
Net Zero Plan for Carbon Sink Emissions Moves Ahead in EU
European Union governments and landowners would have to make sure that net greenhouse gas emissions from forests and other carbon sinks remain at or below zero through 2030, under a draft regulation European Parliament approved Sept. 13.

Climate Change
UN Says Hurricane Irma Shows Trump Needs to Re-Engage on Climate
President Donald Trump or his successor will likely re-engage with the global fight against climate change because of the weight of scientific evidence, the head of the United Nations Environment Program said.

Congress
House Votes to Bar Methane Rule, Carbon Cost in EPA Funding Bill
The EPA would be barred from enforcing limits on methane gas emitted by fossil fuel operations and from considering in its regulations the costs to society of carbon emissions under amendments the House passed Sept. 13.

Emissions Trading
Carbon Rally Hits Brick Wall as Lawmakers Wrestle Glut Fix
After the biggest jump this year, European carbon price gains are unlikely to stick.

Emissions Trading
Long Flights' Emissions Exemption Approved in European Parliament
The European Union's exemption on emissions trading for intercontinental flights to and from the EU should continue through to the end of 2020, according to a draft regulation European Parliament lawmakers approved Sept. 13.

Energy
Energy Laboratory Awards Provide $20 Million for Technology Transfer
Nearly $20 million awarded across 12 national energy laboratories aims to spur commercialization partnerships with businesses as part of an Energy Department technology transfer effort.

Enforcement
Encana Subsidiary Fined for Oil, Gas Spill on Colorado Game Ranch
An Encana Corp. subsidiary agreed to pay a $225,000 fine for spilling oil and gas waste on a game ranch in western Colorado.

Renewable Energy

Ab Inbev Buys Enough Wind Power to Brew 20 Billion Beers

Anheuser-Busch InBev NV, the world's largest brewer, agreed to buy 152.5 megawatts from a wind farm Enel SpA is building in Oklahoma. That's enough power to make 20 billion 12-ounce (355-milliliter) bottles of beers a year.

Renewable Energy

China Plans to Expand Ethanol Use in Vehicles Nationwide by 2020

China plans to expand the use of ethanol gasoline for vehicles nationwide by 2020 from only 11 provinces now to improve the environment and accelerate reform in the agricultural sector.

Water Pollution

Power Plants Get Two-Year Reprieve for Parts of Wastewater Rule

Power plants won't have to meet new limits until 2020 on toxic wastewater that comes from using air pollution control systems and transporting bottom furnace ash, the EPA announced Sept. 13.

Practitioner Insights

Energy

Practitioner Insights: ACER and Cross-Border Harmonization

How do you realize the goal of a single EU-wide energy market work when the transmission networks within each member state and their interconnections are owned by dozens of operators that are regulated by 28 separate national regulatory authorities (NRAs)? And how do you accommodate new energy-generation patterns or cross-border power flows while dealing with the physical constraints that existing transmission infrastructure imposes?

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Score
Sent: Wed 6/28/2017 2:06:49 PM
Subject: POLITICO's Morning Score: Anti-Heller ads released and pulled back as Senate GOP seethes at Trump — New polling shows GOP health plan in bad shape in Senate states — Inside the GOP's surprise health care flop

By Elena Schneider | 06/28/2017 10:00 AM EDT

With Kevin Robillard, Maggie Severns and Scott Bland

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races - and for a more comprehensive aggregation of the day's most important campaign news - sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

VOTE DELAY - "Republicans delay Obamacare repeal vote until after recess," by POLITICO's Jennifer Haberkorn and Burgess Everett: "Senate Republicans have delayed their plans to vote on repealing Obamacare this week, amid strong resistance from moderate and conservative Republicans to even beginning debate, GOP sources familiar with internal party discussions said. Republicans plan to re-write their health bill over the July 4th recess and get a new analysis from the Congressional Budget Office." **Full story.**

- MORE - "Inside the GOP's surprise health care flop," by POLITICO's Burgess Everett, Jennifer Haberkorn and Josh Dawsey: "...Senators left the meeting perplexed at what will come next, and people close to McConnell don't fully comprehend how his strategy will play out, according to interviews with senators, aides and Republican operatives." **Full story.**

BEST LAID PLANS... - "Senate GOP seethes at Trump impulsiveness," by POLITICO's Alex Isenstadt and Josh Dawsey: "Top GOP officials and senators say White House chaos and impulsiveness are crippling efforts to expand the Republican Senate majority in 2018, unraveling long-laid plans and needlessly jeopardizing incumbents. ... The most recent flash point involves Nevada Sen. Dean Heller, who was attacked by a White House-sanctioned outside group after announcing his opposition to the now stalled Obamacare repeal bill. Heller, the most endangered GOP incumbent up for reelection in 2018, was initially targeted with a surprise $1 million digital, TV, and radio assault ... By Tuesday evening, after several senators directly complained to the president today about the anti-Heller ads in a meeting at the White House, the group decided to stop airing the spots. Heller himself brought up the commercials during the meeting, a spokesman for the senator confirmed."

- "... McConnell has also been stewing about another race: the Alabama Senate primary ... For weeks, McConnell and top political aides had been asking the Republican National Committee to release coordinated funding to help newly-appointed Sen. Luther Strange, who is trying to fend off a large field of GOP primary opponents in a late summer special election. The NRSC and another McConnell-allied group, Senate Leadership Fund, are already aggressively boosting the Alabama senator. Yet after weeks of requests, no RNC expenditures have been granted, and Senate Republican strategists began to wonder whether if it had simply been lost in a

bureaucratic logjam - or worse, whether the anti-establishment president was reluctant to have the national party wade into a contested primary. The lack of commitment caused so much consternation that McConnell and Strange brought the matter directly to the White House, asking for the administration to approve of the funding. Strange has talked directly to Trump about it, according to two sources briefed on the matter. McConnell personally lobbied Chief of Staff Reince Priebus ... As of Tuesday morning, however according to an RNC official, the national party still hadn't given final approval." **Full story.**

- PREVIOUSLY - "Pro-Trump group launches TV, radio ads against Heller over health bill," by POLITICO's Alex Isenstadt: See the ad **here**. **Full story.**

POLLING DATA - "AMA polls of 7 states show GOP health bill unpopular," by Campaign Pro's Kevin Robillard: "New American Medical Association polls of seven states with Republican senators show that the party's health care packages are deeply unpopular. GOP firm Public Opinion Strategies conducted the surveys of registered voters in Alaska, Arkansas, Colorado, Nevada, Ohio, and Tennessee, while Voter Consumer Research conducted the West Virginia poll. In all of the states, no more than 26 percent of voters support the House health care bill, which is similar but not identical to the Senate GOP proposal rolled out last week. In Nevada, the home of vulnerable GOP Sen. Dean Heller, only 18 percent of voters say the GOP legislation is a good idea, while 52 percent say it's a bad idea. For Obamacare, those numbers are 45 percent and 37 percent. Fifty-eight percent of Nevada voters view the state's Medicaid program favorably, while just 14 percent view it unfavorably. And of proposed changes to Obamacare, only one proposal - allowing the sale of health insurance across state lines - attracts more than 50 percent support." **Full story.**

- Save My Care releases rapid poll: The Democratic group wrote in a polling memo that "support for the repeal bill has hit rock bottom," finding that after the CBO report, 26 percent of voters supported the repeal. **Read the full polling memo here.**

- "GOP prospects to challenge Sen. Tammy Baldwin mostly mum on Obamacare repeal," by The Milwaukee Journal Sentinel's Jason Stein and Lillian Price: "Most of the potential GOP challengers to U.S. Sen. Tammy Baldwin aren't saying yet whether they support a U.S. Senate proposal to repeal Obamacare." **Full story.**

Days until the 2017 election: 132.

Days until the 2018 election: 496.

Thanks for joining us. You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, krobillard@politico.com and dstrauss@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @politicokevin and @danielstrauss4.

MASS GENERAL - "WBUR Poll: Warren And Baker In Strong Positions For Re-Election": 55 percent of Massachusetts voters view Democratic Sen. Elizabeth Warren

favorably and 34 percent view her unfavorably, according to the poll, while 64 percent view GOP Gov. Charlie Baker favorably and just 15 percent view him unfavorably. Their challengers are essentially unknown, with at least 61 percent of voters saying they had never heard of them. Warren cleared 60 percent in two matchups with Republicans Geoff Diehl and Shiva Ayyadurai, while Baker got 53 and 55 percent against Democrats Setti Warren and Bob Massie. (The poll also tested him against Attorney General Maura Healey, with a 48-36 result in favor of the Republican incumbent.) **Full story.** See the poll **here**.

LIFE OF THE PARTY - Holcomb and state GOP launch joint fundraising committee ahead of Senate race against Donnelly: Indiana Gov. Eric Holcomb launched a joint fundraising committee with the state Republican party last night - and defeating sitting Democratic Sen. Joe Donnelly will be its first and foremost task heading into 2018, state party chairman Kyle Hupfer tells Morning Score. The committee, which recently filed a statement of organization with the FEC, will distribute 70 percent of the money raised to Holcomb's reelection efforts and 30 percent to the state party. It's the first committee of its kind that Hupfer could recall and other state party chairs have expressed interest, Hupfer said, adding that "this could really be a model that many of them are envious of."

2018 WATCH - "Nicole Schneider won't run for Senate against Tammy Baldwin," by the Milwaukee Journal Sentinel's Jason Stein: "Schneider is the daughter-in-law of the late Donald Schneider, who built Schneider National Inc., and was a notable potential candidate because she has the potential to self-fund a campaign. A Republican source familiar with Schneider's decision said she had decided that a run for Senate would have left her with no time for her children. ... Schneider had faced some questions about her credentials as a conservative but was watched closely because of her family's wealth." **Full story .**

- IN NY-22... - Democratic state Assemblyman Anthony Brindisi "plans to announce Wednesday that he will challenge U.S. Rep. Claudia Tenney in the 2018 election, according to two Democratic sources familiar with his decision," the Syracuse Post-Standard's Mark Weiner reports. **Full story.**

- IN MONTANA... - Judge Russ Fagg, a Republican district judge from Billings, launched an exploratory committee to challenge Democratic Sen. Jon Tester, The Helena Independent Record reported.

- IN FL-27... - Democratic state Sen. Jose Javier Rodriguez is announcing his campaign for retiring GOP Rep. Ileana Ros-Lehtinen's increasingly blue-tinted seat on Wednesday.

MORE HEALTH CARE ADS - Association for Community Affiliated Plans airing spots attacking Medicaid cuts: "The Association for Community Action Plans, which represents safety net health care plans, is out with new television ads attacking the Medicaid cuts included in the Senate GOP health care proposal. The seven-figure digital and television ad buy is airing in West Virginia, Ohio, Colorado, Arizona and Nevada - home to Sens. Shelley Moore Capito, Rob Portman and Cory Gardner , plus vulnerable 2018 incumbents Jeff Flake and Dean Heller. The 30-second spot is targeted toward Republicans, and links Medicaid to job creation, aiming to show Trump supporters the program isn't welfare." Watch the ad here. **Full story.**

- PCCC releases a new TV ad in West Virginia: The PCCC is out with a spot to pressure Sen. Shelley Moore Capito into not supporting the Republican health care bill, calling any cuts to Medicaid "immoral." The ad features a mother, Priscilla, who says in the ad that she won't be able to afford her daughter's cerebral palsy medication under the new legislation, adding that her "daughter could die from seizures." **Watch the ad here.**

FEC FILINGS - Gianforte raised $3.2M, spent $4.5M in Montana special: "Montana Republican Greg Gianforte, who recently won a special election to become the state's at-large member of Congress, raised a total of $3.19 million and spent $4.48 million during this year's special election, according to a new FEC filing . ...Over $490,000 of his haul in that time - which was when Gianforte assaulted a reporter covering his campaign - came from small donors, a sharp increase from the approximately $180,000 that came in from small donors (under $200) from April 2 through May 5, which was the previous filing period." **Full story.**

TRANSITIONS - GOP firm Go BIG Media announced adding two staffers: Video editor Jared Solomon, formerly of the RNC, and graphic designer Nicole Fryling.

CODA - QUOTE OF THE DAY: "I may not be able to sue a member of Congress but I sure as hell can sue the f--- out of Podesta," Roger Stone, longtime Trump associate, wrote to POLITICO in an email about his closed hearing before the House Intelligence Committee.

To view online:
http://www.politico.com/tipsheets/morning-score/2017/06/28/anti-heller-ads-released-and-pulled-back-as-senate-gop-seethes-at-trump-221079

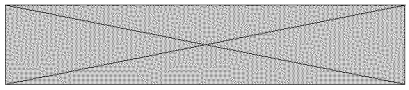
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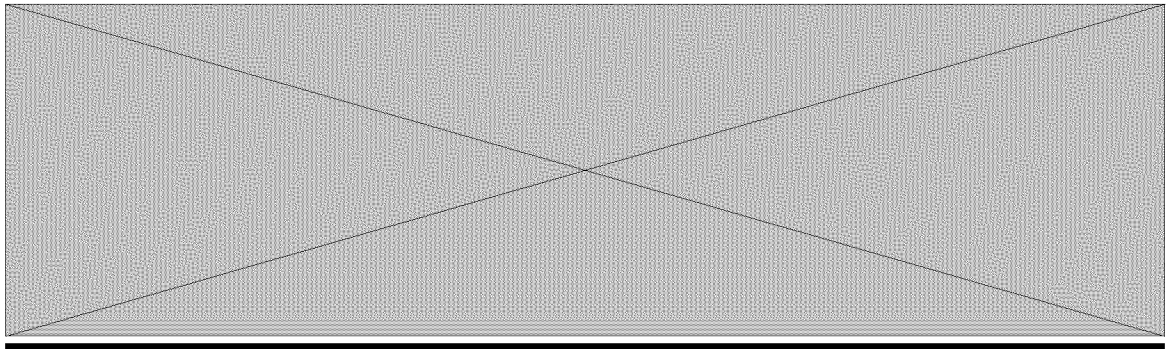
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[redacted]

Today's update highlights the new Pro Mobile App. We're thrilled to bring POLITICO Pro's policy intelligence directly to your smartphone and tablet.

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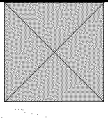
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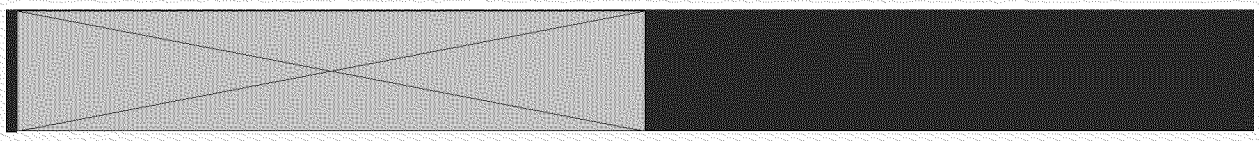


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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Wed 6/7/2017 4:00:22 PM
Subject: [SPAM] Federal Insider: Special Counsel Lerner leaves office as Trump rejects highly praised whistleblower advocate



Special Counsel Lerner leaves office as Trump rejects highly praised whistleblower advocate

By Joe Davidson

Shirine Moazed and Elizabeth McMurray (L-R) look on as Special Counsel Carolyn Lerner hands whistleblower James Parsons an honorary award in 2012. Parsons works at the Dover Mortuary. The whistleblowers' case resulted in major changes in the way soldiers' remains are treated at the Dover Air Force Base mortuary. (Photo by Daniel C. Britt / The Washington Post)

The defining moment for the Office of Special Counsel (OSC) after Carolyn Lerner became head of the agency was a gruesome one about body parts and a dismembered Marine.

It's not the usual fare for the office on M Street NW that deals with Hatch Act violations and prohibited personnel practices. But protecting whistleblowers is where OSC makes its reputation — as in the 2011 case involving the Defense Department's Port Mortuary in Dover, Del.

Soon this little but powerful office will have a new special counsel. Rejecting the advice of Republicans and Democrats to keep Lerner, President Trump has nominated Henry Kerner to take her place. He is a former Republican congressional staffer and currently assistant vice president at the Cause of Action Institute, a small-government advocacy organization.

Lerner, who leaves office on June 14, had been on the job only a few months when she revealed reports by federal employees of grisly transgressions at the morgue operated by the Air Force. Body parts were lost in two cases, and in another, the office reported that the mangled body of a Marine "was dismembered with a saw in order to make the body fit inside a military uniform, without the consent or notification of the family."

With a staff that wouldn't begin to fill one Pentagon hallway, Lerner humbled and embarrassed the Defense Department, the government's largest agency. Lawmakers were appalled. The Air Force secretary at the time

expressed his sincere “regret” for “lapses in our standards at Dover,” a non-apologetic understatement.

The action of the Office of Special Counsel — no relation to a special prosecutor or to Robert S. Mueller III, the special counsel investigating Russian meddling in the 2016 presidential election — secured mortuary reforms and protected the employees who were targets of Air Force retaliation.

“I think that we have sent the federal community a message that whistleblowers should be valued,” Lerner said Monday in her office overlooking St. Matthew’s Cathedral. “Whistleblowers now feel comfortable coming forward, and that is helping our government.”

Will VA chief be voice of reason on climate change and

The Port Mortuary case really helped the federal community understand that OSC was robust enforcer of whistleblower laws,” she added.

Considering the widespread retaliation against federal whistleblowers, her assessment of their comfort might be optimistic, but there is no doubt that the Office of Special Counsel is a more robust agency than the moribund place they found before she got there.

It moved “from last-resort option to first choice for getting relief for whistleblowers,” said Tom Devine, legal director of the Government Accountability Project, a whistleblower advocacy organization.

Relief for individual whistleblowers also can mean systemic improvements for federal agencies and taxpayers. The Department of Veterans Affairs is the obvious example. Congress approved VA improvements following a 2014 scandal over the coverup of long patient wait times, which was revealed by whistleblowers. Whistleblower disclosures also led to a new overtime pay system for Border Patrol agents. Lerner’s office was instrumental in both.

Devine’s strong praise for OSC is not unqualified. “The bad news is they operate at a molasses pace” in some instances, he said. He added that he would like Lerner to be more aggressive about taking legal action against federal agencies that violate whistleblower rights.

Despite the slow pace, agency statistics show impressive gains. There were 276 favorable actions for whistleblowers and other victims of PPPs.

Ironic criticism comes from James J. Wilson, the agency’s chief human capital officer. He filed a whistleblower retaliation complaint against Lerner with the Merit Systems Protection Board after failing to find success before the Council of the Inspectors General on Integrity and Efficiency. Regarding his complaints to the council, Wilson, who previously filed grievances against former employers at two other agencies, signed an affidavit saying, “I received final decisions closing these four matters with no further action being taken.”

Whatever the criticism of Lerner, it is outweighed by praise from whistleblowers and members of Congress.

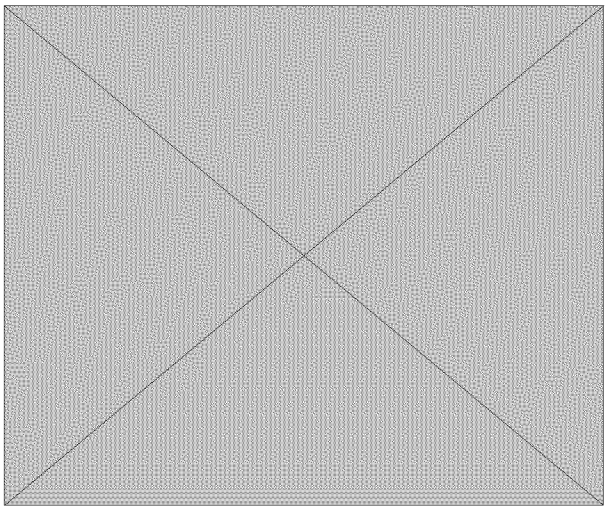
“She’s fearless,” Robert MacLean, an air marshal whistleblower, told me earlier this year. His was the first federal whistleblower case heard by the Supreme Court and MacLean credits his victory largely to work done by OSC.

Unusual in this era of hyper-polarization, she is lauded by both sides of the aisle.

“Leading the Office of Special Counsel requires a deep appreciation for the patriotic work that whistleblowers do to shine a light on fraud or misconduct in government. Carolyn Lerner has been a steadfast advocate for government whistleblowers, and I am grateful for her service at OSC,” said

[prohibited personnel practices] this past year, more than double the annual average," the office said in its budget justification to Congress. "In the last two years, OSC has achieved *five* times the number of favorable actions in whistleblower retaliation complaints than in any prior two-year period in agency history…. In FY 2016, for the second straight year, OSC received upwards of 6,000 new matters, a 25 percent increase over the prior two-year period."

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Sen. Charles E. Grassley (R-Iowa), chairman of the Senate Judiciary Committee. "Her leadership should be a road map for future leaders of this office."

The Senate Whistleblower Protection Caucus, founded by Grassley and Sen. Ron Wyden (D-Ore.), had urged the Trump administration to retain Lerner.

"I am disappointed the president chose not to take Sen. Grassley's and my recommendation to renominate Carolyn Lerner, who is an experienced leader with bipartisan support," said Wyden.

It's also bicameral. Before Trump's decision, Rep. Rod Blum (Iowa), Republican chairman of the House Whistleblower Protection Caucus, led a bipartisan House letter saying Lerner deserved another term. Among those who signed was Rep. Elijah Cummings (Md.), the ranking Democrat on the House Oversight and Government Reform Committee.

Lerner turned the Office of Special Counsel "into a model agency and set the bar as the head of that office," Cummings said by email Monday. "She

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Served with Independence and tenacity to hold agency officials accountable when they retaliated against whistleblowers."

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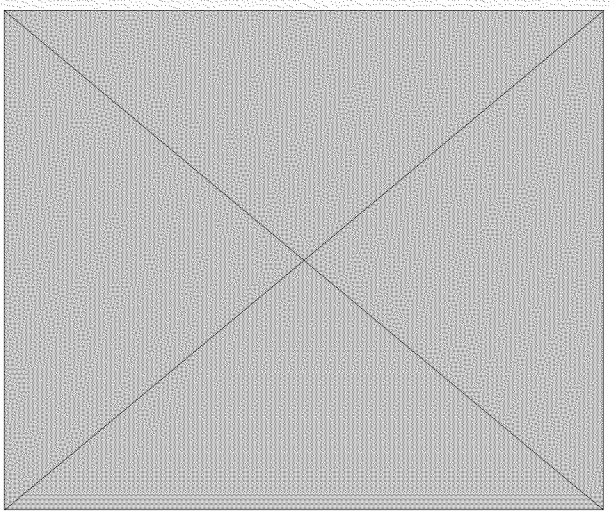
[Trump's new VA office to help fire feds faster also could hurt, not protect, whistleblowers]

[Energy Department whistleblower finally gets justice, despite agency neglect]

[Trump withdraws reappointment nomination of popular whistleblower advocate]

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy
Sent: Mon 6/19/2017 9:55:12 AM
Subject: Morning Energy: Zinke, Perry play defense on budget requests this week — Examining Trump's energy holdings — Checking in on coal country

By Anthony Adragna | 06/19/2017 05:52 AM EDT

With assistance from Annie Snider

KINGS OF THE HILL: Interior Secretary Ryan Zinke and Energy Secretary Rick Perry are barnstorming Capitol Hill this week, hitting multiple committees to defend the administration's requests for steep budget cuts. Expect lawmakers to be cool to the call to slash Interior's budget by $1.1 billion, or ten percent, from last year's spending levels, and similar skepticism for the proposed 18 percent cut to DOE's non-nuclear security work. EPA Administrator Scott Pruitt drew some hostile questioning from both Democrats and Republicans during a similar budget hearing last week.

Zinke heads first to the Senate Energy and Natural Resources Committee at 10 a.m. Tuesday, followed by a 9:30 a.m. trip to Senate Appropriators the following day (Sen. Lisa Murkowski will chair both hearings). And then he'll get some face time with House Natural Resources Chairman Rob Bishop on Thursday for similar treatment. Look for intense questioning on Zinke's ongoing review of dozens national monument designations that were made under the Antiquities Act, as well his plans to shuffle several senior department staff. And ME would be shocked if House Natural Resources' top Democrat Raul Grijalva didn't push for some promise from Zinke to respond to his bevy of oversight letter requests.

Perry's turn in the hot seat kicks off Tuesday at 1 p.m. in a visit with House Appropriators, followed by a 2:30 p.m. hearing the following day with Senate energy spending cardinals. ME expects the former Texas governor (who tweeted about everything from live music to college baseball over the weekend) to get lots of questions about funding for clean energy research programs and national laboratories, both of which are targeted for deep cuts under Trump's budget. And look for climate hawks to press Perry to justify closing the Office of International Climate and Technology within DOE.

HITTING THE HOUSE FLOOR: Lawmakers are expected to consider legislation on the floor this week that backers say will improve grid reliability and reduce the risks of wildfires by making it easier to remove trees and other vegetation near electric equipment on federal lands. The Electricity Reliability and Forest Protection Act (H.R. 1873) cleared the House Natural Resources Committee by a 24 to 14 vote in late April. Also expected to get a vote is the Water Supply Permitting Coordination Act (H.R. 1654) (more on that below.) The House Rules Committee takes up both measures Tuesday at 5 p.m.

WELCOME TO A NEW WEEK! I'm your host Anthony Adragna, and I'm only with you for part of this week, as I'm off to get married at the end of it! But in the meantime, Christopher Pearcey was first to identify Philadelphia as the site of the First Continental Congress. For today: Who was the person who infamously asked Sen. Joseph McCarthy "Have you no sense of

decency?" Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy, and @POLITICOPro.

GLANCING INTO TRUMP'S ENERGY PORTFOLIO: President Donald Trump made between $149,719 and $401,000 from holdings in the energy sector, according to his latest financial disclosure covering the 2016 calendar year and the early months of 2017. Trump reported energy holdings in GE, Halliburton, Kinder Morgan, Phillips 66, NextEra Energy, Chevron, Exxon Mobil and Shell, among others. Theodoric Meyer and Matthew Nussbaum have a closer look at the disclosure form here.

ON THE WATER DOCKET: After winning a relaxing of environmental restrictions on pumping in California's water hub last year, the state's House Republicans are this week poised to move on Rep. Tom McClintock 's "Water Supply Permitting Coordination Act," which would change the way new water storage projects are permitted and put the Bureau of Reclamation in the driver's seat for approving new dams and reservoirs. The measure, which is slated to hit the House floor Thursday, passed the House Natural Resources Committee earlier this month over Democratic objections that it could short-circuit environmental review and arguments that the real challenge to new reservoirs is not permitting, but economics.

Not to be outdone, the Senate has its own full water agenda this week, with an Environment and Public Works Committee subpanel considering innovative financing options for addressing the country's water infrastructure woes Tuesday morning and the Energy and Natural Resources Committee holding a hearing that afternoon on federal and state partnerships aimed at restoring watersheds and other large scale restoration projects.

WHAT'S GOING ON IN COAL COUNTRY? James Higdon checks in on Eastern Kentucky for POLITICO Magazine and finds job losses continue in the coal industry there, but there's increased optimism that the bleeding has been staunched. There's also been surprise demand from Silicon Valley for the rare earth elements and a type of metallurgic coal needed to make silicon, the basic material for computer chips and solar panels. But the overall sense remains the federal government is not a benevolent force for the region: There's "a perception in communities like this that we're being done wrong. People around here get the feeling that the government is not being reputable with them." Pat White, the County Judge Executive for Whitley County, told James.

KLOBUCHAR: WHERE ARE THE PICKS? Asked on "Fox News Sunday" whether Democrats shared some of the blame for Trump's swath of unfilled federal agency positions, Minnesota Sen. Amy Klobuchar correctly pointed out the White House had yet to send over hundreds of nominees for the Senate to consider. "I'm not saying we are perfect throughout time, but I do know that all of his cabinet nominees are now in place, that they have been voted on, some with significant Democratic support," she said. And they "haven't put people up for a lot of those positions."

TAKING STOCK OF TEXAS SHALE: The Academy of Medicine, Engineering & Science of Texas is today releasing a report examining the environmental and community impacts of shale production in that state. Key findings: Texas produced more oil in 2015 than all but six

countries, oil and natural gas generated $1.7 billion in property tax revenue for Texas schools, and earthquakes in the state jumped from around two a year before 2008 to between 12 and 15 since then. In addition, Texas ranks 11th in the country for at-risk species though the fact that 95 percent of state's land is privately owned limits study of land impacts, five percent of emitters account for about half all emissions and fracking accounts for less than one percent of statewide water usage. The group will hold a webinar at 11 a.m. EST today to discuss its findings.

EPA PULLS, RESENDS COAL ASH GUIDANCE: Last week, EPA withdrew from OMB its original draft guidance for states on setting up coal ash permitting programs, but promptly swapped in a new version, Pro's Alex Guillén reports in Energy Regulation Watch. It's not yet clear why EPA had to pull its first version just three weeks after it sent the document over to the White House for regulatory reform.

WHAT'S HOLDING BACK CLEAN ENERGY? The Joint Economic Committee Democrats are out with a report today identifying the impediments they say are holding back the speedier deployment of clean energy technologies. Some of the holdups they highlight: "Implicit and explicit" subsidies that benefit fossil fuels and make it harder for clean energy to compete; underinvestment from the private sector in new energy sources; existing energy infrastructure that's built to accommodate fossil fuels and "inconsistent or unclear policy directions" that make it hard for investors to feel comfortable investing in new clean technologies.

OIL SECTOR DEFENDS NAFTA: Maintaining the current basic contours of NAFTA is crucial if the U.S. hopes to achieve energy independence, the American Petroleum Institute wrote in a letter to the U.S. Trade Representative. As Ben Lefebvre reports , the group's priorities in negotiations include prohibiting tariffs, protecting intellectual property rights, ensuring mobility of labor and adding more flexible language for diluents, the light oil that Canadian oil sands producers mix into bitumen to make it easier to process and send through pipelines. "The overall functionality of the current NAFTA agreement works for the oil and natural gas industry," API said.

HOUSE DEMS: REVERSE COURSE ON PARIS: Nearly 90 percent of House Democrats, led by Rep. Brad Schneider, introduced a resolution Friday saying that they "strongly disapprove" of Trump's decision to pull out of the Paris climate accord and urging him to reverse that decision.

MARKEY TO PERRY: DON'T CLOSE CLIMATE OFFICE: Avowed climate hawk Sen. Ed Markey sent a letter to Perry Friday urging him to reverse course on his plans to shutter the Energy Department's Office of International Climate and Technology.

KAINE SCREENS SEA-LEVEL RISE DOCUMENTARY: Virginia Sen. Tim Kaine today delivers opening remarks and hosts a screening of a new documentary, *Tidewater*, exploring the impacts of sea-level rise on the Hampton Roads region. It kicks off at 6 p.m. in the Congressional Meeting Room North of the Capitol Visitors Center.

LAWMAKERS TO PRUITT: KEEP WAIVER ABILITY INTACT: More than 75 House members urged Pruitt in a Friday letter to keep intact the ability for states like California and

others to set tougher vehicle emissions standards than federal ones. "If the administration is unwilling to support stronger fuel efficiency and emissions standards, it is more important than ever that states be allowed to continue driving innovation, consumer choice and environmental and public health improvements through strong state standards," they wrote. Pruitt told House Appropriators last week California's current waiver is " not under review." Republicans Carlos Curbelo and Mike Coffman joined dozens of Democrats in signing the letter.

RENEWABLE CREDIT EXTENSION SIGNED IN FLORIDA: Among the 13 bills signed into law by Florida Gov. Rick Scott Friday was one that extended a property tax break from residential to commercial for renewable energy source devices, POLITICO Florida's Bruce Ritchie reports. The bill, which implements a 2016 constitutional amendment, won the backing of environmental groups and solar panel installers even though the Florida House added some consumer protection measures.

POWERING THE NEXT GENERATION GRID: Eight national renewable energy groups released a vision statement today calling for correctly valuing both new and existing technologies, tax policy that protects existing credits for renewables and "expansion and modernization of the power grid." Signatories include the American Council on Renewable Energy, the American Wind Energy Association, American Biogas Council, Biomass Power Association, Energy Recovery Council, Geothermal Energy Association, National Hydropower Association and Solar Energy Industries Association.

MOVER, SHAKER: Jim Jones has joined Consumer Specialty Products Association as the executive vice president of strategic alliances and industry relations; he was previously the top chemicals official at EPA and played a key role in ushering through the bipartisan overhaul of the Toxic Substances Control Act.

ENERGY GROUP ADDS BOARD MEMBERS: Sen. Lamar Alexander and Rep. Dave Reichert are among the seven new members of the Alliance to Save Energy's Board of Directors. Also joining: Paula R. Glover, president of the American Association of Blacks in Energy; Microsoft's Bert Van Hoof; Andreas Schierenbeck, CEO of Thyssenkrupp Elevator AG; Maryrose Sylvester, president of Current; and Steve Wright, general manager of the Chelan Public Utility District.

QUICK HITS

— 'Pi' group makes first endorsements. The Hill.

— Scott Pruitt vows to speed the nation's Superfund cleanups. Communities wonder how. Washington Post.

— Lawmakers say GOP reining in DNR scientists who rebelled on climate change. Madison.com.

— Sweden's Largest Pension Fund Sells Off ExxonMobil & TransCanada Stock. CleanTechnica.

— Patagonia's CEO Is Ready To Lead The Corporate Resistance To Donald Trump. Huffington Post.

— Qatar won't cut gas to UAE: Qatar Petroleum CEO. Reuters.

HAPPENING THIS WEEK

MONDAY

3:30 p.m. — "Naftogaz and the Future of Ukraine's Energy Sector," The Atlantic Council, 1030 15th Street NW, 12th Floor,

TUESDAY

8:30 a.m. — U.S. Chamber of Commerce's Institute for 21st Century Energy host events w/ Scott Pruitt and Ryan Zinke, 1615 H Street, NW

10:00 a.m. — House Science, Space and Technology Committee Democrats discussion on climate change, 2360 Rayburn

10:00 a.m. — "Hearing to examine the President's budget request for the Department of the Interior for Fiscal Year 2018," Senate Energy and Natural Resources Committee, 366 Dirksen

12:00 p.m. — "Oil Pollution Act Update 2017," Environmental Law Institute, 1730 M Street, NW, Suite 700

1:00 p.m. — Budget hearing for Department of Energy, House Appropriations Subcommittee on Energy and Water Development, and Related Agencies, 2359 Rayburn

2:30 p.m. — "Subcommittee oversight hearing to examine collaborative initiatives on restoring watersheds and large landscapes across boundaries through state and federal partnerships," Senate Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining, 366 Dirksen

2:30 p.m. — "Innovative Financing and Funding: Addressing America's Crumbling Water Infrastructure," Senate Committee on Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife, 406 Dirksen

3:00 p.m. — "Partners in Ingenuity: Inventing the Future w/ Sen. Lamar Alexander," Bipartisan Policy Center with the American Energy Innovation Council, 430 Dirksen

5:45 p.m. — "Litigation Roundtable and Wine & Cheese Reception," Women's Council on Energy and the Environment, Wright & Talisman PC, 1200 G Street NW, Suite 600

WEDNESDAY

8:30 a.m. — "Day 1: The Wilson Center-Arctic Circle Forum," Ronald Reagan Building, Amphitheatre, 1300 Pennsylvania Ave. NW

9:30 a.m. — Senate Appropriations Committee hearing on Interior Department budget w/ Ryan Zinke, 124 Dirksen

10:00 a.m. — National Press Club Headliner Newsmaker with Former Sec. of Energy Ernest Moniz, 529 14th St. NW, 13th Floor

10:00 a.m. — "Legislative Hearing on Discussion Draft of Helium Extraction Act of 2017," House Natural Resources Subcommittee on Energy and Mineral Resources, 1324 Longworth

10:00 a.m. — "Leading the Way: Examining Advances in Environmental Technologies," House Science, Space, and Technology Committee's Environment Subcommittee, 2318 Rayburn

10:00 a.m. — Continuation of the Markup of H.R. 1422, H.R. 1558, H.R. 2246, H.R. 2565, H.R. 2868, H.R. 2875, and H.R. 2874, House Financial Services Committee, 2128 Rayburn

10:00 a.m. — Bloomberg New Energy Finance's New Energy Outlook 2017, Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

2:30 p.m. — Hearing to examine DOE's FY2018 budget, Senate Appropriations Energy-Water Subcommittee, 138 Dirksen

3:00 p.m. — "Addressing Climate Change Through Innovation," Carnegie Endowment for International Peace, 1779 Massachusetts Ave. NW

THURSDAY

8:30 a.m. — "Day 2: The Wilson Center-Arctic Circle Forum," Ronald Reagan Building, 6th Floor, 1300 Pennsylvania Ave. NW

9:30 a.m. — FERC meeting on policy issues related to Bulk-Power System, 888 First Street NE, Commission Meeting Room

9:30 a.m. — "Examining the Department of the Interior's Spending Priorities and the President's FY2018 Budget Proposal," House Natural Resources Committee, 1324 Longworth

10:00 a.m. — "Marine Debris: Efforts on Marine Debris in the Oceans and Great Lakes," Senate Commerce, Science and Transportation Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee, 253 Russell

10:00 a.m. — "Hearing to examine the President's budget request for the Department of Energy for Fiscal Year 2018," Senate Energy and Natural Resources, 366 Dirksen

1:00 p.m. — "Statoil Energy Perspectives 2017," Center for Strategic and International Studies,

1616 Rhode Island Avenue, NW

FRIDAY

8:30 a.m. — "What Works: Miami," POLITICO Magazine, Eden Roc, Pompeii Room - 4525 Collins Ave, Miami Beach, FL

12:00 p.m. — "Energy Demand Disruptions: Aspirations vs Reality," National Capital Area Chapter of the U.S. Association for Energy Economics, Chinatown Garden, 618 H St. NW

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https://www.politicopro.com/tipsheets/morning-energy/2017/06/zinke-perry-play-defense-on-budget-requests-this-week-023361

Stories from POLITICO Pro

Trump seeks 10 percent cut to Interior budget Back

By Ben Lefebvre | 05/23/2017 11:38 AM EDT

President Donald Trump's fiscal 2018 budget requests $11.7 billion for the Interior Department, a $1.1 billion or 10 percent decrease from the 2017 annualized CR level.

BLM would receive $963 million for activities like managing energy development and grazing on federal lands, down 10 percent from this year. The only part of BLM's budget to increase would be for energy and minerals management.

BOEM would see its budget to offer offshore drilling and wind development leases remain flat at $171 million, and the Office of Surface Mining budget would fall 11 percent to $109 million.

The proposal follows up on Trump's promises to slash clean energy and climate change programs launched under the Obama administration and to unwind regulations hampering fossil fuel development such as Interior's coal leasing moratorium.

Congress is unlikely to go along with the deep cuts, however. Any final spending bill would have to secure 60 votes in the Senate to overcome a Democratic filibuster.

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Few DOE programs spared cuts in full Trump budget Back

By Darius Dixon | 05/23/2017 11:47 AM EDT

The Energy Department's budget would be cut by more than 9 percent to $28 billion under President Donald Trump's fiscal 2018 budget proposal released today.

DOE's Fossil Energy and Energy Efficiency and Renewable Energy offices would be cut by more than half under the White House proposal. The nuclear energy office would see a cut of about 30 percent.

DOE's Office of Science would be cut from $5.4 billion to $4.8 billion. The budget proposes to cut some programs entirely, including ARPA-E, and the controversial loan operation.

The proposal includes $90 million to restart licensing activities for the long-stalled Yucca Mountain nuclear waste repository and to initiate an interim storage program.

Trump's full budget would keep the DOE at the level the White House targeted in its "skinny" budget released in March, but Congress provided the agency with a funding increase for the rest of fiscal 2017 to put the agency's budget at $30.8 billion.

Trump's topline DOE reduction is a relatively modest 9.1 percent compared to other federal agencies, partly because DOE's National Nuclear Security Administration would see a $1 billion increase.

Still, many Republicans in Congress have opposed several aspects of Trump's budget and any final spending bill would need 60 votes in the Senate to overcome a Democratic filibuster.

DOE intends to release additional agency-specific budget materials later today.

To view online click here.

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GOP tells Pruitt he will get bigger budget than requested Back

By Alex Guillén | 06/15/2017 02:42 PM EDT

Republican lawmakers made it clear today that EPA is not going to get the budget it asked for — it's going to get a whole lot more.

Multiple GOP members of the Appropriations committee overseeing EPA said they will not come close to enacting the administration's proposed 31 percent cut.

"I can assure you you're going to be the first EPA administrator that's come before this committee in eight years that actually gets more money than they asked for," Rep. Tom Cole (R-Okla.) told EPA Administrator Scott Pruitt. "That doesn't mean you'll get as much as you've had,

but you'll do better than you asked for."

Rep. Mark Amodei (R-Nev.) noted that Congress has already cut EPA's budget by more than $2 billion since 2010. "No one's standing on the rooftops begging for dirty air and dirty water," he said in calling for no more than moderate spending reductions.

Other Republicans on the panel made sure to defend specific programs they favor.

House Appropriations Chairman Rodney Frelinghuysen (R-N.J) told Pruitt that his state is home to more than 100 of the nation's 1,300 Superfund sites. "I think it's good to move with precaution before you take too many dramatic steps," he warned about EPA's 31 percent cut to that program.

Subcommittee chairman Ken Calvert (R-Calif.) criticized steep cuts to a popular diesel engine refit program and lamented the complete deletion of targeted air shed grants.

And Rep. Dave Joyce (R-Ohio) criticized the budget for killing the $300 million Great Lakes Restoration Initiative.

WHAT'S NEXT: Appropriators will write EPA's spending bill for next year, expected to be released later this summer.

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Zinke to shuffle top Interior Department career staff Back

By Ben Lefebvre | 06/16/2017 03:15 PM EDT

Interior Secretary Ryan Zinke is shuffling dozens of senior department staff to new positions, reassigning as many as one-quarter of the top career people into new jobs.

A spokeswoman for the agency confirmed the changes were taking place, which Jason Briefel, executive director of Senior Executive Services, told POLITICO could involve as many as 50 people.

That would be "a very large number" compared to the previous shakeups that occur when new administrations take power, Briefel said, and could require some staffers to change jobs in as little as 15 days.

A former Fish and Wildlife Service member told POLITICO a move of that breadth of the staff changes would be "unprecedented," and said the shakeup was rumored to move many of the people between DOI's various agencies.

DOI defended the moves.

"Personnel moves are being conducted to better serve the taxpayer and the department's operations through matching senior executive skill sets with mission and operational requirements," said DOI spokeswoman Heather Swift said. "The president signed an executive order to reorganize the federal government for the future and the secretary has been absolutely out front on that issue."

She decline to give details of the planned job changes.

According to The Washington Post, which obtained a copy of one the letters sent to Interior staff on Thursday, officials who received notices include Interior's top climate policy official, Joel Clement, who directs the Office of Policy Analysis, as well as at least five senior FWS officials.

Among the Fish and Wildlife officials are the assistant director for international affairs, Bryan Arroyo; the southwest regional director, Benjamin Tuggle; and the southeast regional director, Cindy Dohner, according to the paper. BLM New Mexico state director Amy Lueders would move to FWS, while Bureau of Indian Affairs Director Weldon "Bruce" Loudermilk, acting Assistant Secretary of Indian Affairs Michael S. Black and acting Special Trustee for American Indians Debra L. DuMontier would all be reassigned, the paper said.

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Back

NYT: Staff of DOE international climate office told to pack their bags Back

By Eric Wolff | 06/15/2017 01:48 PM EDT

The Department of Energy will shutter its Office of International Climate and Technology, its staff was told this month, according to The New York Times, which cited current and former DOE employees.

The department has been in the crosshairs since it was marked for elimination in President Donald Trump's budget request. Its workers played an essential role in planning Energy Secretary Rick Perry's visit to Beijing last week as part of the Clean Energy Ministerial.

The office is the only unit at DOE to have climate in its name.

The office last made headlines in February when a supervisor told staff not to use the term "climate change," "Paris Agreement" or "emissions reduction" in written communications, as POLITICO reported at the time.

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Back

Trump reports assets of at least $1.4 billion in financial disclosure Back

By Theodoric Meyer and Matthew Nussbaum | 06/16/2017 05:20 PM EDT

The campaign and the early months of President Donald Trump's presidency have been good for Donald Trump.

The Trump International Hotel, which opened last year just blocks from the White House in a building leased from the federal government, brought in nearly $20 million in revenue for the president, according to Trump's latest financial disclosure, released by the U.S. Office of Government Ethics on Friday.

Trump's Mar-a-Lago resort, which he visited often in the early months of his presidency, raked in $37 million - up from $30 million in the report Trump filed last year and about $16 million in the report filed two years ago.

Sales of Trump's "The Art of the Deal" brought in as much as $1 million for Trump, compared to the less than $100,000 in royalties that Trump reported in his 2016 filing. And sales of Trump's book "Crippled America" brought in up to another $5 million.

Trump reported assets of at least $1.4 billion and income of at least $596.3 million in the 2016 calendar year and the early months of 2017. He reported owing at least $310 million to various financial institutions, including at least $130 million to Deutsche Bank.

It's difficult to say how beneficial the presidency has been overall for Trump's sprawling business empire. Most of the figures detailing Trump's income, assets and debt are reported in brackets, and the highest brackets do not include an upper bound. And the reports for different years don't cover exactly the same time periods.

The 98-page document, which Trump filed voluntarily, does not provide an exact picture of his net worth. Trump has claimed he is worth in "excess of $10 billion" but Fortune put the number at less than $4 billion late last year.

The report also doesn't reveal how much Trump paid in taxes last year, but it still provides a snapshot into his range of investments. The White House said last month that Trump would voluntarily release his financial disclosure from the 2016 calendar year.

Trump has taken steps to reduce his conflicts of interest, stepping back from the Trump Organization and turning over daily control to his adult sons, Donald Trump Jr. and Eric Trump. However, he has maintained his financial interest, and his sons give him updates on the financial condition of the company.

Trump sold off all of his stocks, as his aides said he had, with the exception of some private

funds over which he has no control — a typical practice for elected officials. Trump also apparently maintains a small investment in a private, New Jersey-based apparel company, Eco Tek 360, Inc.

Trump also collected $84,292 in pension payments from the Screen Actors Guild.

"President Trump welcomed the opportunity to voluntarily file his personal financial disclosure form; while this filing is voluntary (as no report was due until May 2018), it has been certified by the Office of Government Ethics pursuant to its normal procedures," press secretary Sean Spicer said in a statement on Friday evening.

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POLITICO Magazine: Why this part of coal country loves solar power Back

By James Higdon | 06/18/2017 02:05 PM EDT

WILLLIAMSBURG, Kentucky—The first few months of 2017 haven't been especially kind to the coal miners of Kentucky. Eighty-eight of them lost their jobs when a single company, Mountainside Coal, laid off its entire work force.

Deb Moses was one of them. "I volunteered for the layoff because somebody had to go," she told POLITICO Magazine. "I was the one that could handle it because I didn't have a mortgage."

Whitley County, in the Appalachian foothills, was one of the hardest hit counties in a state that saw an overall loss of 216 coal jobs during the first quarter, according to the Kentucky Energy and Environment Cabinet. In a region where coal still dominates a sagging economy, even small fluctuations like this are parsed for signs of larger trends.

But there is a surprising amount of optimism in Appalachia these days. The recent job losses weren't nearly as painful as the relentless declines the industry has felt over the past six years, which in itself was a kind of good news. Then, six days after I spoke to Moses in Whitley County, President Trump announced that he would pull the United States out of the Paris climate accord, honoring a campaign pledge to revive the coal industry by removing the yoke of environmental regulations. The announcement, met largely with anger and frustration in America's coastal cities, was cheered in this part of Kentucky.

"Hopefully it signals the beginning of the end to the war on our local economy from federal regulations," Pat White, the County Judge Executive for Whitley County, told me by email two days after the president's announcement.

But perhaps the best reason for an out-of-work miner in Whitley County to think she'll be back underground before long has little to do with the regulations Trump has stripped away.

Interestingly, it has more to do with the demands of the new economy driven by Silicon Valley.

The coal under the hills of Whitley County, like about a third of the coal in central Appalachia, is metallurgic coal, a higher grade of coal that burns hotter and cleaner than the power plant-fueling thermal coal that has been demonized by environmentalists in debates over carbon emissions and climate change. Used to forge steel and other metals, metallurgic coal will be essential for any future infrastructure project boom, and Kentucky's mountains have an estimated 35-year supply. But the seam in Whitley County is an even more valuable variety of metallurgic coal known as "blue gem." It burns even hotter with a low ash content, making it useful to produce silicon, the basic material for computer chips and solar panels.

"You need the blue gem to make the solar panels, and that's what people don't know," Moses told me, articulating a simple truth: Without Coal Valley, there's no Silicon Valley.

Here in Appalachia, the new and old economies remain linked in inextricable ways often ignored in partisan debates that cast fossil fuels and renewable energy in a zero sum battle. In early June on MSNBC, reporter Willie Geist asked EPA Administrator Scott Pruitt, "It's true is it not that there are more jobs created by solar energy, by the next wave of energy in this country, than by the coal jobs that you have cited?" Pruitt responded that "all jobs matter," but he could have gone further. He could have told Geist there's a seam of coal in Whitley County that is in high demand by American industry, but 88 people lost their jobs because of the Army Corps of Engineers' permitting restrictions caused a coal company to go dark.

"One of the biggest headaches we have in the U.S. is getting permits," said Dr. Rick Honaker, chair of the Department of Mining at the University of Kentucky's College of Engineering. "If you go to Canada, you can up there and get started in two or three years, but in the U.S., it's a five to 10-year process."

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Eastern Kentucky coal miners were once a key Democratic Party constituency on the front lines of the labor movement. Then, in 1980—just three years after the documentary film Harlan County, U.S.A. about striking coal workers won an Oscar—Hal Rogers was elected to Congress as an Appalachian Republican. Four years later, Mitch McConnell won statewide in his first race for U.S. Senate. Still, Democrats continued to hold their own in Kentucky, especially in the mountains, until the first term of the Obama administration.

In 2011, two things happened nearly simultaneously: Obama's EPA announced its mercury and air toxins standards at about the same time that the price of natural gas fell below the price of coal for the first time in history, resulting in power plants converting from coal to gas. The market for thermal coal cratered. Republicans wasted no time blaming the job losses on Obama's regulations. Though some said this was roughly the equivalent of blaming the president for the price of gasoline at the pump, the "War on Coal" became a convenient political weapon with which Republicans cudgeled Democrats. And when Republicans weren't beating Democrats over the head, Democrats were doing it to themselves, as evidenced by Hillary Clinton's campaign gaffe about "putting lots of coal miners out of work." In November, a region of the country that

had been reliably Democratic a generation or two ago voted for Trump in overwhelming numbers.

The "War on Coal" rhetoric loses some steam when confronted with the reality that 21 gigawatts of coal-fired power plants are scheduled to be shut down over the next four years. The coal firing those plants will likely be replaced by natural gas and renewables, according to the American Public Power Association. But that hasn't made regulation bashing any less popular in this part of the country, which is why Trump's popularity remains so high. Trump, to the delight of his supporters, has followed through on several major campaign promises on coal. Even before the much-touted retreat from the Paris Accords, Trump had dumped the Stream Protection Rule and pulled the plug on Obama's Clean Power Plan.

In March, Fox News put a camera crew down a long-wall mine outside of Hazard in Perry County. Miners were back at work there and this news seemed to endorse the notion that onerous regulations really were the thing holding back the coal industry. Perry was one of the lucky counties in the region, recording a gain of 54 jobs in the first quarter. But overall, Kentucky's job numbers were down by more than 200. Only in a region as bruised by job losses as this one would that be seen as good news. But that's what it looked like to Tyler White, president of the Kentucky Coal Association, who observed that any number that wasn't a four-digit loss suggested "that maybe the bleeding has stopped."

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Back in October 2015, Mountainside Coal began applying for permits to mine the blue gem in Whitley County. Like all coal operations, it required permits from an array of state and federal agencies, including the Army Corps of Engineers, which claims jurisdiction over all waterways in America. The Army Corps granted a permit to Mountainside in April 2017, but Mountainside had been laying people off since July 2016**.**

"I can tell you that if we had gotten that permit in a timely manner, we could have mined that coal while we had a contract to sell it," Moses told me.

When I asked the Army Corps if it slow-walked coal mining permits, as many in coal country believe, a spokesman for the Corps pushed back: "If use of the term 'slow-walks' is meant to imply that we intentionally drag our feet or delay processing of applications related to coal mining proposals—that is simply not true."

Stories like this one, confirm for the people of eastern Kentucky that the federal government is not a benevolent force, says Judge White. There's "a perception in communities like this that we're being done wrong. People around here get the feeling that the government is not being reputable with them."

Regulations, big environmental ones or just the plodding bureaucracy, define the federal government in this region and will remain a fixation for the residents of coal country for the foreseeable future.

"If the regulations level out and they get that worked out, that's going open up more jobs and help with the blue gem market, and maybe extend that market," said former exploration foreman Kent Sears, who, like Deb Moses, was also laid off from Mountainside Coal in the first quarter of 2017.

As of 2012, eastern Kentucky had 5.5 billion tons of metallurgic coal remaining inside its mountains, enough for 35 years, according to a report from the University of Kentucky. That's the good news. The bad news is that only 17 percent of those reserves are greater than 42 inches thick. Anything narrower than that requires cutting out additional rock, which raises production costs.

In addition to metallurgic coal, another bright spot in the future of eastern Kentucky is a reserve of coal near Hazard called the Fire Clay seam, which yields a surprising byproduct during the coal cleaning process: large quantities of rare earth elements (REEs)—vital to the production of smart phones, tablets, electricity-generating windmills and military hardware. Experts say there's enough to meet U.S. demand for 20 years.

Currently, the world's largest reserves of rare earth elements is in China, which is keeping the price for the elements low because its REE reserves are the first step of the Chinese smart-phone supply chain. Consequently, China is keeping the costs of its REEs low, according to Dr. Rick Honaker, the chairman of the the University of Kentucky's Department of Mining.

At the Fire Clay seam near Hazard, Dr. Honaker and his team have demonstrated they can extract industrial amounts of REE's during the coal-cleaning process from the clay immediately adjacent to the coal — a substance that is normally a waste product.

"What was the environmental headache of coal could be an economic gem," Dr. Honaker told me by telephone. "We can do it today. The problem today is that China controls the market and keeps the REE prices suppressed."

So if Silicon Valley were ever interested in repatriating its smart phone supply chain, the first thing it would need is a reliable domestic supply of REE's, and according to Dr. Honaker, there's a 20-year supply in eastern Kentucky. One might think that a domestic supply of REE's would be a big deal to Silicon Valley companies like Apple that rely heavily on REE's for its smart phones and tablets. But earlier this year, Apple pledged to work towards a zero-mining future, envisioning its primary source for its aluminum, silicon, and REE's to come from recycling instead of China or eastern Kentucky.

Apple chose not to respond to a request for comment for this story, when I asked them about the company's reliance on metallurgic coal for its computer chips and for the 50-megawatt solar array it just built in Arizona to power its data center there.

"They think about coal as being dirty or whatever, but you have certain things that are a necessity. You're going to have to get it somewhere," Kent Sears told me. "If you look at all the regulations we have, maybe we got too many. Maybe consolidate a few, or streamline them. We're not their enemy."

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API: NAFTA critical for North American energy independence Back

By Ben Lefebvre | 06/16/2017 05:51 PM EDT

The American Petroleum Institute is warning the Trump administration that if it wants North American energy independence, it should not make a mess of NAFTA.

"The overall functionality of the current NAFTA agreement works for the oil and natural gas industry," the trade association wrote this week in a letter to the U.S. Trade Representative. "API and its industry members therefore wish to ensure that as NAFTA is modernized, the provisions of the current agreement remain in place in a new NAFTA."

USTR asked for comments on issues that could play into the development of negotiations for a modernization of NAFTA.

API outlined its priorities for any NAFTA negotiations, including no tariffs, intellectual property rights protection, mobility of labor and more flexible language when it comes to diluents, the light oil that Canadian oil sands producers mix into bitumen to make it easier to process and send through pipelines.

As long as the free energy trade continues — and is expanded to Mexico, which wasn't a party to NAFTA's original energy provisions — North America's energy production will continue to grow faster than demand, API writes in its letter.

"This allows supply to overtake demand, offering North America the opportunity to be self-sufficient, provided open trade flows — especially between the U.S. and Canada," API's June 12 letter states. "Taken together, the U.S., Canada and Mexico are on the cusp of North American self-sufficiency."

What's Next: API asked to testify at a June 27 public hearing on NAFTA.

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Pruitt: EPA not reviewing California car emissions waiver Back

By Alex Guillén | 06/15/2017 12:30 PM EDT

EPA is not reviewing a key waiver that allows California to set stricter emissions limits for cars than the federal government, EPA Administrator Scott Pruitt said today.

"Currently the waiver is not under review ... by EPA," Pruitt said at an appropriations hearing.

"It's important we recognize the role of states in achieving good air quality standards," Pruitt added, noting California's early role in environmental regulation.

EPA's decision to re-open a review of auto standards for model year 2022-2025 cars also raised concerns that EPA would consider revoking the California waiver. The Clean Air Act allows EPA to give waivers to California on air quality issues because of the state's historic and chronic pollution problems.

The state and environmentalists argued that the law does not allow EPA to revoke such waivers once granted, and California officials said they would fight the Trump administration if it attempted to revoke it.

The waiver in question was granted by the Obama administration in 2009. EPA and the Transportation Department later set the first greenhouse gas emissions standards for cars, but California said that any cars complying with the federal standard would also be deemed to have met the state's standards so as to avoid a patchwork of regulations.

WHAT'S NEXT: EPA is continuing its review of the nationwide emissions rules for model year 2022-2025 vehicles.

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EHS Federal Regulatory Alert

June 30, 2017 - Number 125

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Summaries

AIR
California SIP/Great Basin Unified Air Pollution Control District, Mammoth Lakes
AIR

Direct final rule of the EPA approves revisions to the Great Basin Unified Air Pollution Control District and Mammoth Lakes, Calif., portion of the California SIP. The revisions address particulate matter emissions from wood burning devices and road dust in Mammoth Lakes. The rule is effective Aug. 29, 2017, unless adverse comments are received by July 31, 2017. Contact: Christine Vineyard; EPA Region 9; 415-947-4125; vineyard.christine@epa.gov. Citations: 40 CFR 52.220

82 FR 29762 (06/30/2017)

Regulatory Update

AIR
California SIP/Great Basin Unified Air Pollution Control District, Mammoth Lakes
AIR

Proposed rule of the EPA would approve revisions to the Great Basin Unified Air Pollution Control District and Mammoth Lakes, Calif., portion of the California SIP. The revisions address particulate matter emissions from wood burning devices and road dust in Mammoth Lakes. A concurrent direct final rule adopts the revisions, effective Aug. 29, 2017. Comments are due July 31, 2017. Contact: Christine Vineyard; EPA Region 9; 415-947-4125; vineyard.christine@epa.gov. Citations: 40 CFR 52.220

82 FR 29809 (06/30/2017)

Regulatory Update

AIR

Illinois SIP/Revised Format for Materials Incorporated by Reference
AIR

Final rule of the EPA revises the format of materials incorporated by reference into the Illinois SIP. The revisions add information to the "identification of plan" section regarding EPA-approved regulations, source specific requirements, and nonregulatory and quasi-regulatory provisions to clarify enforceable elements of the SIP. The revisions also relocate provisions concerning carbon monoxide and lead control strategies and infrastructure requirements into tables. The rule is effective June 30, 2017. Contact: Christos Panos; EPA Region 5, Air Programs Branch; 312-353-8328; panos.christos@epa.gov. Citations: 40 CFR 52.720, 52.729, 52.745, 52.746, 52.750

82 FR 30636 (06/30/2017)

Regulatory Update

AIR
Medium- and Heavy-Duty Vehicle Greenhouse Gas Emissions and Fuel Economy Standards
AIR

Notice of the EPA announces corrections to an Oct. 25, 2016, final rule (81 FR 73478) that increased federal greenhouse gas and corporate average fuel economy (CAFE) standards for new on-road medium- and heavy-duty vehicles and engines built in model years 2018 through 2027. The corrections insert an omitted table of symbols, abbreviations, and acronyms and make grammatical changes to the table of statistical criteria for validating duty cycles. Contact: Tad Wysor; EPA, Office of Transportation and Air Quality; 734-214-4332; wysor.tad@epa.gov. Citations: 40 CFR 1036.805 and 1037.550

82 FR 29761 (06/30/2017)

Regulatory Update

AIR
Refrigeration Product Test Procedures
AIR

Notice of the Energy Department, Office of Energy Efficiency and Renewable Energy, announces a request for information regarding potential revisions to the test procedures for consumer refrigerators, refrigerator-freezers, and freezers. The agency seeks comments on the testing of products with newly-available features, including door-in-door designs and display screens and connected functions; the inclusion of automatic icemaker energy use procedures; and the built-in product testing configuration. The agency also seeks comments concerning issues with the current test procedures and additional topics that may inform future rulemakings, including methods to reduce regulatory burden. Comments are due July 31, 2017. Contact: Stephanie Johnson; DOE, Office of Energy Efficiency and Renewable Energy; 202-287-1943; appliancestandardsquestions@ee.doe.gov. Citations: 10 CFR 429 and 10 CFR 430, Subpart B, Appendices A and B

82 FR 29780 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
California Tiger Salamander Incidental Take Permit
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of an application from Betteravia Farms LLC, of Santa Maria, Calif., for an incidental take permit for the California tiger salamander in connection with activities associated with the draft Curletti Farm Employee Housing Project Habitat Conservation Plan. The potential taking would occur as a result of activities associated with the construction of the farm labor camp in suitable habitat for the species. The notice also announces the agency's preliminary determination that the project is "low-effect" and is eligible for a categorical exclusion under the National Environmental Policy Act. Comments are due July 31, 2017. Contact: Rachel Henry; USFWS, Ventura Fish and Wildlife Office; 805-644-1766

82 FR 29916 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
Endangered or Threatened Status Reviews
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces five-year status reviews of 22 endangered animal or plant species and one threatened animal species from the southeastern U.S. to determine if the current listing classifications are still accurate. The species include the Florida panther, various darters, the Pygmy madtom, and the Ozark cavefish. The species also include the Cumberland rosemary, the Deltoid spurge, Ruth's golden aster, and various plants with no common name. The agency requests scientific and commercial information since the last status review of each species. Comments are due Aug. 29, 2017. Contact: Mike Oetker; USFWS; 404-679-7138

82 FR 29916 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
Endangered/Threatened Species Recovery Plan Guidelines
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service extends the comment period for a notice of proposed revisions to guidelines for prioritizing development and implementation of recovery plans for listed threatened and endangered species (82 FR 24944; 05/31/2017). The revisions, which modify the Recovery Plan Preparation and Implementation Priorities and Recovery Plans contained in the 1990 Listing and Recovery Priority Guidelines, are intended to prioritize agency resources to advance recovery based on the immediacy of the species' overall extinction risk, the extent of information regarding major threats, and certainty that management and protective actions can be implemented successfully. Comments now are due Aug. 28, 2017. Contact: Therese Conant; National Marine Fisheries Service; 301-427-8456; therese.conant@noaa.gov

82 FR 29841 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
Greater Yellowstone Ecosystem Population Grizzly Bear Delisting
ENDANGERED SPECIES

Final rule of the U.S. Fish and Wildlife Service establishes a Greater Yellowstone Ecosystem (GYE) grizzly bear distinct population segment (DPS) in portions of Idaho, Montana, and Wyoming and removes the GYE grizzly bear DPS from the list of endangered and threatened wildlife. The agency also announces the availability of revised demographic recovery criteria in the final Grizzly Bear Recovery Plan Supplement and recognizes that the states of Idaho, Montana, and Wyoming have signed a tri-state memorandum of agreement and finalized regulatory mechanisms to manage grizzly bear mortality limits consistent with the criteria. The rule does affect the threatened status of grizzly bear populations in other portions of the lower-48 states. The rule is effective July 31, 2017. Contact: Hilary Cooley; USFWS; 406-243-4903. Citation: 50 CFR 17.11

82 FR 30502 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
Louisiana Pinesnake Candidate Conservation Agreement
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of an enhancement of survival permit application and a proposed programmatic candidate conservation agreement with assurances (CCAA) for the Louisiana pinesnake from the Louisiana Department of Wildlife and Fisheries. The proposed CCAA describes conservation measures designed to protect and enhance pinesnake habitat on private and nonfederal public lands enrolled under the agreement and provides enrolled landowners who implement these measures with assurances against take liability if the species is listed under the Endangered Species Act in the future. The applicant requests permission to enter into conservation management agreements with eligible nonfederal landowners in Allen, Bienville, Beauregard, Grant, Jackson, Natchitoches, Rapides, Sabine, Vernon, and Winn parishes and issue certificates of inclusion to enrollees for a 99-year agreement term. Comments are due July 31, 2017. Contact: Michael Harris; USFWS, Southeast Regional Office; 404-679-7066; michael_harris@fws.gov

82 FR 29914 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
Mexican Wolf Draft Recovery Plan
ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces a draft recovery plan, first revision, for the endangered Mexican wolf, found in Arizona, New Mexico, and Chihuahua, Mexico. The draft plan includes specific recovery criteria necessary to remove the species from the lists of endangered and threatened wildlife and plants. Meetings are scheduled for July 18, 19, 20, and 22, 2017, in Flagstaff and Pinetop, Ariz., and Truth or Consequences and Albuquerque, N.M., respectively. Comments are due Aug. 29, 2017. Contact: Sherry Barrett; USFWS, New Mexico Ecological

Services Field Office, 505-346-2525

82 FR 29918 (06/30/2017)

Regulatory Update

ENDANGERED SPECIES
North Pacific Right Whale/Five-Year Status Review
ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces a five-year status review of the endangered North Pacific right whale to determine if the current listing classification is still accurate. The agency requests scientific and commercial information since the last status review in 2012. Comments are due July 31, 2017. Contact: Verena Gill; NMFS Alaska Region; 907-271-1937; verena.gill@noaa.gov

82 FR 29842 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Atlantic Fleet Training and Testing Study Area
GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of the Navy, in cooperation with the National Marine Fisheries Service, announces the availability of a draft environmental impact statement/overseas EIS regarding the Atlantic fleet training and testing study area. The study area consists of approximately 2.6 million square nautical miles of ocean and includes designated Navy operating areas and special use airspace. Training activities include the use of active sonar and explosives within existing range complexes and testing ranges and additional areas in the Atlantic Ocean along the eastern coast of North America, in portions of the Caribbean Sea, the Gulf of Mexico, at Navy pierside locations and port transit channels, near civilian ports, and in bays, harbors, and inland waterways. Meetings are scheduled for July 19, 25, and 26, and Aug. 1 and 3, 2017, in Providence, R.I.; Morehead, N.C.; Norfolk, Va.; Jacksonville, Fla.; and Panama City, Fla., respectively. Comments are due Aug. 29, 2017. Contact: Department of the Navy, Naval Facilities Engineering Command Atlantic; 757-322-8005

82 FR 29855 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Children's Health Protection Advisory Committee Meeting
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces a meeting of the Children's Health Protection Advisory Committee to discuss the use of lead in aviation fuel, children's health issues related to drinking water, the process for codifying TSCA implementation reviews, and progress on risk evaluations of the first 10 chemicals reviews under TSCA. The agenda also includes updates on human health benchmarks for pesticides, environmental reviews for public housing near Superfund sites, and brownfields program technical assistance and grant resources. The meeting is scheduled for

July 18-19, 2017, in Washington, D.C. Contact: Martha Berger; EPA, Office of Children's Health Protection; 202-564-2191; berger.martha@epa.gov

82 FR 29859 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Emergency Use Authorization/In Vitro Diagnostics for Detection of Zika Virus
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces emergency use authorizations for two in vitro diagnostic devices for detection of the Zika virus. The authorizations provide conditions for emergency use of the Gene-RADAR® Zika Virus Test, requested by Nanobiosym Diagnostics Inc., of Cambridge, Mass., and for the LIAISON® XL Zika Capture IgM Assay, requested by DiaSorin Inc., of Stillwater, Minn. The secretary of Health and Human Services previously declared that circumstances exist justifying the authorization of emergency use of in vitro diagnostic devices for detection of the Zika virus (81 FR 10878; 03/02/2016). The authorization for Gene-RADAR® is effective March 20, 2017, and the authorization for LIAISON® XL is effective April 5, 2017. Contact: Carmen Maher; FDA, Office of Counterterrorism and Emerging Threats; 301-796-8510

82 FR 29886 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Emergency Use Authorization/In Vitro Diagnostics for Detection of Zika Virus
GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the revocation of the Oct. 28, 2016, emergency use authorization (81 FR 75092) that was issued to Roche Molecular Systems, of Pleasanton, Calif., for the LightMix® Zika rRt-PCR Test, an in vitro diagnostic device for the detection of Zika virus. The secretary of Health and Human Services previously declared that circumstances exist justifying the authorization of emergency use of in vitro diagnostic devices for detection of the Zika virus (81 FR 10878; 03/02/2016). Roche requested, and the agency issued, the revocation because the criteria for issuance were no longer met and Roche decided to no longer market the product. The revocation is effective March 13, 2017. Contact: Carmen Maher; FDA, Office of Counterterrorism and Emerging Threats; 301-796-8510

82 FR 29883 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Environmental Impact Statements
GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of environmental impact statements filed June 19-23, 2017. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146. Citations: 40 CFR 1506.9

82 FR 29859 (06/30/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
First Responder Network Authority/Nationwide Public Safety Broadband Network
GENERAL ENVIRONMENT AND SAFETY

Notice of the National Telecommunications and Information Administration, First Responder Network Authority (FirstNet), announces the availability of the final programmatic environmental impact statement for the noncontiguous region of the nationwide public safety broadband network. The final PEIS addresses the deployment and operation of the proposed broadband network in the noncontiguous region consisting of Alaska, American Samoa, Guam, Hawaii, the Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands. Once a record of decision is signed, the proposed projects can begin to submit the site-specific environmental documentation to determine if the proposed project has been adequately evaluated in the PEIS or whether it instead warrants a categorical exclusion, an environmental assessment, or an environmental impact statement. Contact: Amanda Goebel Pereira; Department of Commerce, First Responder Network Authority; 703-648-4163

82 FR 29825 (06/30/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Railroad Operating Rules/Track Safety Standards
HAZARDOUS MATERIALS TRANSPORTATION

Notice announces the intention of the Federal Railroad Administration to seek OMB approval for one continuing and one revised information collection request concerning railroad operating rules and track safety standards. The continuing collection concerns requirements for Class I and Class II railroads to file with the FRA copies of their operating rules, timetables, and timetable special instructions, and subsequent amendments, and for Class III railroads to retain copies of these documents at their systems headquarters. The collection also addresses requirements for railroads to retain one copy of their current operating rules regarding radio communications and one copy of each subsequent amendment and make these documents available to FRA upon request. The revised collection addresses railroad operations over track constructed with concrete crossties and the requirement for automated track inspections to be conducted to supplement visual inspections by Class I and Class II railroads, intercity passenger railroads, and commuter railroads or certain small government jurisdictions. The revision updates estimates for rule requirements. Comments are due Aug. 29, 2017. Contact: Robert Brogan; FRA, Office of Railroad Safety; 202-493-6292; Robert.Brogan@dot.gov. Citations: 49 CFR 213.234, 217.7 through 218.109 (nonconsecutive), 220.21(b)

82 FR 29976 (06/30/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Wyoming/Mystery Bridge Road-U.S. Highway 20 Superfund Site
HAZARDOUS WASTE CLEANUP

Direct final rule of the EPA partially deletes the property owned by Tallgrass Energy Partners LP, of Leawood, Kan., on the Mystery Bridge Road/U.S. Highway 20 Site, in Natrona County, Wyo., from the National Priorities List. The partial deletion pertains to the former KMI Property, including the groundwater and soil/former source area. The agency and the state of Wyoming have determined that all appropriate response actions under CERCLA have been completed, except for maintenance of institutional controls and five-year reviews. The deletion does not preclude future actions under Superfund. The rule is effective Aug. 29, 2017, unless adverse comments are received by July 31, 2017. Contact: Andrew Schmidt; EPA Region 8; 303-312-6283; schmidt.andrew@epa.gov. Citations: 40 CFR 300, Appendix B

82 FR 29764 (06/30/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Wyoming/Mystery Bridge Road-U.S. Highway 20 Superfund Site
HAZARDOUS WASTE CLEANUP

Proposed rule of the EPA would partially delete the property owned by Tallgrass Energy Partners LP, of Leawood, Kan., on the Mystery Bridge Road/U.S. Highway 20 Site, in Natrona County, Wyo., from the National Priorities List. The partial deletion pertains to the former KMI Property, including the groundwater and soil/former source area. The agency and the state of Wyoming have determined that all appropriate response actions under CERCLA have been completed, except for maintenance of institutional controls and five-year reviews. The deletion would not preclude future actions under Superfund. A concurrent direct final rule adopts the provisions, effective Aug. 29, 2017. Comments are due July 31, 2017. Contact: Andrew Schmidt; EPA Region 8; 303-312-6283; schmidt.andrew@epa.gov. Citations: 40 CFR 300, Appendix B

82 FR 29809 (06/30/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Concrete and Masonry Construction Standard
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the submission of a continuing information collection request to the OMB regarding the concrete and masonry construction standard. The collection addresses requirements for warning signs and barriers and a warning for equipment operators to not activate their equipment if another worker enters the equipment to perform a task. The collection also addresses requirements for lockout and tag ejection systems and other hazardous equipment, including compressors, mixers, screens, and pumps. In addition, the collection addresses requirements for employers to mark the rated capacity of jacks and lifting units and for the use of drawings, plans, and designs that provide guidance on shores and formwork when pouring concrete at a job site. Comments are due July 31, 2017. Contact: Michel Smyth; OSHA; 202-693-4129; dol_pra_public@dol.gov. Citations: 29 CFR 1926, Subpart Q

82 FR 29934 (06/30/2017)

Regulatory Update

PESTICIDES

Emergency Use Authorization/Injectable Treatments for Nerve Agent or Certain Insecticide

PESTICIDES

Notice of the FDA announces the issuance of an emergency use authorization for the 2 mg Rafa Atropine auto-injector, manufactured by Rafa Laboratories, of Jerusalem, to treat nerve agent or certain insecticide (organophosphorus and/or carbamate) poisoning. The secretary of Health and Human Services previously determined that circumstances exist justifying the authorization (82 FR 18152; 04/17/2017). The authorization is effective April 11, 2017. Contact: Carmen Maher; FDA, Office of Counterterrorism and Emerging Threats; 301-796-8510

82 FR 29867 (06/30/2017)

Regulatory Update

RADIATION

Environmental Management Advisory Board/Paducah

RADIATION

Notice of the Energy Department announces a meeting of the Environmental Management Site-Specific Advisory Board, Paducah. The board makes recommendations to DOE-EM and site management in the areas of environmental restoration, waste management, and related activities. The meeting is scheduled for July 20, 2017, in Paducah, Ky. Comments are requested, but a due date is not specified. Contact: Jennifer Woodard; DOE, Paducah Site Office; 270-441-6825

82 FR 29858 (06/30/2017)

Regulatory Update

RADIATION

Environmental Management Advisory Board/Savannah River Site

RADIATION

Notice of the Energy Department announces a meeting of the Environmental Management Site-Specific Advisory Board, Savannah River Site, which makes recommendations to DOE-EM and site management in the areas of environmental restoration, waste management, and related activities. The agenda includes discussion of draft recommendations and committee updates on administration and outreach, nuclear materials, strategic and legacy management, waste management, and facilities disposition and site remediation. The agenda also includes presentations on the plutonium program, atoms for peace, the status of the salt waste processing facility and liquid waste integration, and community reuse. The meeting is scheduled for June 24-25, 2017, in Aiken, S.C. Comments are requested, but a due date is not specified. Contact: Susan Clizbe; DOE, Savannah River Operations Office; 803-952-8281

82 FR 29858 (06/30/2017)

Regulatory Update

RADIATION

NRC Application and Licensing Fees

RADIATION

Final rule of the NRC revises licensing, inspection, special project, and annual fees charged to applicants and licensees for fiscal year 2017, to reflect a reduced hourly rate of $263. The rule is effective Aug. 29, 2017. Contact: Michele Kaplan; NRC, Office of the Chief Financial Officer; 301-415-5256; michele.kaplan@nrc.gov. Citations: 10 CFR 170.20, 170.21, 170.31, 171.15, and 171.16

82 FR 30682 (06/30/2017)

Regulatory Update

WATER
Connecticut/Housatonic River Crossing Project Safety Zone
WATER

Temporary final rule of the U.S. Coast Guard establishes a temporary safety zone for activity associated with the United Illuminating Co. Housatonic River Crossing Project, which involves installation of new transmission conductors over the Housatonic River near Milford and Stratford, Conn. Entrance by people or vessels into the safety zone is prohibited unless authorized by the captain of the port sector Long Island Sound. The rule is effective from June 30, 2017, through Aug. 31, 2017. Contact: Katherine Linnick; USCG, Sector Long Island Sound; 203-468-4565; Katherine.E.Linnick@uscg.mil. Citations: 33 CFR 165.T01-0825

82 FR 29743 (06/30/2017)

Regulatory Update

WATER
Guam/Apra Outer Harbor Temporary Safety Zone
WATER

Temporary final rule of the U.S. Coast Guard establishes a temporary safety zone for underwater detonation operations in the waters of Apra Outer Harbor in Piti, Guam, to support a U.S. Navy explosives training exercise. Entrance by non-exercise participants and vessels into the area is prohibited for the duration of the safety zone without prior approval from the captain of the port or a designated representative in order to protect the public, exercise participants, and vessels in navigable waters. The rule is effective from 8 a.m. to 4 p.m. on July 13, 2017. Contact: Robin Branch; USCG Sector Guam; 671-355-4835; wwmguam@uscg.mil. Citations: 33 CFR 165.T14-0502

82 FR 29751 (06/30/2017)

Regulatory Update

WATER
Idaho/Drinking Water Program Electronic Reporting
WATER

Notice of the EPA announces the approval of Idaho's request to revise its EPA-authorized national primary drinking water program to allow electronic reporting. Interested persons may request a public hearing on the approved change. The approval is effective July 31, 2017, if no hearing requests are received by that date. Contact: Karen Seeh; EPA, Office of Environmental

Information; 202-566-1175; seeh.karen@epa.gov. Citations: 40 CFR 142

82 FR 29860 (06/30/2017)

Regulatory Update

WATER
San Francisco Bay Temporary Safety Zone
WATER

Temporary final rule of the U.S. Coast Guard establishes a temporary safety zone in the San Francisco Bay, east of Yerba Buena Island and north of the Oakland Outer Harbor Entrance Channel near Oakland, Calif. The rule prohibits all vessel traffic from transiting the area in order to allow salvage and environmental response operations for the recovery of the Vengeance sunken barge. The rule is effective June 30, 2017, and expires July 31, 2017. Contact: Marcia Medina; USCG, Sector San Francisco; 415-399-7443; D11-PF-MarineEvents@uscg.mil. Citations: 33 CFR 165.T11-857

82 FR 29741 (06/30/2017)

Regulatory Update

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EHS Federal Regulatory Alert

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: The Washington Post
Sent: Wed 7/19/2017 5:01:27 PM
Subject: [SPAM] Checkpoint: Head of ISIS in Afghanistan killed in drone strike, U.S. officials say

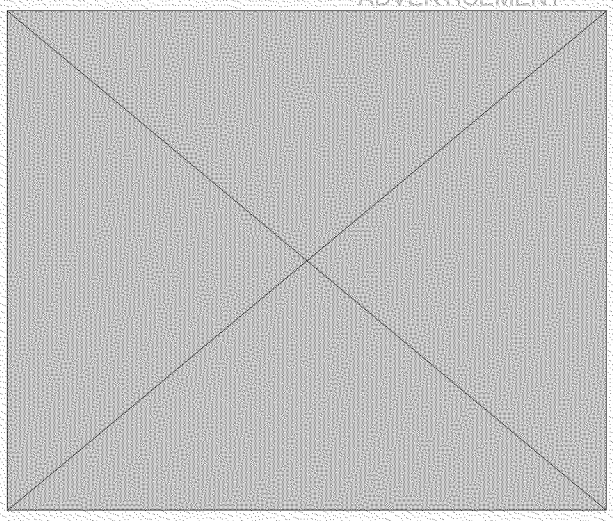


How the Pentagon ending its deal with immigrant recruits could hurt the military

The Pentagon's short-term decisions could have larger consequences for national security and readiness, analysts said.

By Alex Horton • Read more »

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U.S. airstrikes in Afghanistan are at levels not seen since Obama troop surge

The number of airstrikes this year is set to be nearly triple the number launched last year.

By Thomas Gibbons-Neff • Read more »

Foreign-born recruits, promised citizenship by the Pentagon, flee the country to avoid deportation

The Pentagon has helped naturalized more than 10,000 foreign-born recruits since 2009. Now the agency might kill the program.

By Alex Horton • Read more »

Head of ISIS in Afghanistan killed in drone strike, U.S. officials say

Other ISIS militants were killed in the attack.

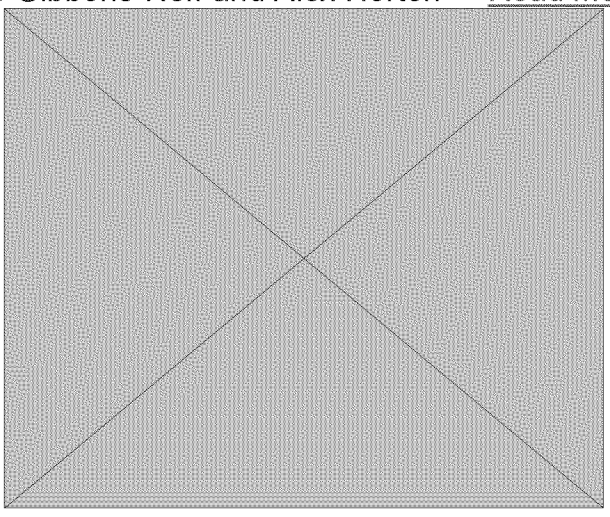
By Thomas Gibbons-Neff • Read more »

Here are the names and photos of the 15 Marines and sailor who died in Mississippi plane crash

The youngest was 20, the oldest 45.

By Thomas Gibbons-Neff and Alex Horton • Read more »

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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Wed 9/13/2017 11:19:02 PM
Subject: EPW hearing Sept. 20 on EPA, NRC nominees

By Alex Guillén

09/13/2017 07:16 PM EDT

The Senate Environment and Public Works Committee will hold a hearing on four EPA nominees and one Nuclear Regulatory Commission nominee next Wednesday, according to a notice on the committee's website.

The panel will consider Michael Dourson to be EPA's assistant administrator for Chemical Safety and Pollution Prevention; David Ross to run the Office of Water; Bill Wehrum to head EPA's Office of Air and Radiation; and Matthew Leopold to be general counsel. The committee will also consider Jeffery Baran's re-nomination to the NRC.

The hearing will take place on Sept. 20 at 10 a.m.

To view online:
https://www.politicopro.com/energy/whiteboard/2017/09/epw-hearing-sept-20-on-epa-nrc-nominees-092890

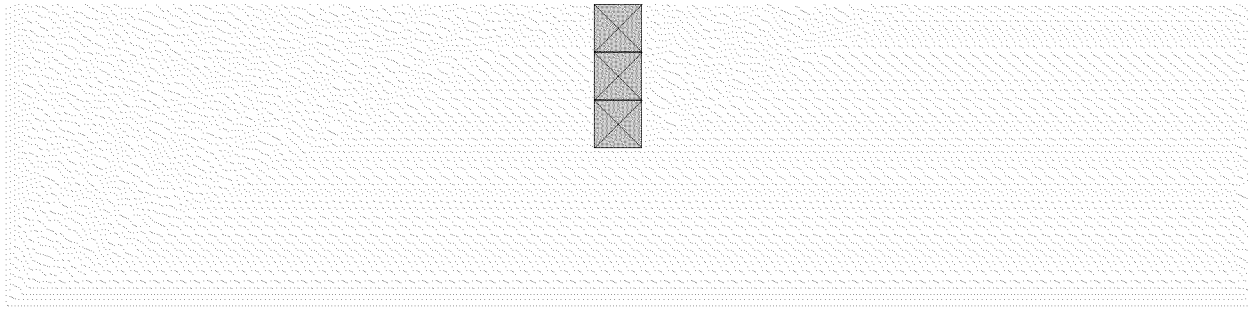
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To: Jackson, Ryan[jackson.ryan@epa.gov]
From: American Security Today
Sent: Thur 11/9/2017 2:16:42 PM
Subject: Trumps New Rules on Cuba, CBRNE at WTC, Deter Active Shooters, Justice for Slain Agent, SAPA Training





To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Morning Transportation
Sent: Wed 6/28/2017 2:06:40 PM
Subject: POLITICO's Morning Transportation, presented by Airlines for America: House FAA bill advances — First fireworks, then DHS authorization — Locked out of driverless car legislation

By Tanya Snyder and Brianna Gurciullo | 06/28/2017 10:00 AM EDT

With help from Stephanie Beasley and Lauren Gardner

FAA HEADS TO THE FLOOR: House Transportation Chairman Bill Shuster's FAA bill has now made it as far as it did last year, with the committee again approving the bill (H.R. 2997) almost entirely along party lines. Shuster has said that House leadership could bring the bill to the floor for debate in July.

Rokita stays in the 'no' column: Shuster (R-Pa.) was pretty much overjoyed when he could say last week that Rep. Sam Graves(R-Mo.) would support his legislation (even though the work Graves did hasn't pushed general aviation groups to come to Shuster's side). But the other Republican committee member who opposed Shuster's bill last year, Indiana Rep. Todd Rokita, indicated Tuesday that he won't budge . "I'm finding it difficult to support this bill at this time," Rokita said, calling the legislation "fundamentally flawed." He then voted "no."

Hurdles remain: The markup is an expected win, but appropriators and taxwriters are still key to the bill's success on the floor. But first, watch for the Senate Commerce to mark up its FAA bill on Thursday. Stay tuned.

Amendment roundup: Our Lauren Gardner was at Tuesday's nearly 10-hour markup (bless her) tracking every one of the dozens of amendment that lawmakers voted on or withdrew. Here are the ones you need to know:

- The committee shot down an amendment by committee ranking member Peter DeFazio (D-Ore.) that would have cut Shuster's air traffic control proposal from the bill.

- It also voted down an amendment by Del. Eleanor Holmes Norton (D-D.C.) to spell out that among the ATC nonprofit corporation's board members, those picked by the government need to "act in the public interest." In addition, the amendment would have tweaked the board's composition. Instead of two seats going to "at-large" members, those spots would go to representatives of consumer protection interests.

- It approved Rep. Paul Mitchell's (R-Mich.) amendment to limit the terms of board members to four years. (Shuster had proposed five.)

- The committee killed a Rep. Jerry Nadler (D-N.Y.) amendment to require that the corporation buy ATC government assets at fair market value.

- Rep. Mike Capuano (D-Mass.) withdrew his amendment to make sure that the FAA would keep handling noise complaints if air traffic control operations were separated from the agency.

- The panel OK'd an amendment aimed at preventing DOT from letting a foreign airline conduct flights to the United States if it has attempted to sidestep the labor standards of the country where its parent company is headquartered. The amendment, which took language from a bill by DeFazio and Rep. Frank LoBiondo (R-N.J.), is a clear shot at Norwegian Air International.

- It approved an amendment by Norton to include e-cigarettes in the federal ban on smoking aboard commercial airplanes.

- It OK'd on amendment by Rep. André Carson (D-Ind.) and Nadler to mandate that newly made aircraft be equipped with secondary cockpit barriers.

IT'S WEDNESDAY: Thanks for tuning in to POLITICO's Morning Transportation, your daily tipsheet on all things trains, planes, automobiles and ports. Lauren is back today sharing MT with Tanya, so send your tips, feedback and lyrics to tsnyder@politico.com or @TSnyderDC and lgardner@politico.com or @Gardner_LM.

"At the center of the Earth in the parking lot of the 7-11 where I was taught, the motto was just a lie. It says, 'Home is where your heart is,' but what a shame 'cause everyone's heart doesn't beat the same. It's beating out of time. City of the dead at the end of another lost highway - signs misleading to nowhere."

Want to keep up with MT's song picks? Our Spotify playlist has over 100 followers - you can get listening, too!

LAST-MINUTE FLIGHT HOURS AMENDMENT: Before the final roll call votes were taken, Graves offered and then withdrew an amendment meant to address what regional airlines say are damaging consequences of stricter pilot training requirements put into place after the fatal 2009 crash of Colgan Air Flight 3407 near Buffalo, N.Y. Regionals want to see FAA allow more training programs (namely those backed by airlines) counted toward restricted flight certificates even when someone has less than 1,500 hours of flight time. The agency currently allows pilots with military backgrounds or academic experience at certain accredited schools to obtain those restricted certificates.

Quality vs. quantity: Graves, a pilot, said he respects the grieving families of the Colgan crash who have become fixtures on Capitol Hill, but that he wants to ensure prospective pilots get quality instruction, rather than "drilling holes in the sky" for the sake of accumulating hours. "I've been flying a long time - a long time - and there are people out there with 20,000 hours that I would not get in the cockpit with to save my life," Graves said.

FIRST FIREWORKS, THEN DHS AUTHORIZATION: Rep. Michael McCaul (R-Texas) confirmed to our Stephanie Beasley what many may have suspected after they looked at the House calendar. A bill (H.R. 2825) to reauthorize the Department of Homeland Security will not get any floor time this week. McCaul, the chairman of the House Homeland Security Committee, said the bill has been held up by disagreements over some provisions, including several related to immigration. Now the new goal is to get it on the suspension calendar in July, possibly as

soon as the week after the Fourth of July recess, he said.

Bipartisanship is the name of the game: "I think we're very close to cutting a bipartisan deal," McCaul said. And he emphasized that the bill's popularity (or lack thereof) in the House would determine whether it reached the Senate. The upper chamber won't touch the bill if it's "a rule vote and it's just a partisan vote," McCaul said.

And just in case you forgot: The House bill would reauthorize DHS for the first time in its 15-year history. It also includes several provisions that would block President Donald Trump's proposals to eliminate or reduce TSA programs, like the Visible Intermodal Prevention and Response Team and a grant program that reimburses airports that hire local law enforcement.

FEELING LEFT OUT: Democrats including Reps. Frank Pallone (D-N.J.) and Doris Matsui (D-Calif.) at Tuesday's House Energy and Commerce hearing on driverless cars groused that they hadn't been included in crafting the draft legislation under discussion. But later, Michigan Democrat Debbie Dingell said that accusation was unfair. "The draft bill was circulated to everybody," Dingell said. That's the problem, subcommittee ranking member Jan Schakowsky (D-Ill.) told MT - they should have brought Dems in to help develop the package instead of just to present it once it was finished: "Explaining is different than actually negotiating."

Preemption reception: California Democrats Rep. Anna Eshoo and Doris Matsui complained about the federal government stepping in front of state and local laws and regulations on driverless cars, which some believe is necessary to avoid a confusing patchwork of laws that change at the state line. Matsui said it was especially dangerous to keep California from exercising its own oversight over self-driving cars without "giving NHTSA the tools to fill the void."

Movin' along: Rep. Bob Latta (R-Ohio) said he's spoken only briefly with his colleagues working on similar measures on the Senate side and that he hopes to mark up the legislation - which has not yet been formally introduced - by the end of July. "We've got to keep moving. This technology is moving away from us," he said. "We'd really like to see this moving forward in the next month."

** **A message from Airlines for America:** America invented aviation, yet our global leadership is at risk. Passing FAA reauthorization and modernizing our air traffic control system will bring us into the 21st century. We need reforms without increasing costs for travelers. Ask Congress to support ATC Reform and reject an unnecessary Airport Tax increase. - www.stopairtaxnow.com **

WAIT 'TIL YOU GET A LOAD OF THIS: A National Academies of Sciences panel concluded that the method of FMCSA's Safety Measurement System is "defensible," but that the agency could switch to a model that's often used to rank hospitals and schools. FMCSA uses the system to single out carriers it deems are at a greater risk of being in a crash. The trucking industry has attacked SMS for using an allegedly faulty methodology.

tl;dr: "We have found, for the most part, that the current SMS implementation is defensible as

being fair and not overtly biased against various types of carriers," the committee said. "However, much of what is now done is ad hoc and based on subject-matter expertise that has not been sufficiently empirically validated." Your MT co-host has more for Pros.

ATA A-OK: The American Trucking Associations reacted to the study's release by saying its findings "substantiated many of the concerns" the industry has with SMS. "We strongly agree with the National Academies' conclusion that [the Compliance, Safety, Accountability program] should be based less on the 'subject-matter expertise' of enforcement and more on the empirically validated data," said Sean Garney, the organization's director of safety policy.

Follow up: Norton, the top Democrat on the House Transportation highways and transit subcommittee, now wants a hearing on the report.

SMILE IF YOU WANT TO BOARD: Houston's George Bush Intercontinental Airport will become the third U.S. airport to participate in a federal pilot program to test facial recognition technology, Steph reports for Pros. The equipment can confirm a traveler's identity by comparing photos on travel documents with a live photo taken at the airport. Customs and Border Protection has already introduced the technology at Hartsfield-Jackson in Atlanta and Washington Dulles. And the agency is expected to expand to additional airports over the summer.

If you are what you say you are, then have no fear: Congress has issued several mandates for CBP to implement biometric exit technology at airports and improve how it tracks the comings and goings of non-U.S. citizens. Worried about privacy? CBP says live photos of U.S. citizens would be discarded shortly after their identities had been confirmed.

SO LONG FASTLANE? The Trump administration is changing the name of the FASTLANE grant program to INFRA, for Infrastructure for Rebuilding America. The FASTLANE program was created by the FAST Act to fund freight and highway projects and authorized at $4.5 billion for fiscal years 2016 through 2020. No word yet on whether there's more behind the shift than a simple name change.

FRESH MEAT: Rep. Ron Estes (R-Kan.) has joined the House Homeland Security Committee. He'll sit on two subcommittees: transportation and protective security, and oversight and management efficiency. Estes was the winner of an April special election to replace now-CIA Director Mike Pompeo.

REPORT ROUNDUP: The National Safety Council says all 50 states and the District of Columbia fail to do enough to protect their residents from "accidents" of all kinds, including traffic crashes. None of the states earned an "A" for overall safety in their new state-by-state ranking ... And transportation research group TRIP's new report found that 48 percent of rural roads are in good condition, with 15 percent being in poor condition. And 10 percent of U.S. rural bridges are considered structurally deficient, which is just a hair worse than the national average of 9.1 percent.

SHIFTING GEARS: Former Sen. Mark Kirk (R-Ill.), who was the head of the Senate Banking Committee, is joining the board of advisors of the public transit and infrastructure research firm